PRESIDENT’S COLUMN

MANY PROFESSIONAL, PERSONAL MEMORIES TIED TO CONVENTIONS

Bruce

I met my wife, too many wonderful friends to count, received a journalism education unrivaled by any university, closed many a hospitality suite, lost a few dollars in several casinos, ate enough Sisters of the Sea to own a wing of Mary Mahoney’s, and toasted the wonderful world of newspapers not nearly often enough at the annual Mississippi Press Association convention on the Gulf Coast.

For 150 years, MPA friends and family have made memories at the Edgewater, Buena Vista, Broadwater, Grand, Beau Rivage, IP and many other locations.

My mother-in-law Jo Ann Denley vividly remembers her first. It was at the Buena Vista and she went to great lengths in an attempt to learn everyone’s name.

“I spent time in the room trying to remember everyone’s name so I could speak with everybody I saw,” she said. “I spoke to everybody I bumped into but realized nobody had a clue who I was. I saw Dr. Sam Talbert (Chair of the journalism department at Ole Miss) and told him nobody knows me unless I’m with Gale (Denley). He said, ‘Jo Ann, nobody knows me unless I’m with Gale.’”

Jo Ann recalled wonderful times at convention at the Broadwater Beach where the accommodations were first class and the Denley children loved spending time with the Phillips family and many others.

“It was the family vacation for so many newspaper families,” Jo Ann said. “We never missed a convention.”

My wife Lisa Denley McNeese and sister-in-law Celia Denley Hillhouse, both editors today at The Calhoun County Journal, recall those days very well.

“I remember when my sister Celia and I were finally old enough to stay in the room at the Buena Vista by ourselves while our parents attended meetings,” Lisa said. “Going to the pool, watching what we wanted on TV and ordering room service, that was a great time.”

“Buddy (Gale Denley) always requested an ocean front room,” Celia said. “We spent hours at the pool, ate lots of shrimp, thought the bellhops time with others doing the same thing you’re doing. That’s what Gale loved.”

My favorite MPA convention memory has to be the one at which I met Lisa in the hospitality suite. We were at the Grand in Biloxi when late one night we pulled a beer out of the bath tub at the same time and instantly fell in love. Clarion-Ledger cartoonist Marshall Ramsey joked at last year’s convention in New Orleans that’s the same way he met Jim Prince of the Neshoba Democrat.

Those kinds of good times with family and friends are what MPA convention has always been about for me.

I’ll always take pride in MPA being the first large-scale convention to return to the Coast post-Katrina; remember the annual visit to Mary Mahoney’s with fellow publishers and getting the high water mark story from Bobby Mahoney, Jr. (We’ve all heard the same story from Bobby countless times since and enjoyed it every time like the first.); Wyatt Emmerich playing Norwegian Wood on guitar; numerous schooner cruises; the governors’ speeches and interactions afterward; great discussions with the board of directors; reminiscing with newspaper friends – the only people on earth who truly understand what I do day-in and day-out; and celebrating the wonderful world of newspapers and the great future that still lies ahead for us all.

I hope you will come join in the celebration June 23-25 at the Golden Nugget in Biloxi.
The former editor of the *Sun Herald* who led the newspaper’s Pulitzer-winning coverage of the aftermath of Hurricane Katrina will be inducted into the Mississippi Press Association Hall of Fame during its 150th Annual Convention in Biloxi June 24.

Stan Tiner retired in 2015 after leading the *Sun Herald* newsroom for 15 years. The paper was awarded the Pulitzer Prize Gold Medal for Public Service in 2006 following its dogged coverage of the catastrophe and initial recovery efforts. Tiner and colleagues Marie Harris and Tony Biffle were also finalists that year for a Pulitzer recognizing editorial writing.

“We are very pleased and proud to induct Stan into the Association’s Hall of Fame,” said MPA President Joel McNeece, publisher of *The Calhoun County Journal* in Bruce. “He has been a tireless champion of transparency in government and of reporting to keep public officials accountable.

“His leadership of the *Sun Herald* newsroom during his entire tenure and specifically in the terrible days after the landfall of Katrina is a testament to what newspapers can achieve for the communities they serve.”

A native of Springhill, La., Tiner graduated from Louisiana Tech University and later was a Nieman Fellow at Harvard University. He is Vietnam War veteran, having served in the U.S. Marines.

He previously served as top editor at the *Mobile Press Register*, the *Shreveport Journal* and the *Daily Oklahoman.*

**Viers, Hosemann highlight agenda during 150th annual convention**

MPA will celebrate its sesquicentennial year during the 150th Annual Convention at Biloxi’s Golden Nugget Hotel and Casino. The event is set June 23-25.

The agenda includes sessions led by technology and transition expert Russell Viers, panel discussions on Freedom of Information and the 2016 legislative session. Extra curricular activities include the annual golf outing and post-convention schooner cruise.

Viers is a publishing industry analyst and speaker. He is an Adobe Certified Instructor in InDesign, Photoshop and Illustrator. He is a highly sought-after technical speaker and trainer worldwide, owing to his expertise and entertaining style.

Secretary of State Delbert Hosemann will deliver the keynote address to open the convention, touching on the history and impact of associations in Mississippi.

Hosemann, elected Mississippi’s Secretary of State in 2007, is a native of Warren County and earned his law degree from the University of Mississippi. He was presented the S. Gale Denley Memorial Journalism Award from the MPA Education Foundation in 2014.

Also on tap are a panel discussion on “The Ethics Commission and the Press.” The program focuses on the process of filing complaints on suspected violations of the Open Meetings and Public Records Act, as well as recent appeals filed against commission rulings by public bodies in Columbus and Meridian.

Panelists include Ethics Commission Executive Director Tom Hood, Forest Thigpen of the Mississippi Center for Public Policy, and Mississippi Center for Freedom of Information attorney Leonard Van Slyke.

A second panel discussion will focus on the 2016 Legislative and feature MPA Lobbyist Hayes Dent and Steve Browning, as well as Rep. David Mississippi Secretary of State Delbert Hosemann will present a keynote address June 23 to kick off the annual convention.
Elsewhere in this newsletter is a column by MPA President Joel McNeece describing some of the lasting relationships his association with this Association has afforded him.

I can relate. Joel and I first met at a Mid-Winter Conference nearly 20 years ago after he’d gone to work for Wyatt Emmerich at The Winona Times. Joel and I shared a connection through Tim James, the publisher in Winona at the time who had also once employed me in Eupora at the Webster Progress-Times.

I learned sitting across the table from him that night at the conference that Joel’s a man of measured words and temperament. I typically run somewhat counter to that, often at my own peril. I often keep talking long after I should have shut up. In fact, first encounters between me and anyone who’s parsimonious with speech usually ends with me having talked way too long and soaked in my own flop sweat.

It doesn’t take long to cultivate an appreciation for Joel’s collected demeanor. It’s what has made him a fine leader in the Association and other walks of life.

He’s handing over the gavel to another president at this year’s convention, and it’s a transition tinged with a little wistfulness on my part. Joel and I have been personal friends for a long time now, and it was very gratifying to work alongside him on behalf of MPA.

Transition comes with the territory, but I am grateful to have the opportunity to continue working with him and so many fine past presidents of the Association.

ACCEPTING THE GAVEL, barring any uproar or revolution from the floor of this year’s convention, is Don Norman, publisher of the Starkville Daily News and Daily Times Leader in West Point.

Further evidence of the “small world” nature of our business and this organization, I once briefly worked for Don when he arrived to take the helm of those two newspapers about 16 years ago.

I moved on after a few months to become publisher of The Star-Herald in Kosciusko, eventually landing at MPA in 2006.

When Don was first nominated to the Board of Directors in 2011, I wondered if it would be in any way awkward to have someone serve in that capacity who had also been a one-time employer of mine.

It wasn’t. Don has been a capable and involved director and officer and very supportive. It will be rewarding to see him take the gavel surrounded by his family and colleagues at this year’s President’s Banquet.

I CANNOT END this mash note to board leaders past, present and future without remarking on the service of James E. (a.k.a. Jim) Prince, III.

Jim is exiting the board at this convention after 12 years of service, including two as President from 2012-14.

It also bears noting that Jim is the sole remaining director serving on the board who was around when I was hired. So it’s strange to think of future meetings without him.

Jim and I have fussed some over the years, thought of each other as obstinate at times, and are probably responsible for more than few gray hairs on each other’s heads.

But there is one thing of which I am absolutely certain: No director or president during my tenure has treated his duties with more respect or reverence than Jim.

And I truly believe that as long as I’m here, we’ll never have a board member who cares more about MPA or our industry than he does.

A toast in his honor!

Layne Bruce is executive director of MPA-MPS. His email address is lbruce@mspress.org. Follow the Association on Twitter @MPAnewspapers.
CONVENTION AGENDA

THURSDAY, JUNE 23

1:00 pm  Registration desk opens

1:00-3:00 pm  MPA-MPS BOARD OF DIRECTORS Round Island B
Presiding: MPA-MPS President Joel McNeece
The Calhoun County Journal

4:00-5:00 pm  MPAEF BOARD OF DIRECTORS Round Island A
Presiding: MPAEF Chairman Jim Prince
The Neshoba Democrat

6:00-7:30 pm  OPENING RECEPTION Deer Island
Cocktails, hors d'oeuvres & entertainment

Dinner on your own

FRIDAY, JUNE 24

7:30 am  Registration desk opens

8:00-10:00 am Continental breakfast available

8:00 am  SILENT AUCTION OPENS Horn Island

8:15-9:00 am  MPA-MPS MEMBERSHIP MEETING Deer Island
Presiding: MPA-MPS President Joel McNeece
The Calhoun County Journal

9:00-9:15 am  OPENING CEREMONY & WELCOME Ship Island
National Anthem & Presentation of Colors
Presiding: MPA-MPS President Joel McNeece
The Calhoun County Journal

9:15-10:00 am  GENERAL SESSION Ship Island
Speaker: Honorable Delbert Hosemann
Mississippi Secretary of State

9:00-10:15 am  CONCURRENT SESSIONS
A » “Adobe In the Cloud” Ship Island A
Presented by Russell Viers
B » “2016 Legislative Session Review” Ship Island B
Moderated by Jack Ryan, Enterprise-Journal
C » “Community Newsrooms & Social Media” Ship Island C
Presented by Jaci Smith, 2014-15 fellow, Reynolds Journalism Institute

10:15-10:30 am Break

10:30-11:45 am  CONCURRENT SESSIONS
A » “Adobe In the Cloud” continues Ship Island A
Presented by Russell Viers
B » “Ethics Commission & the Press” Ship Island B
Moderated by Tim Kalich, The Greenwood Commonwealth
Panelists: Mississippi Ethics Commission Executive Director Tom Hood, Forest Thigpen, executive director, Mississippi Center for Public Policy, Leonard Van Slyke, attorney, Mississippi Center for Freedom of Information
C » “Community Newsrooms & Social Media” repeats Ship Island C
Presented by Jaci Smith, 2014-15 fellow, Reynolds Journalism Institute

11:45-12:15 pm Break

12:15 pm  BETTER NEWSPAPER CONTEST AWARDS LUNCHEON Grand Ballroom

SATURDAY, JUNE 25

7:30 am  Registration desk opens

8:00-10:00 am Continental breakfast available

While at the convention, be sure to check at H20, the pool at the Golden Nugget.
Members of the panel at the 2016 Celebrity Roast of Congressman Gregg Harper rise to salute the honoree. Pictured are Gov. Phil Bryant (from left), Jere Nash, Holly Wagner, emcee Sid Salter and Harper.

Roast of Harper raises nearly $40K for MPAEF internships, scholarships

Good humor and a gracious honoree mixed well to make the annual MPA Education Foundation Roast of Congressman Gregg Harper one of the most successful fundraisers in the event’s 26-year history.

Nearly $40,000 was raised through sponsorships and ticket sales at the Jan. 28 event. Proceeds will benefit the scholarship, internship and grant programs of MPAEF.

“This was the largest crowd we have ever had in attendance,” said MPA Executive Director Layne Bruce. “We couldn’t be more pleased nor could we be more grateful to the Congressman for his support of the event.”

Harper was honored at the outset of the annual Mid-Winter Conference. Roast panelists included Gov. Phil Bryant, authors and political consultants Andy Taggart and Jere Nash, and Mississippi Speaker Pro Tempore Greg Snowden. Longtime political columnist and MPA Past President Sid Salter emceed the event.

Bruce said the 2011 Roast of Mississippi State University President Dr. Mark Keenum took in slightly more than $41,000 and retains the record as the most financially successful.

BlueCross BlueShield of Mississippi served as Diamond Sponsor for the event. Gold sponsors included AT&T, C Spire, Nucor Steel and the Mississippi Economic Council.

Founded in 1983, MPAEF provides financial assistance and internships for students of journalism or communications attending Mississippi institutions of higher learning. MPAEF also provides grants to in-state schools for the instruction of journalism.

Newspapers lauded for advertising excellence

Five newspapers have been singled out for general excellence in the 2015 Better Newspaper Contest Advertising Division awards handed out in January at the annual Mid-Winter Conference in Jackson.


LeAnne Hughes of the Delta Democrat Times captured the Advertisement of the Year honors for a full color ad for Kellebrew Farm Services. The award comes with a $500 cash prize for Hughes. She was presented the award by MPA President Joel McNeece of The Calhoun County Journal.

The weekly Columbian-Progress and daily Natchez Democrat both won the Silver Dollar Idea Award for a Class of 2027 special section and annual Profile edition, respectively.

Awards for editorial excellence will be handed out in June during the 150th Annual Convention at the Golden Nugget Casino in Biloxi.

LEGISLATURE

‘Prior restraint’ dropped from bill

Elements of a Mississippi Senate bill many journalists and the Association found toxic were dropped from the final version of the legislation as it emerged from conference at the end of the 2016 session.

SB 2237 makes the identity of the execution team and the suppliers of the drugs used for lethal injection secret and exempt from freedom of information laws.

MPA objected to the bill in its original form, but mid-session amendments that introduced elements of prior restraint and possible use of firing squads as alternative means of execution stirred up a hornet’s nest of protest around the legislation.

After the bill was transmitted to the House following its passage by the Senate, House Judiciary B Committee added elements of prior restraint that would have enforced civil penalties against members of the press and public who divulged certain information made secret by the legislation.

“Make no mistake, this bill in its final form still enforces secrecy on state executions, an act that should be the subject of much openness and transparency” said MPA Executive Director Layne Bruce. “But the fact an amendment that would have introduced prior restraint and threatened the freedom of speech was dropped in its final form makes the bill far less radioactive than we feared it would be.”

The bill was signed by Gov. Phil Bryant May 3 and goes into effect July 1.

It and other measures will be on the agenda for review during a panel discussion on the legislative session June 25 at the 150th Annual Convention. Sen. Brice Wiggins (R-Pascagoula) and Rep. David Baria (D-Bay St. Louis) will participate, along with MPA lobbyists Hayes Dent and Steve Browning.
MID-WINTER PHOTO ALBUM

A full house was on hand for the annual MPA Education Foundation Celebrity Roast, this year honoring U.S. Rep. Gregg Harper.

Past Presidents Ken Prillhart (from left), Jack Tannehill and Marcus Bowers get reacquainted before the start of the first Past Presidents Breakfast.

Lisa Tackett Griffin (center) leads a roundtable discussion on technology.

LeeAnne Hughes of the Delta Democrat Times receives the trophy for Ad of the Year from MPA President Joel McNeece.

MPA Executive Director Layne Bruce presents Dr. Samir Husni (left) of the Magazine Innovation Center at Ole Miss and a guest speaker his haul from the first ever MPA Foundation Wine Pull fundraiser.
Phillips, longtime publisher of Oxford Eagle, dies at 84

OXFORD

Jesse Pittman Phillips, 84, died Sunday, February 28, 2016, at his residence in Oxford. A native of Grenada County, Phillips graduated from Holmes Community College and earned a Bachelor of Science degree in journalism and a Master of Arts degree from the University of Mississippi.

He was president of his sophomore class and the Baptist Student Union at Holmes, was tapped for membership in the national leadership fraternity ODK, and, in 2000, was named Alumnus of the Year in recognition of his commitment to Holmes.

In 1957, Phillips and Walt Featherston bought an office supply and commercial printing company, which became Rebel Press & Office Supply Co. His family continued its ownership for 49 years.

In 1961, Phillips, Featherston and Nina Goolsby purchased The Oxford Eagle. He became publisher and his family continued ownership of its interests for 53 years.

Phillips served in various positions with the Mississippi Association of College Stores, the Mississippi Press Association and the Oxford-Lafayette Chamber of Commerce and Economic Development Foundation. He was named as one of the Outstanding Young Men of America, selected for induction into the BancorpSouth Hall of Fame, won the Distinguished Jaycee Award, was named Oxford Citizen of the Year in 1980 and was president of Oxford’s Chamber of Commerce.

He was a past president of MPA and remained active in the organization until his retirement.

“The Phillips family, and in particular Mr. Phillips, has been extremely important to the press association especially during the time Mr. Phillips served as president of the association back in the 1980s,” said MPA Executive Director Layne Bruce. “His loss will be felt far beyond Oxford because of his role as a respected and trusted newspaper man, and bigger than that, as part of the MPA family.”

Phillips was a member of First Baptist Church of Oxford and served as Chairman of its Deacons and member of several building and pulpit committees.


He is survived by his wife of 62 years, Jeanette Collier Phillips of Oxford; two sons, Tim Phillips (Terri) and Andy Phillips, both of Oxford; a sister, Jimmie Ruth Pipes of Amarillo; TX and six grandchildren.

Services were March 2 at First Baptist Church in Oxford. Memorials can be made to the Daniel Morris Phillips Memorial Scholarship at the University of Mississippi (University of Mississippi Foundation, 406 University Avenue, University, MS 38677).

Jesse P. Phillips

Sun Herald

Glen Nardi, publisher of the Sun Herald in Biloxi since 2009, retired at the end of March.

Shannon Wall, previously advertising director for the coastal daily, was named his successor by owner McClatchy Co.

The Meridian Star

Alexander Gould has been named publisher of The Meridian Star. He most recently was integrated sales director for M. Roberts Media in Texas. In Meridian, he succeeds Tim Holder.

Picayune Item

Linda Gilmore has returned to the Picayune Item as publisher. She previously spent four years in charge of the daily newspaper before departing in 2015.

The Star-Herald

Joseph Brown has been named editor and publisher of The Star-Herald in Kosciusko. He succeeds James Phillips who has returned to his hometown paper, the Daily Mountain Eagle in Jasper, AL, as publisher. Brown most recently was city editor of the Paris (Texas) News.

The Oxford Eagle

Tim Phillips has departed as publisher of The Oxford Eagle after two years in the post. He and his family sold the paper to Oxford NewsMedia, an affiliate of Boone Newspapers, Inc., in 2014 at the time he took the top job at the afternoon daily. A successor has not yet been named.

The Clarion-Ledger

Dustin Barnes, community engagement editor for The Clarion-Ledger, has been named one of Editor and Publisher’s Top 25 Under 35.

Ole Miss

Bill Rose, who for six years has led student reporting ventures for the Meek School of Journalism and New Media at Ole Miss, received the Samuel S. Talbert Silver Em award for 2015 during an April 6 banquet in his honor.

Hattiesburg American

Tom Overton has been named general manager of the Hattiesburg American. He most recently was publisher of the Americus (Ga.) Times Recorder. A native Mississippian, Ovverton’s father formerly published the Daily Corinthian.

Las Vegas

Former Clarion-Ledger publisher Jason Taylor has been replaced as chief executive of The Las Vegas Review Journal by Craig Moon, a former publisher of USA Today. Taylor remains Western U.S. Publishing Operations and President for GateHouse Media, which operates the Review-Journal under a management agreement.
**Deaths**

**Dee Ann Davidson Andrews**

Dee Ann Davidson Andrews, former Picayune Item lifestyles editor, died Feb. 16 in Lubbock, Texas.

She was the wife of retired Item publisher Tom Andrews, a past president of MPA and past chairman of the MPA Education Foundation.

The pair met while working at the Item and would have celebrated their 25th wedding anniversary in March.

Dee Andrews was born in Chicago in 1945. She graduated as valedictorian from Abernathy High School in 1963. She was a graduate of the University of Southern Mississippi and the Loyola Law School.

She joined the paper’s staff in 1980 and was a multiple award winner in MPA’s Better Newspaper Contest Editorial Division.

She is survived by her mother, Alma Jean Davidson of Lubbock; two daughters, Rebecca Ann Hope of McKinney, Texas, and Kristine Nguyen and husband Tuan of Fort Worth; son Mark O’Neal of Picayune; 13 grandchildren; one great-granddaughter; sister Laura Holland and husband Gary of Abilene, Texas; brother Neil Davidson and wife Roseanna of Flanagan, Ill., and extended family.

“She was really outgoing and personable,” said her husband, Tom. “She always wanted to help people and tried her very best.”

“She spent a lot of time writing,” he said, noting she authored a blog, “Finding Direction: The Wind Vane Chronicles.”

The family requests memorials be made to the American Diabetes Association, P.O. Box 11454, Alexandria, Va., 22312.

**Darling joins MPS as marketing manager**

Julie Darling, a native of Natchez and a longtime sales manager for newspapers in Mississippi and Alabama, has joined Mississippi Press Services as marketing manager.

In her new role with MPS, Darling will oversee external marketing for MPS and its advertising programs, as well as lead new efforts to increase digital revenue and offerings. She also will assist with communications for MPA and marketing for the Association and its members.

“We are very fortunate to have someone with Julie’s background join MPS and the Association to help us in our cause to promote Mississippi newspaper media,” said Layne Bruce, MPA-MPS executive director. “She’s already hard at work making improvements in our message to prospective clients.”

She previously served as advertising director for The Cullman (Ala.) Times and retail advertising manager for The Natchez Democrat.
Earlier this year in Sioux City, Iowa, the presumptive Republican presidential nominee — when describing the loyalty of his supporters — said that he “could stand in the middle of Fifth Avenue and shoot somebody and I wouldn’t lose any voters.” The natural reaction upon first hearing this is stark incredulity: any political candidate who made such a statement would ordinarily be seriously politically damaged by it because it ordinarily raises fundamental questions about his character and judgment. A journalist’s first impulse would be to check its accuracy because the media’s publication of a materially inaccurate quote by a person that is defamatory can give rise to a claim for libel.

In the past there would ordinarily be no question about the authenticity of a person’s statement about herself. The journalist would obtain a quote directly from the person in response during an interview or would report about a statement the person published orally or in print. As social media becomes in increasing source of information for journalists, ascertaining the authenticity of statements attributed to an individual on social media is going to become increasingly important.

Recently the Wisconsin Court of Appeals allowed an adjunct lecturer at several schools in the Milwaukee area, including Marquette University, to recover compensatory and punitive damages for defamation when the defendant had created a Facebook page in the name of the lecturer and falsely portrayed the lecturer as having published statements about himself, including that he was a “preying swindler,” “corrupt,” “a debt to society” and that he had engaged in “underhanded business practices,” “defrauded banks,” and “manipulated banks and credit card companies.” The Communications Decency Act immunizes the online service provider from liability for publishing the statement, but a newspaper that republishes such statements may be liable for defamation if they are proved to be false.

The legal principle is not new. Neither is the practice even though the technology may be. For example, the New York Court of Appeals in 1929 upheld a claim for defamation brought by a teacher and lecturer whose livelihood was based upon her speaking about Palestine and Mosaic law. The plaintiff brought a suit for defamation against a newspaper that had published an article under the plaintiff’s name, which contained statements about those subjects that were demonstrably false. As a result, the plaintiff alleged that the publication of the article made the plaintiff out to be “ridiculous, a fraud, a deceiver and a charlatan.” Ben-Oliel v. Press Pub. Co., 167 N.E. 423, 433 (N.Y. 1929). As the New York appeals court explained in that case:

In order to constitute a libel, it is not necessary for the defendant in its paper to directly attack the plaintiff as an ignorant imposter. The same result is accomplished by putting in her mouth or attaching to her pen words which make self-revelation of such a fact. One may say of a physician that he is an ignorant quack, or he may print a statement by the physician regarding some operation performed by him or some treatment of a disease which shows him to the profession to be an ignoramus and a bungler. Both of these publications would be libelous.

Id. at 434. Confirming the authenticity of the origin and source of a press release, an announcement, or a proposed news article is essential to avoid being caught in the trap that the newspaper found itself after having published the article in question.

An inaccurate quotation may also give rise to a claim for defamation when a defamatory statement is attributed to the plaintiff that he claims that he did not make because, for example, the reporter misquoted him. This is more likely to happen when the reporter does not have the plaintiff on tape or video, and the reporter’s notes are the principal source for the alleged inaccurate quotation. What follows are two examples where the New York Times constitutional malice standard applies.

In 2007, the Massachusetts Supreme Court upheld a judgment against the Boston Herald for defamation when it falsely reported in a series of articles that the public official plaintiff, a state trial judge, had told prosecutors in chambers that a rape victim who had appeared in his court the prior week “can’t go through life as a victim. She’s [fourteen]. She got raped. Tell her to get over it.” Murphy v. Boston Herald, Inc., 865 N.E.2d 746, 750 (Mass. 2007).

That same year the Idaho Supreme Court upheld a summary judgment for the newspaper defendant which had published a quote by the public figure plaintiff, the State Chair of the Republican Party in Idaho, which said: “You probably cannot find an African American male on the street in Washington, D.C., that hasn’t been arrested or convicted of a crime.” The plaintiff claimed he had been misquoted and what he actually had said was: “You probably cannot find an African American male on the street in Washington, D.C. who doesn’t have friends who have been arrested or convicted of a crime.” Clark v. The Spokesman-Review, 163 P3d 216, 218 (Ida. 2007). The Idaho Supreme Court explained that the public figure plaintiff had failed to present sufficient evidence that the quoted statement was published with actual knowledge that the statement was false or with reckless disregard for its truth or falsity: New York Times Co. v. Sullivan, 376 U.S. 254 (1964), requires.

The standard in the public official/public figure cases is not what a reasonable prudent journalist do but rather did the reporter know the statement was false or act so recklessly when publishing the statement that one could conclude the reporter did not care whether it was true or false. In Massachusetts the reporter was not present when the defamatory statement was made, and he sought but never obtained an interview of the state trial judge before the story ran. The quote appeared in nine subsequent stories about the state trial judge published by the newspaper. In Idaho the reporter interviewed the plaintiff over the phone and took notes during the interview. In Massachusetts the reporter did not interview anyone who was present in chambers when the state trial judge spoke and before the story ran. After he interviewed an assistant district attorney who was present in chambers, the reporter later threw away all of his notes about his interviews related to the quote. The Idaho reporter kept his notes from his telephone interview with the plaintiff, and their contents were consistent with the attacked quote and the entire story.

Editors and reporters should always be skeptical about their sources and what their sources say. This is true even where the source talks or writes about himself or herself. The adage that one should never look a gift horse in the mouth does not apply in this context whether the source is a private figure or a public figure.

John C. Henegan, Sr., is a member of Butler Snow LLP and counsel to the Mississippi Press Association. He and other members of his firm have been defending members of the print, broadcast, electronic, and entertainment industries in defamation and privacy suits for over 30 years. Members of the MPA can send general questions about defamation and privacy or requests for story review to hotline@mspress.org.
Derek placed more ads in the paper than anyone else on the sales team. Low volume clients suddenly increased their expenditures. And large clients started running even bigger ads. Revenue was rolling in.

Then it all fell apart. First one advertiser, then another, complained about invoicing. Quickly it became evident that Derek had been placing ads in the paper without permission. His scheme worked for a while, because some of his clients didn’t check records carefully. At first, the paper rationalized that refunds were a cost of having a high-energy sales person with a poor eye for details. Then they realized that the problem was deeper than that, and eventually had to let him go. Justice prevailed, but that wasn’t the end of the story.

The accounting department worked overtime to clean up the mess. And the ad department hired a replacement. But in an inexplicable act of greed and stupidity, the ad manager gave the new person a goal that was ten percent higher than the pre-refund amount generated by Derek. In other words, the new person would have to produce more revenue than a crook.

Although this is an extreme example, it illustrates the fact that some managers need a better understanding of what it takes to set realistic goals. If you are involved in the goal-setting process, here are some points to keep in mind:

1. **Fairness is in the eye of the beholder.** If a sales person feels a goal is unfair, it is either (1) truly unfair or (2) you need to do a better job of explaining how you arrived at the goal.

2. **Goals impact morale.** When a person makes progress toward a goal, morale soars and she can be self-motivated to work even harder. On the other hand, when a person finds himself falling short week after week, he can get discouraged and say, “What’s the use?”

3. **Morale is contagious.** Although sales people spend a big part of each day working independently, they are part of a team. When there are problems, they are often likely to talk to each other rather than to the boss.

4. **Consider multiple factors when setting goals.** Across-the-board increases are common, but inherently out of touch with reality. Let’s use the ten percent figure at Derek’s paper to illustrate. If you’re looking for an overall ten percent increase, see that figure as an average. Some accounts could project a five percent increase and others could project 15. It’s like the old management saying, “If you’re treating everyone the same way, you’re treating most of them the wrong way.”

5. **Use the S.M.A.R.T. formula.** This technique has been around for a long time — and it has helped a lot of ad managers set meaningful goals. It represents goals that are (1) Specific, (2) Measurable, (3) Achievable, (4) Relevant, and (5) Time-sensitive. Wise managers get each sales person’s input in each area for each account.

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**AD LIBS**

**Important points when you’re setting goals**

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Baria (D-Bay St. Louis) and Sen. Brice Wiggins (R-Pascagoula).

Other sessions include an exploration of social media in community newsrooms led by Jaci Smith, a 2014-15 Fellow with the Reynolds Journalism Institute.

Former Sun Herald editor Stan Tiner will be inducted into the MPA Hall of Fame during the President’s Banquet Friday evening. Tiner retired in 2015 after leading the newspaper’s editorial department for 15 years, during which it won a Pulitzer Prize for Public Service following its coverage of the aftermath of Hurricane Katrina.

Other events include the Silent Auction benefit for the MPA Education Foundation and the Better Newspaper Contest Editorial Division Awards Luncheon. Donations are now being accepted for the annual auction benefit.

Full member registration begins at $225 and continues through June 17, after which attendees must register on site for an additional fee. Call 601-981-3060 or visit the convention webpage at mspress.org/event/convention for details or online registration options.

Day at the Capitol

MPA lobbyist Steve Browning (from left), Past President Jim Prince, lobbyist Hayes Dent, President Joel McNeese, and Past President Wyatt Emmerich take time out for a group photo during the association’s Day at the Capitol April 7 as part of MPA’s 150th Anniversary observances.