

Use election season to remind politicians of your priorities

From open records to bodycam footage, government transparency benefits everyone

As you read this, the 2020 Missouri Press convention is history. Perhaps you are still thinking about how different this year's convention was from past years. Maybe, like me, you are remembering all the fun times you've had at those conventions. There's always fascinating seminars, fun dinners, great laughs with good friends.

I personally miss seeing each of you! When we talk on the phone, it's not the same as having a chance to meet you face to face and learn a little more about you and what stories you are covering. That's one of the best parts of the convention for me.

But the next month is going to be very busy for each of you as you cover political events in your community and deal with advertisements from politicians. **DO NOT FORGET** that you must have the correct political attribution in those ads. This is not a law that applies only to the politicians – You, the newspaper, are subject to being assessed a fine by the Missouri Ethics Commission if your attribution in the ad is missing or wrong.

You can find a great chart outlining what is required in ads for state races at shorturl.at/mxDIY

I encourage you to print it off and post it in the ad department. Yes, I've told you that before, but there are always new folks and this requirement catches them off-guard.

Federal guidelines for advertising attribution can be found at shorturl.at/enrwQ

While that website doesn't offer a simple brochure like Missouri's handout, it is a fairly clear description with samples.

While the candidates are in town

rounding up votes, the news side of your operation should remind them how important the Sunshine Law is in terms of covering government operations – the functions your tax dollars support. Explain to them that charging for attorney fees to review records is an issue in litigation right now and those costs can make it impossible to afford copies of records.

Take time, also, to remind them how important the publication of legal notices in your newspapers are. There has been a dramatic demonstration of the shortfall of public access to the Internet in the last six months, as schools have gone to virtual classes.

Many homes do not have stable, reliable Internet. Print is not dead.

If communities want to get the word out about important opportunities or announcements, the local paper is still the strongest vehicle it has.

And I think other issues will continue to ferment in the back rooms in Jefferson City next year. Incidents involving law enforcement activity will continue to generate news. Sedalia, as a prime example this year, is not a town with significant racial protests or other traditional events that generate police/public controversy.

And yet, the shooting of a young woman in town created a furor because local police had no body-camera capability and there was no video to document the official report of law enforcement justifying the actions taken that resulted in her death.

And reporters will continue to want access to video generated when such incidents occur. While there

is language in the Sunshine Law in Missouri dealing with that issue (see Section 610.205), there is not a presumption that the public interest in such matters should make such information public – it's more a weighing of the facts. There are times when the video of a situation, just like the video of the George Floyd incident, shows truth in the face of confusion and misrepresentations. Access to that information is critical.

At the same time, there continues to be problems in Missouri, like some other states, over whether reporters' unpublished video and photos, as well as reporters' notes, are subject to discovery in cases where the reporter is not a primary witness to the incident. In late September, the Seattle Police Department finally dropped a subpoena asking five local news organizations to turn over unpublished materials gathered in the course of covering racial protests in town. Law enforcement had argued that media outtakes would help identify suspects in the torching of police vehicles and theft of police guns.

Perhaps when the legislature gathers again in January, opportunities will arise to address some of these issues. Now is the time to start having those conversations with your local representatives. Thanks for all your support of MPA and its efforts to protect your First Amendment rights!



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