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Kentucky Press

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State media take national leadership posts

By LISA CARNAHAN
Member Services Director

Kentucky now has another distinction to add to its list of credits, besides fast horses, hard liquor and great basketball: three media figures in the state have attained top leadership posts in national journalism organizations.

Al Cross, political writer for The Courier-Journal, will be inducted as president of the Society of Professional Journalists (SPJ) next month; David T. Thompson, executive director of the Kentucky Press Association was inducted last month as president of the Newspaper Association Managers (NAM); and Gary White,

Al Cross, political writer for The Courier-Journal, will be inducted as president of the national Society of Professional Journalists during the annual convention Oct. 5-6 in Seattle



president and CEO of the Kentucky Broadcasters Association, just completed his term as president of the Broadcast Executive Directors' Association (BEDA).

All three men have been involved in journal-

ism since their youth and all remain committed to their respective industries after 20-plus years.

Al Cross

One of the best known names in Kentucky journalism, the name "Al Cross" brings fear to a great number of state politicians ... but that fear is usually accompanied with a healthy dose of respect as well.

"I've known Al for 23 years," said House Majority Leader Greg Stumbo, one of the most powerful political leaders in the state. "I call

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KPA boot camp called a success

By LISA CARNAHAN
Member Services Director

In this case, two times was a charm. After an unsuccessful try last summer to launch the training, the KPA Journalism Boot Camp graduated the first class on Aug. 3.

The group of 22 ranged in age from 22 to 60 and came from all over the state to attend the three-week course that was held at Georgetown College. The boot camp was led by Indiana University Southeast journalism professor Jim St. Clair but it was the brainchild of KPA Vice-President David Greer.

Greer, publisher of The Kentucky Standard in Bardstown, discussed the idea with a Landmark executive some three years ago, and then a short time later read about the Thomson

See CAMP, page 4



The first-ever KPA Journalism Boot Camp was held July 16-Aug. 3 at Georgetown College. The students participated in a graduation ceremony the final day and were presented with a certificate. The participants completed a 12-page newspaper that's inserted in this issue of The Press.

KPA seeks nominations for 2002 vice president

Nominations and letters of applications are being accepted until Monday, Oct. 1 for the office of vice president of the Kentucky Press Association for 2002.

Any KPA member may nominate any individual who meets the criteria set forth in the KPA bylaws for that position. Additionally, individuals interested in holding office

in the Kentucky Press Association may submit a letter of application.

KPA bylaws state: "The only person eligible for election to the office of vice president are those who are currently serving as elected directors; those who have been elected to serve on the board, provided they have previously served as either an elected or appointed

director or those persons who have served three consecutive years as an appointed director.

Nominations must be sent to: David T. Thompson, Kentucky Press Association, 101 Consumer Lane, Frankfort, Ky. 40601.

All nominees consenting to the nomination and agreeing to serve if

See NOMINATIONS, page 4

What's Ahead

Sept. 28: WKPA Fall Meeting
Ramada Inn, Gilbertsville

Inside

Pg. 2: People, papers in the news

Pg. 3: For KHSJA schools, small donations go a long way

Pg. 8: Open Records' request tips

Pg. 10: A little noise never hurt any newspaper

Kentucky people, papers in the news

Herald-Leader hires Portland's Bennett

A nationally respected investigative journalist, with roles in two Pulitzer Prizes and experience across the globe, is joining the Herald-Leader as its new editor and senior vice president.



Amanda Bennett, managing editor for projects at The Oregonian in Portland, Ore., is known for a hard-news approach that holds governments and businesses accountable for their actions.

Bennett, 49, helped lead a team of reporters that won the Pulitzer

Prize for public service this year for documenting the mistreatment of legal immigrants by the U.S. Immigration and Naturalization Service.

She will succeed Pam Luecke, who left the Herald-Leader in May to take a new endowed professorship in business journalism at Washington & Lee University in Virginia.

For Bennett, who has spent much of her career as a reporter, the editor's chair offers more control and a broader perspective. The Herald-Leader's editor oversees a 142-person newsroom and sits on the editorial board.

The Herald-Leader already enjoys a good reputation for its news coverage among other journalists, Bennett said. But given her experience, she added, she can help

the newspaper improve in its role as a public watchdog.

Bennett joined The Wall Street Journal shortly after she graduated with honors from Harvard College in 1975. She spent 23 years there as a reporter and bureau chief, working in Canada, Detroit, Washington, D.C., China, New York and Atlanta.

In the mid-1990s, when Bennett was the Journal's Atlanta bureau chief, she participated in stories that exposed flaws in national AIDS policy. The stories won a Pulitzer Prize in 1997.

Three years ago, The Oregonian asked Bennett to become its projects editor and strengthen its investigative reporting.

for the Alice (Texas) Daily Echo. Since then he has worked at several other papers including, The Pentagon News, in Washington, D.C., the Pampa (Texas) Daily News, the Northern Virginia Sun, the Richmond News-Leader, Arizona Daily Star, the Akron Beacon-Journal and the Honolulu Star-Advertiser.

"Jim has been an institution here for many years," Jessamine Journal editor Randy Patrick said. "He has provided an invaluable service to the community, and he will be missed by a lot of people."

Easterwood cited health concerns as his main reason for leaving the newspaper.

Elkins named editor at Clay City Times

H.B. Elkins, a Beattyville native with more than 20 total years of communications experience, has been named editor of The Clay City Times. Elkins, 39, began in his new position on July 1.

Elkins has spent the past six years in state government, as an information officer in the Public Information and Communication Services Branch of the Revenue Cabinet, where he was responsible for internal and external publications, and was the developer of the Online Taxpayer Service Center.

Prior to that, he spent more than 10 years with newspapers in Estill, Lee and Breathitt counties. He began his journalism career in December 1983 with The Beattyville Enterprise and The Jackson Times, where he served as sports editor and assistant editor. In September 1987, he became editor of the Citizen Voice & Times in Irvine, a position in which he spent 7 1/2 years.

Elkins earned his bachelor's degree from Morehead State University in 1982, where he majored in journalism and minored in government. He earned a master's degree in communications from MSU in 1983. While in college, he served on the editorial staff of the campus newspaper, The Trail Blazer, including one semester as editor.

He and his wife, the former Melissa Thomas, are native Lee Countians. Thomas is also an award-winning journalist who most recently was design editor and senior staff writer at The Winchester Sun.

Reed writing columns for CNHI newspapers

Former Herald-Leader sports columnist Billy Reed has signed on to write columns and features stories for the Bluegrass Division of Community Newspaper Holdings Inc.

Reed will write about University of Kentucky sports, horse racing, nostalgia and the world of sports in general for the company's Kentucky papers.

Reed began his career as a sports writer for The Courier-Journal in Louisville. He served as the paper's sports editor from 1977 to 1986. He served as a senior writer for Sports Illustrated and most recently was a sports columnist for the Lexington Herald-Leader.

Reed said he left the Herald-Leader because his contract was not renewed as part of the cutbacks that include many of the paper's longtime columnists.

Reed, who has won several awards throughout his career, is a member of the Kentucky Journalism Hall of Fame. He will be inducted to the Kentucky Athletic Hall of Fame this month.

The CNHI Bluegrass Division includes the cities of Richmond, Somerset, London, Corbin, Middlesboro, Harlan, Hazard, Morehead, Prestonsburg, as well as neighboring New Albany and Jeffersonville, Ind.

Easterwood retires as Journal sports editor

After 14 years as sports editor of The Jessamine Journal, Jim Easterwood retired in July.

Easterwood began his journalism career in 1958 as sports editor

The Kentucky Press

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C-J joins trend of charging for obits

By JACINTA FELDMAN
KPA News Bureau

In late August, The Courier-Journal began charging people for obituaries that run over its new nine-line limit.

And it is not alone. Larger papers across the country are charging the deceased's families for the space it takes to run their loved one's obituaries.

"We're really joining what has been a national trend," said Linda Pursell, Vice President of market development for the C-J.

Pursell said that families have asked the paper for years for the option of including more information than what its obituary policy allows. She said the new paid-obituary option will allow families to include any aspect of their loved one's life

that they want in the paper.

"It is our goal to let families express themselves as they see fit," she said.

Everyone who dies still receives a free nine-line obituary. Funeral home directors said that should be enough space to include all the important details, like age, children and funeral and visitation times, Pursell said. But, if families want to include additional information, ranging from names of surviving grandchildren, or clubs the deceased was involved with, they will be able to at a charge of \$5 per additional line. Photos can also be run with the obituary. The cost of photos will be determined by the size by converting the size of the photo into a number of lines, Pursell

See OBITS, page 5

Opinion

Tennessee High Court should have reviewed newspaper libel case

When a Tennessee state legislator sued her hometown paper for libel three years ago, the action had "nuisance suit" written all over it. As soon as he was asked, the trial judge dismissed the lawsuit on summary judgment, noting what was evident to any fair-minded reader: The newspaper had published a true and fair new account of a sheriff's deputy's claim that he say the politician and her husband tearing down campaign posters.

The paper's glancing mention of the incident in an editorial, the judge said, was clearly protected opinion. And the legislator has not met a public figure's burden to show the paper acted with so-called "actual malice," that is, that it published something untrue or with reckless disregard for the truth.

But that was not the end of Tennessee Rep. Mae Beaver's \$1.3 million lawsuit against The Lebanon Democrat, a daily with a sworn circulation of 8,955. Instead, the case has lurched on from court to court as a slowly accelerating nightmare that now threaten to turn libel law upside down for all Tennessee papers.

A Tennessee appeals court panel did the worst damage last November, when it reinstated the complaint against the editorial. Ignoring federal and state precedent dating back to the 1964 New York Times v. Sullivan decision, the court threw out the clear-headed summary judgment and turned the burden of libel law on its head by demanding, in effect, that the newspaper prove its editorial was not written with actual malice.

"It was an visceration of the

First Amendment libel defense in the state of Tennessee," said Richard Hollow, general counsel for the Tennessee Press Association. You might think the Tennessee Supreme Court would want its own say on such a radical rewriting of state libel law. Instead, the high court refused the case and let three appellate ruling stand. Now the Democrat will be forced to spend more time and money to defend itself in a trial.

Of course, there is another route: Take the case to the U.S. Supreme Court, which ruled in its 1986 Anderson v. Liberty Lobby decision that the actual malice standard can be applied in summary judgments. Alfred H. Knight, the dean of Tennessee First Amendment lawyers, is defending the Democrat and gave that course some serious thought. He said he's leaning against it — for reasons that should frighten every newspaper in the land.

He noted that William H. Rehnquist, who wrote a sarcastic dissent in the 6-3 Anderson decision, is now chief justice with new allies. The court could take the case just to weaken or reverse the Anderson standard. "I don't want to be the lawyer who brings that about," Knight told E&P.

Summary judgments using the actual malice standard are the first and most effective protraction against public figures who would use meritless libel suits to silence or intimidate newspapers. That protection must be preserved — in Tennessee and across America.

(Reprinted form Editor & Publisher)

Small donations mean big things for KHSJA papers

For the third straight year, we recently asked our publishers to sponsor their local high schools in the Kentucky High School Journalism Association. Yes, the timing stunk — with "downsizing" being the buzz word of the industry this year it wasn't an easy decision, nor one that we did without a great deal of thought.

But we decided the commitment to high school journalism programs was too important to let the sluggish economy totally dictate our efforts.

And, once again, newspapers are answering the call. In fact, this year's early response is the best yet. I had phone calls from four newspapers the day after we sent out the letter. Talk about not wasting any time!

Thus far, we've heard from the following papers: Central Kentucky News Journal, Georgetown News-Graphic, Mt. Sterling Advocate,

Henderson Gleaner, Lebanon Enterprise, Grayson County News-Gazette, Anderson News, Kentucky New Era, Oldham Era, Columbia News, Danville Advocate-Messenger, Bowling Green Daily News, The Kentucky Standard, Shelbyville Sentinel-News and Springfield Sun.

These papers, and the others who are in the process of filling out the sponsorship form, know the \$50 per school membership fee is much more than just fifty bucks the journalism adviser won't have to try and come up with — it's the first step of that bridge between eager young journalists and the real world of newspapering. It's a gesture of good will on behalf of the newspaper and one that won't easily be forgotten.

But here's where you have to take David T. Thompson's advice from last month: toot your own horn. Don't just write the check or have it deducted from your KPS advertising revenue and be done with it. We'll send the adviser a letter, telling them their membership has been paid by the their local newspaper ... and hopefully, the advisers take the time to send a letter of thanks, too.

But why not let the public know your commitment to educa-

On the Association Front

By Lisa Carnahan
KPA Member Services Director



tion as well? Call the adviser and ask if a photographer can come by and snap a picture of you and the newspaper staff and run it with a nice caption detailing the newspaper's involvement with the school

newspaper or yearbook. These type of things go a long way in the public's eye and will help reinforce to the students your newspaper's interest in their high school journalism program.

The fruits of the investment are starting to pay off. We've heard several reports from college advisers who talk about students coming out of high school who had positive experiences in KHSJA (winning awards, great convention speakers, etc.) who are "pumped up" about a career in newspapers.

We've told Kentucky's high school journalism advisers and students that we're in this for the long haul ... and that means in good times and bad. The former high school press association in the state disbanded some 20 years ago for lack of funding and Kentucky was without one (the only state in the U.S., or so we think, and not a distinction I think we want back) until the formation of KHSJA.

Five years ago, KPA was the only state press association to operate its state high school journalism association. Now, two states have followed our lead and we frequently get calls from others interested in at least getting more involved in their scholastic state organizations.

I know times are tough, financially, for newspapers. I read the stories and know from contacts across the state that, unfortunately, Kentucky isn't immune from the depressing economic trends that currently envelope our industry. But making an investment in scholastic education, as KPA did five years ago when it launched the high school journalism association, is something that can only pay off in the long run.

These papers, and the others who are in the process of filling out the sponsorship form, know the \$50 per school membership fee is much more than just fifty bucks the journalism adviser won't have to try to come up with — it's the first step of that bridge between eager young journalists and the real world of newspapering.



Left to right: Randi Jacobs, Cynthiana, worked with boot camp instructor Jim St. Clair and Kim Johnson of Louisville on the newspaper the class produced.



Sandra Myers, who covers Trigg County for the Kentucky New Era, presented St. Clair with a gift from the class. St. Clair, a journalism professor at Indiana University Southeast, was praised for his style of teaching, patience and willingness to work with the students.

Camp

Continued from page 1

newspaper chain's boot camp.

"I thought I had this really original idea — but like the saying goes, there is no 'new' idea," he said.

Greer spent some time with Thomson executives in charge of the company's boot camp and formulated a proposal to take to the KPA Board last year. They endorsed the project and plans were made to hold the first installment of the camp last July.

Maybe it was fate ... but the camp didn't go off as planned. In light of this year's enthusiastic group and several changes in the format which made the three-week course more student-friendly, it may have been the best cancellation KPA's ever had.

"It's always exciting to see something move from the concept stage to a workable plan and then become reality," said Greer. "With the journalism boot camp, the results far exceeded my expectations. We had the right mix of students, we had the right instructor, we had the right location and the students told us through their evaluation of the boot camp that we had the right concept. The graduates told us they had a great experience and that we did most things right the first time. That is, of course, very gratifying. Now, it's on to boot camp No. 2 next summer."

There's already a success story. Sharon Roggenkamp has been hired at the Georgetown News-Graphic as a freelance reporter.

"Our publisher, Mike Scogin, was impressed when I showed him her clips," said News-Graphic editor Kevin Hall, "and he said 'let's bring her on to freelance.' She knows the community and her enthusiasm means a lot, too. She wants to write and wants to be part of the newspaper environment."

Next year's boot campers will have big shoes to fill.

"We'll be hard pressed next year, or any following year, to match the caliber of this year's group," said KPA Executive Director David T. Thompson. "They came in each day eager and ready to learn. They really formed a camaraderie with one another as well. Another big part of the success was the quality of speakers we brought in and the commitment and enthusiasm these journalists relayed to the class."

Experience of 'boot camp' proves worthy

By SANDRA MYERS

You never know how much home, colleagues and friends mean to you until you go away for a few weeks.

I was ready to come home. "Where have you been? Good to have you back," were music to my ears. It felt good to be missed. The "where" was Georgetown College, the "why" was three weeks of journalism training.

The training — aptly dubbed "journalism boot camp" because of its intensity — is the brainchild of David Greer, Kentucky Press Association vice president, and publisher of the Kentucky Standard, Bardstown. His goals were to offer additional training for journalists in the field and provide a starting point for aspiring journalists.

"We are very pleased with the success of this first camp. We plan to make this an annual event. We have already received requests asking for information for next year," said David Thompson, Kentucky Press Association executive director.

Twenty-two students from across the state, ages 22-60, with a variety of experience, background, and diversity of propose made up the camp members. There were four of us already

working at newspapers.

Thompson told us on day one that regardless of background or experience, everyone would start on equal ground. Everyone received the same 110 hours of intensive training, including everything from publishing newspapers, to learning the Associated Press' A-B-C of writing.

What is typically 14 weeks of training, was succinctly taught in three-short-weeks, an incredible feat.

Yeah, it was tough duty. I admit I was apprehensive going in. However, in hindsight, now that I am back at my Trigg County beat, I know this was the best opportunity I have had since being dubbed "reporter" by Robin Stevens, former editor of the Cadiz Record.

The other incredible thing was the quality of our instructors. Although each would humbly decline the title, all our instructors were experts in their field, with credentials that could fill a book.

The main instructor, Jim St. Clair, heads the journalism department at Indiana University Southeast. Kentucky journalists Jack Brammer, Ninie O'Hara, David Hawpe and First Amendment attorney Jon

Fleischaker — he's credited with writing Kentucky's Open Records and Open Meetings laws — provided informative, insightful instruction during the entire training.

KPA does not guarantee a job for everyone completing boot camp, but the training should be attractive to newspapers looking for reporters. Frankly, the training was designed to help solve some of the problem newspapers and editors have finding qualified reporters.

Thompson said that after completing the course, each student's resume would be made available to newspapers that contact KPA looking for reporters. They will also post student's resume on the KPA website.

I've come home with a lot more than I left with, mostly greater appreciation for the craft of journalism and evidence that good reporters are the direct result of good editors.

I encourage anyone interested in attending next year's camp to contact KPA at Frankfort, 502-223-8821.

Sandra Myers is the Trigg Co. correspondent for the Kentucky New Era. Her column runs periodically. She can be reached at 887-3233 or editor@kentuckynewera.com.

Nominations

Continued from page 1

elected will be interviewed by the Nominating Committee once it has been determined that the nominee meets bylaw requirements.

Following the interview process, the Nominating Committee will recommend candidate for vice president to the Kentucky Press Association and Kentucky Press

Service Board of Directors.

Following action by the board, the individual will be recommended for approval to the full membership of KPA during the business session of the 2002 Winter Convention in Louisville.

The person elected Vice President during the January business meeting will become President-Elect of KPA/KPS in 2003 and serve as President of the organization in 2004.

API seminar set for Oct. 14-19

American Press Institute's popular "Management of the Weekly Newspaper" seminar will be held October 14-19 at API's training facility in Virginia.

This seminar covers every major aspect of weekly newspaper management: revenue growth, performance management, leadership styles, new-business development, circulation challenges, editorial excellences and strategic thinking.

Costs for the week-long seminar are \$850 for tuition and \$975 for a hotel/meal package.

For more information about this or other API seminars, visit the organization's website at www.americanpressinstitute.org.

Photoshop Elements useful as assistant to full version

Dr. Tech Hotline

By Tim Jones
Parts Plus



When I first saw the title, "Photoshop Elements," my impression was that it must be some kind of Photoshop add-on. Actually it is an economy version of Adobe Photoshop but with several improvements over Photoshop LE and Photo Deluxe.

The major missing element in Elements will be four-color ability so who would use this in the newspaper environment? It will be great for scanning pictures if another person with full Photoshop is editing for final placement and output. Using it for photos to be used on a web site where three color is all you need would be worthwhile.

It would be the obvious replacement for Photo Deluxe that comes with some scanners. The tools and menu items are all in keeping with previous versions of Adobe Photoshop therefore learning to use this program is easy. In addition there are several help features such as recipes, hints and filter browser.

Recipes gives you step by step directions to do specific functions. Hints are given when you leave the mouse pointer over a tool for a few seconds. The filter browser will give a visible preview of what a filter does to your photo which can be

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applied by dragging and dropping the filter on the image. The best feature may be the text effects which include 3D effects, drop shadows, bevels and warping text. Anyone creating advertisements will appreciate this.

In conclusion, if you have only been using Photoshop LE or Photo Deluxe, this program for less than \$100 is a good buy. If you need more than one person scanning photos but cannot budget \$700 each for the full version of Photoshop. Use one full Photoshop and have the other scanners use Photoshop Elements and transfer scanned images to the full version for color work.

Many crashes and freezes are caused by low memory on Macintosh computers. Price is no longer a problem. Memory prices are the lowest they have ever been. For less than \$50, at this writing, you can add 128 MB of RAM to a G3, G4 or recent iMac. It could be the best thing you do for your computer.

While the practice is accepted in larger cities, it is not as well received in smaller towns.

Alan Mattingly, editorial director for Landmark Communications Inc., said none of its 18 Kentucky papers require people to pay for obituaries. He said there has been some discussion about it, but a lot of people who work at the papers "just don't like the idea at all."

"People see this as the news of their town, and there's bad feelings about making people pay for news," Mattingly said.

Pursell said since the new policy started at The Courier-Journal, there have been very few complaints. She said the only major concern they have heard from readers is that the Kentucky and Indiana obituaries were intermingled, but she said that the paper has already gone back to separating the states' obituaries.

"I think it's been going well," she said.

"A lot of people are taking advantage of the opportunity to write a longer obituary."

Obits

Continued from page 3

said.

"The ones I have seen in other newspapers have been quite moving tributes to family members," she said.

Pursell said she did not know how much extra revenue the paid obituaries will bring to the paper each year.

The Courier-Journal is not the first paper to charge for obituaries in the state. The Lexington Herald-Leader has had paid obituaries for 15 years, said obituary clerk Janie Clark.

The Herald-Leader runs a free death notice also, but a separate obituary with more information can be purchased for \$2.54 per line. Photos can also be included, with the price depending on the size, Clark said.

"I think the people who can afford it like it," she said. "You're always going to get complaints from someone."

Adobe releases PageMaker 7.0

Technology Tips

By Kevin Slimp

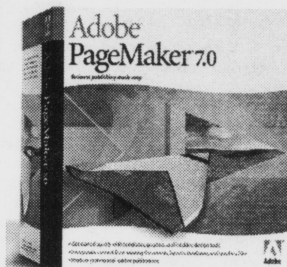


I was speaking in Illinois a couple of months ago when someone asked if Adobe would be releasing any future versions of PageMaker. My response was, with the emergence of InDesign, it was doubtful. I felt pretty foolish a couple of days later when I heard Adobe was getting ready to release a new version of their classic pagination program.

I'm always surprised when I ask newspapers what pagination software they're using. While QuarkXpress continues to dominate our industry and Adobe InDesign gains users, approximately 20 percent of our newspapers remain loyal to PageMaker. With that in mind, I decided to take a look at version 7.

For many years, PageMaker was the dominant player in desktop publishing. I still remember when Aldus (later purchased by Adobe) release PageMaker 1.0 in July 1985. The computer science department at Florida Southern College (which was next door to my office) was stumped concerning what to do with this software, so it ended up on my desk with a note, "Maybe you'll know what to do with this."

The original version was released on the Windows platform and I stayed up all night clicking away at the amazing speed of 4.77 Mhz on my IBM XT. Once I learned



The latest version of PageMaker is geared toward the business publication.

to use the program, I was able to lay out an 8.5 X 11 page in four hours and print it to my HP LaserJet in another three hours.

Later PageMaker was released on the Macintosh platform and the rest is history. An interesting note is how PageMaker's platform mix has changed over the years. In the 80's and early 90's, Mac users represented the majority of PageMaker users. Today, Mac users account for less than 23 percent of PageMaker owners.

Frankly, users won't notice a lot of differences in the appearance of PageMaker 7. The program is now marketed to the business users for newsletters, brochures and other office publications. With that in mind, Adobe has built in buttons across the top of the screen which offer shortcuts to many features. It will remind users of Microsoft Word and other programs geared toward the business user.

See ADOBE, page 12

National Newspaper Week

October 7 - 13

Media kits available on-line at

www.kypress.com/nnwkit



Sponsored by

NAM

Newspaper Association Managers

All material is available for any member of the Kentucky Press Association. There is NO charge for the media kit.

If you need assistance in downloading the National Newspaper Week Media Kit, contact David Spencer, KPA/KPS New Media Administrator, (800) 264-5721

National

Continued from page 1

him 'Crossbow' because you never know when he's going to shoot you with one of those arrows. Al is very astute. He generally has his facts in order and he's pretty careful about his stories, which makes him a good journalist.

"As a political writer, he's obviously more than just a reporter, he's a commentator. And opinions are kind of like Chevrolets, everybody's got one. As anyone who deals with him regularly, there are times when our opinions don't agree. But I don't hold it against him. He's well-researched and he doesn't assume things. He bases his observations on what he knows and he always tries to balance his stories."

When Cross graduated from Western in 1974 it was the height of the Watergate Era and journalists looked at their work as more of a mission than a job.

His upcoming induction as SPJ president will be a chance to uphold his beliefs on a nationwide basis and give him a platform and spotlight to espouse them during his term.

"I'm an idealist when it comes to journalism," said Cross, "and SPJ is an organization that tries to hold up the ideals that most journalists subscribe to. I felt a obligation to join."

He joined the organization's student chapter at Western and was president his senior year. Cross refers to WKU's SPJ campus adviser Jim Highland as his "SPJ godfather."

But it was his "SPJ god uncle," Max Heath, who got him involved in the organization's leadership once Cross was a working reporter.

"It was 1983 and at that time, I was trying to get some people on the board and I got the idea to get Al involved," said Heath. "I remember there were some skeptics on the board, some who felt Al wouldn't take the time, he was so busy reporting, to get stuff done. And now darn, if he didn't really take off as first, the FOI chairman of Kentucky, and then now all the way to the top as SPJ president."

"Al works for what he believes and I'm thrilled he proved some skeptics wrong."

When Cross was first asked to begin the climb up the SPJ leadership ladder, by taking the post of regional director, he didn't accept the offer.

"I had just started as political writer for the paper and I knew I couldn't do that job and give it the attention it needed. But three years ago, in '98, I told my supervisors that after the 2000 elections I no longer wanted to be political writer. I've covered three election cycles in this role — every possible presidential situation, an open seat, a defeated incumbent and a successful incumbent ... and governor's races ... I'm running out of stories. This is a young man's job and I can feel myself slowing down."

Cross is quick to thank The Courier-Journal for its support of his SPJ role.

During the past year as president-elect, C-J Editor Bennie Ivory allowed Cross to devote one-third of his time to SPJ affairs and two-thirds to the newspaper. Beginning next month, that will be reversed.

"Without the support of the company, I couldn't do it," he said. "It's a daily responsibility and the company is allowing me the time off and time away to handle these duties."

A career in journalism begins

After college, Cross went to work as editor and general manager of The Record in Monticello. The newspaper had been started by friends of his and during a previous summer stint at the paper, they had enlisted a commitment from Cross to return and run the operation.

"For me, it was a chance to be close to my hometown of Albany in Clinton County," said

Cross. "We put out a fine newspaper but we were going up against an existing paper and didn't make it. We challenged them, however, and they did improve."

From there, Cross moved to Russellville for what would be the start of his relationship with the paper's then-owner, Al Smith. He only worked for Smith for three years, but the short employee-employer relationship turned into a lifelong friendship.

"I've had Al as a commentator on my show, 'Comment on Kentucky,' more than any other reporter in the past 27 years since we've been doing it," said Smith. "When I belonged to the Society of Professional Journalists, some 35 years ago, it was called SDX, Sigma Delta Chi. We were told the symbolism of SDX, the purpose, was for reporters who were committed to talent, truth and energy. I've always thought Al exemplified those words — boundless energy, enormous talent and a steadfast commitment to the truth."

Cross spent two years at the Russellville

"I'm an idealist when it comes to journalism ... and SPJ is an organization that tries to hold up the ideals that most journalists subscribe to. I felt a obligation to join."

Al Cross

political writer, The Courier-Journal

paper and a year at Smith's paper in Leitchfield.

"I was ME in Russellville and we were putting together the Leitchfield Gazette in the Russellville plant," said Cross. "They had an editor, but it got to the point where I was like a supervising editor, I guess. They shipped us all the copy to be edited and I laid out the front page and most of the rest of the paper. So much so, that when the paper won a KPA award for typography, I took the plaque. It's the award I'm probably still most proud of."

In April 1977, Cross moved to Leitchfield as editor of the Gazette. He had married a Grayson County girl a year earlier, Patti Hodges, so on the surface it seemed like an ideal situation.

But, Cross said, the Gazette was in a losing circulation battle with the other local paper, the Grayson County News.

"The first thing I did was go to the bank in Leitchfield where the other newspaper did its business," said Cross. "They weren't advertising with us, but I told them I was married to a local girl and I was here to stay. The bank was a big advertiser with the other paper and a short time later, the competition struck a deal to merge into Smith's company and it became the Grayson County News Gazette."

The merger wasn't a smooth one for Cross. He and the other editor mixed like oil and water.

"Smith said we were like two scorpions in a bottle," said Cross.

After an episode where Cross' bylines mysteriously disappeared from the front page, he knew it was time for a move.

After a call to friend Bob Schulman, then media critic for The Louisville Times, the wheels started turning.

"To this day, I don't really know what was said to whom," said Cross.

But whatever the process, Cross got a call from Frank Hartley, state editor of The Louisville Courier, asking him why he had never applied at the Courier. He offered Cross the paper's bureau job in Somerset.

"It was funny, nobody in Louisville wanted the job because it was dry and too far from Louisville," said Cross. "Seven months on the job, they moved the bureau to Bardstown — probably the most cosmopolitan small town in

Kentucky. I loved it and my wife loved it."

Cross spent five years in that bureau, moved to the city desk in Louisville from 1984 to 1986, then to the capitol bureau in January 1987. Two years later he was named political writer for the paper.

Cross a natural in world of politics

Maybe it's in his genes — the love of politics. Cross' father was a state legislator, representing Clinton County in 1948 and '49.

"Al's father served in the legislature and I believe Al truly appreciates the people who serve in those offices," said Stumbo. "I think one of the gripes, on our side, is that reporters are not fair ... don't understand the sacrifices we make. I don't think that's true with Al Cross. He understands the process and he understands what we do."

"I've never seen him be mean or treat anyone unfairly. He's a registered Republican and I think that comes out every once in a while, but other than that, I can't find much fault."

Political coverage provides reporters with an insight to the entire state and its people, according to Cross.

"I love Kentucky ... and the General Assembly is a microcosm of Kentucky, as it should be," said Cross, "all its best and worst."

Cross' favorite election is the 1995 gubernatorial race between Paul Patton and Larry Forgy. And a race it was.

"It was the closest race for governor the state had seen in a long time," said Cross. "I had known Larry Forgy, since he was from Logan County, for a long time. There was a lot of scrutiny to see whether I would lean toward Forgy. It was a real test of my ability ... and I played the straight and narrow. It was really a question of perception — and sometimes perception is more important than reality."

His worst coverage memory involves Boprot.

"We got word of the investigation at 7 p.m. and I had to have the story to Louisville by 8:30," he said. "It was the end of the session, we were all looking forward to having a break and instead got an investigation that would take months, years more coverage."

One of the stories he's most proud of, stemmed from that investigation: the first profile of former House Speaker Don Blandford after he was released from prison.

"There's some good in everybody," said Cross. "People who may be portrayed as evil and corrupt may not be primarily that so I always try and keep that in mind."

Stumbo has another telling tale about Cross.

"When they auctioned off what was left of Pete's Restaurant, what was Flynn's in Frankfort, Al bought the corner seat, the curved booth where Blandford set every day," said Stumbo. "I asked him what in world he wanted with that and he told me he was going to redo his basement and reconstruct that part of Flynn's. Blandford held court there every day during the legislative session in that old round booth. The place was covered with posters from all kinds of politicians from FDR to Kennedy. I think that tells you something about Al. He has an appreciation for the historical significance of something like that."

What's next

Cross wants to write a book about politics in Kentucky. He's already got a good start on the research: he's visited every county seat in the Commonwealth.

"When I was an adjunct professor at UK, in the political science department, Al taught a class for me," said Smith. "I'll never forget how he began this memorable discussion about how the geography of the land had actually affected

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National

Continued from page 6

the culture, the outlook and even the politics of the people.

"Although I had a hand in perhaps helping start his career, he has returned the favor to me many times over. And if I was ever a mentor to him, he continues to be a one for me also," said Smith.

David T. Thompson

For David Thompson, a newspaper career was probably inevitable. His father, Billy Thompson, was sports editor of the Lexington Herald in the late 50s to mid 60s and Billy had his son covering Scott County sporting events when David was in middle school.

"I got my first byline in the seventh grade," said Thompson. "I never really considered any other field. I knew this was what I wanted to do."

Right after graduation from Georgetown High School and a stint in the U.S. Army, Thompson began working full time at the Lexington Herald covering sports. Five years after graduation, he married his high school sweetheart Marilyn Kitchen, and it was Marilyn who convinced him to go to college and get his degree in journalism. He graduated from the University of Kentucky with a degree in journalism in 1974.

"I didn't think I needed it (degree) ... I was doing the job I wanted to do already," he said. "But I was working 5 p.m. to 2 a.m., and she was a school teacher, so we never saw each other. It was Marilyn who really encouraged me to go back to school. She always said I'd get my degree, and as usual, she won out."

As a sophomore in high school, Thompson had an experience that would ultimately affect his entire life. It was 1963 and Thompson went to his local newspaper, the Georgetown News and Times, and asked if he could write some sports stories for the paper. (Remember he had been covering sports for the Lexington paper since the seventh grade.)

"The Georgetown paper had no sports section, nothing, and they offered me \$15 a month," said Thompson.

He rejected the offer and left.

"I remember looking around the office as I walked out and thinking to myself, 'One day I'm gonna be the publisher of this paper.'"

That prophecy was fulfilled 16 years later when Thompson was named publisher and editor of the Georgetown News and Times.

His father made the switch to broadcasting, leaving the Lexington Herald in 1965 to become news director at Channel 18 (a position he held until his death in 1977.) His daughter Kalli is in radio sales for Clear Channel in Lexington and her fiancée is a videographer for Channel 18.

"... I say without hesitation that we're at least comparable, and in many cases better. I don't think our newspapers take a backseat to anyone."

David T. Thompson
KPA Executive Director



But for Thompson, it's always been about newspapers.

After nearly five years at the Georgetown paper, Thompson was named KPA executive director in 1983. KPA is the 10th oldest press association in the country and one of only five that boasts 100 percent membership of newspapers in the state.

Thompson's been involved with NAM leadership for the past six years, when he was elected to the board of directors.

"The main benefit of participating in this national organization is to see where KPA stands as far as member services go, what we offer to our members," said Thompson. "I've got a lot of new ideas from the other states and been able to offer others some of ours."

And just how does KPA stack up?

"I think we have one of the better press associations in the country," said Thompson, "and that's not just me saying it. Several of our members who have worked with other state press associations think we offer quite a bit more than others. We're the only one to have a full-time news bureau, for instance. We're always willing and ready to try new things, the boot camp being a recent example. We were also the first state to try an internship program, and when we started the high school journalism association five years ago, we were the only press association to operate its high school counterpart. Now, two or three others have followed suit."

"All these things really put KPA on the forefront among the state press associations," he said, noting KPA's progressive members have led the way. "A good association is a sign of a lot of good members."

Keeping KPA there is one of Thompson's goals, one of three immediate ones he cites when asked. He also wants to build up the advertising service and see continued growth in the high school organization.

"It hasn't been that many years ago that we were in the top eight (of state press associations) in ad sales. We've fallen off recently and I want to turn that around," said Thompson. "And I'm still hopeful of getting 1,000 kids at a KHSJA State Convention."

On the long-range burner, Thompson would love to see the KPA headquarters include a training facility and computer lab. The lab could be used for continued training for member newspaper employees and even be the site for a boot camp.

Thompson is quick to brag on Kentucky papers.

"One of the main things I've learned, and one of the main benefits of the travel I do, is I get to see what the other states have to offer and I get to hear what our peers think of Kentucky papers," said Thompson. "And I say without hesitation that we're at least comparable, and in many cases better. I don't think our newspapers take a backseat to anyone."

Gary White

White came to KBA six years ago and after just three years in BEDA, was chosen to serve as chairman of the organization's annual convention — a position that precedes the post of president-elect.

During White's tenure as BEDA president, the group scored a major victory for broadcast stations across the country. They successfully waged a battle all the way to the U.S. Supreme Court against an EEO ruling which forced stations to document their hiring practices.

"Broadcasters do an excellent job in hiring minorities and women, but it's something we can do on our own, without a government mandate," said White. "And the courts agreed with us. It's unconstitutional to force one industry to go through the time consuming and costly efforts that were required by the EEO regs."

"It's always flattering to be selected by your peers to head any organization like that," said White — and he should know: he was also previously chosen to lead the Franklin County Chamber of Commerce and won a seat on the Franklin County School Board.

The world of broadcast journalism began for White as a teen, while still in high school. A teacher who had heard him read, thought he had the right type of voice and introduced him to the once popular Competitive Radio Speaking.

He was hooked.

White began hanging around the local radio station, first picking up used wire copy to practice for competition. He was good at it, making it all the way to the state finals.

Born in Long Island, N.Y., White was a military brat, living three years in Germany and in several towns across the eastern U.S. His family had ties to Kentucky and upon his father's retirement, they settled in Somerset near relatives.

White went to the local radio station, WSFC-WSEK, and asked if they needed any help and that led

to his first real job in broadcasting — they hired him as a janitor.

Things soon changed, however, and by the end of that summer, the nighttime disk jockey had returned to college and White was eager to fill his shoes. After six months he moved to the afternoon shift and six months later was named news director.

White was hooked again. News reporting suited him and he spent the next nine years doing it. The first three in Somerset, the next three for state government as a radio and TV reporter for the now-defunct Kentucky Department of Public Information and the last three as news director at WCKQ-WTCO in Campbellsville.

He had the opportunity to move into station management and was named general manager of WKHG-WMTL in Leitchfield.

After less than a year, the "perfect opportunity" crossed White's path.

"It was perfect because I knew Frankfort, from my time in state government. I really, really liked the area and it was a much larger market. Plus, it was an opportunity for my then-wife to be close to her hometown. It was just a great opportunity all around," said White.

It was during that nine-year period of managing the Frankfort stations WFKY-WKYW that White immersed himself in civic affairs.

"It's really something that someone in that position should do — to get out and about and learn the needs and issues of the listeners and find out some of the ways the radio station can help," he said.

The Frankfort position was perfect for White in another way: it placed him in the spotlight for the position he now has.

KBA was formed in 1955 and the organization had seen only two executive directors, both of whom filled the position on a part-time basis. White's predecessor, J.T. Whitlock operated it out of his radio station in Lebanon.

In 1995, the board of directors made some radical changes: they wanted someone in the executive director's position (they recently changed the title to president and CEO) on a full-time basis and they wanted more visibility for the organization. And the latter meant a central location.

White interviewed for the position with about a dozen of his peers.

"The thing I remember most about that interview," said White, "is that they spent about five minutes on my background in broadcasting and the rest of the time they asked me about all the things I had done, like the chamber and other volunteer work. I think the different experiences showed them I had the ability to run a successful business and some political savvy since I had run for office and won."

White's other bid for political

LEGAL NEWS & VIEWS

AG: records that can be viewed can be copied

By KIM GREENE
KPA General Counsel
Dinsmore & Shohl



Here's another odds-and-ends column for you. One of the topics we're looking at is: Can an agency deny your request for a copy of a record if it has already allowed you to inspect that record? The other topic is: how to avoid potential pitfalls when you draft an open records request.

You can look but you can't have.

The statute is pretty clear. KRS 61.874 states: "Upon inspection, the applicant shall have the right to make abstracts of the public records and memoranda thereof, and to obtain copies of all public records not exempted by the terms of KRS 61.878."

Seems pretty straight forward, doesn't it? If the law permits you to inspect it, the law permits you to copy it. But every once in a while a glitch occurs. One representative of a public agency will allow you to review a file and then, when you ask for a copy, that person will be overruled by her superior, who says it's exempt.

That happened not long ago to The State Journal. There was some controversy on the Kentucky State University campus about the decision to grant tenure to two professors. Reporters for The State Journal had asked to see the personnel files of the two professors. They were given the files and told to mark documents they wanted copied. As they reviewed the files, they realized that they wanted copies of the vast majority of the documents, so they marked the ones they did not want (primarily duplicates) and returned it to the KSU official who was working with them.

When they went to retrieve the copies a few

days later, they were given files much thinner than the ones they reviewed. Missing from the copied files were a reprimand for one professor and student and faculty evaluations of both professors, among other things. The reporters distinctly remembered seeing the reprimand and evaluations when they reviewed the files.

Accompanying the incomplete copies of the files was a letter from an attorney for KSU. In that letter the attorney listed six categories of documents, including faculty and student evaluations of each of the professors, which were contained in the files but would not be turned over to The State Journal. The documents in these categories, explained the lawyer, are exempt from disclosure under the Open Records Act.

The State Journal appealed to the Attorney General. The AG answered unequivocally that "KSU violated [the Open Records Act] by refusing to supply [The State Journal reporter] with copies of the records she had already been permitted to inspect." 01-ORD-113, p. 3.

The AG based that decision on former opinions interpreting KRS 61.874 (the language quoted above), saying "It is abundantly clear from the language of the statute that one having inspected records is entitled to copy them upon payment of a reasonable fee." [citing 94-ORD-47, p. 3].

There have been rare occasions when the AG has determined it is alright for an agency to deny a requester copies of records he or she has already inspected. But those circumstances are limited to times when public records have been inadvertently released for inspection by noncustodial persons with access to the records. In the case of The State Journal, KSU's records custodian had affirmatively acted to permit the reporters access to the files requested. It was only after the reporters reviewed the files that KSU claimed some were exempt. Too late. The

AG said that KSU may not deny The State Journal copies, even if the records were exempt.

Making an open records request

From time to time, reporters call us about a request which has been denied for being overly broad and burdensome or too vague. That meant time was wasted while the reporter rewrote and resubmitted the request. So how do you avoid delays like this? There are several things to keep in mind.

1. You must request records not information. So, if your local school board is winding down its search for a new superintendent and you want to know who the three finalists are, don't request "the names of the three finalists." That's a request for information. Instead, request some public record which would contain that information. For example, "Please provide any list containing the names of the three finalists," or "Please provide the applications and/or resumes of the three finalists."

This may seem like a semantics game, but it's not. Section 61.872 refers repeatedly to the right to inspect public records, for example, "all public records shall be open for inspection ..." KRS 61.872(1). And the AG has said an agency need not create a record which doesn't already exist just to give you information.

2. Identify the official custodian of records for the agency. If you're making a request of an agency new to you, take the time to make a couple of phone calls. Find out who is the official custodian of records so that you can direct your request to that person, as the Act requires. Some agencies will forward an errand request to the official custodian, but some won't.

3. Make your request as specific as possible. The Attorney General has held that blan-

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Debate continues over Downey records

By Fred Lucas
State Journal Staff Writer

A judge says a ruling is forthcoming on whether the names of an increasing number of "John and Jane Does" should be made public in the high-profile investigation of Kent Downey.

But Franklin Circuit Judge William Graham didn't say when he'd rule in the case that involved prostitution and illegal gambling.

Lawyers for unnamed parties argued at a hearing Wednesday that allowing the names in the documents to go public would subject their clients to unnecessary embarrassment. Three Kentucky newspapers, The State Journal, The Courier-Journal and the Lexington Herald-Leader, are suing to make the records public.

"We believe the privacy interests outweigh the rights of the press," declared attorney Robert Moore, who said one of his clients works at the Legislative Research Commission. "There is no use in

disrupting the lives of these individuals."

Graham said he will decide between the public's right to know and the privacy of individuals interviewed during the investigation that led to the 1997 conviction of Downey, former director of House operations for the LRC. Graham said the case paves new territory in open records law.

Though no decision was made, Graham seemed to show some sympathy for the unnamed persons petitioning to have their names deleted before the public release of documents. Graham said the information in the documents was "private and embarrassing."

Attorneys for the three newspapers as well as for the attorney general's office argued that the individuals received ample notifications and opportunity to assert their legal rights in keeping their names out of the documents two years ago.

Kim Greene, attorney for The State Journal, said there is a stringent legal burden on the unnamed parties to prove that the release of otherwise public documents would be an invasion of their privacy.

"They willingly went to these events," Greene said. "There are no victims here. They were adults who chose to take part in these social activities. It's very difficult for them to show what privacy interest they have."

Downey pled guilty in 1997 to federal charges of promoting prostitution and illegal gambling. He ran a business from his Capitol office called Entertainment Outing Ltd., or EOL, which organized golf outings. But he often hired exotic dancers to entertain at these outings. No legislators have ever been charged with wrongdoings in connection with the Downey case.

The files from the investiga-

See DOWNEY, page 9

Ruling upholds confidentiality in Enquirer lawsuit

A federal magistrate has ruled that an editor and a former reporter for The Cincinnati Enquirer do not have to identify confidential sources used in stories about the Chiquita banana company that the newspaper later renounced.

Cameron McWhirter and David Wells can invoke an Ohio law that allows reporters to protect the identity of confidential sources for news stories, Magistrate Jack Sherman ruled Aug. 7.

The newspaper published stories in 1998 that criticized Chiquita Brands International for alleged improper business practices in Central America.

The Enquirer later apologized to the company on its front page,

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Downey

Continued from page 8

tion include more than 500 pages of witness interviews, documents and at least one videotape compiled during an investigation into Downey's activities. The Downey investigation became public in October 1996, and the entire inquiry didn't end until 1998.

Jay Ingle, attorney for an unspecified number of clients said names of people who didn't commit crimes in the files should be deleted.

"The proper solution would be to redact all names of people who were not targets of the investigation," Ingle said. "Conduct is what should be evaluated. Not the person."

Graham said a major consideration in his ruling would be whether those named in the documents received proper notification and opportunity to have their names taken out before public release.

The Open Records law allows withholding of public documents that would amount to a "clearly unwarranted" invasion of privacy. The attorney general's office determined that certain people mentioned in the files — whose privacy might be invaded — would be given written notice that they have the opportunity to go to court to assert those privacy interest before the documents are made public.

Jim Huggins, director of the public corruption unit at the attorney general's office, said in an affidavit earlier this month that the office decided golfers and exotic dancers who took part in the Entertainment Outings, Ltd. events, along with LRC employees, current and former legislators and

executive branch employees named in the files, would be notified. The office sent 63 registered letters to those named.

But Graham questioned whether only notifying certain people justified releasing the documents.

"Shouldn't every person whose name is in that report be sent a letter?" Graham said.

Assistant Attorney General Brent Irvin said the standards in determining who would be notified were established very liberally.

The letter, sent out May 19, 1999, told people they had until June 3 of that year to notify the attorney general's office they wanted to view the files and take legal action to have their names removed before public release. The attorney general's office has argued that giving the unnamed people further opportunity after ample notification and time would just encourage more people to come forward and would be contrary to the spirit of the open records law.

Downey and the first "John Doe," represented by Johnson, filed suit to prevent the files from being released at all the the public in 1999. Graham ruled in their favor, citing a law that allows criminal investigation files from county attorneys and Commonwealth's attorney be closed. But the three newspapers sued to open the records to the public.

Earlier this year, the Kentucky Court of Appeals overturned Graham's decision and ruled that the documents should be made public. Last month Graham allowed an unnamed woman called "Jane Doe" to review the file to see if she wanted to delete her name before it was made public.

McWhirter and Gallagher reported the stories, and Wells was the editor overseeing their preparation.

The Enquirer said it fired Gallagher because it learned he had obtained unauthorized access to voice mailboxes of Chiquita executives without the knowledge of Enquirer supervisors.

Sherman did rule that Wells and McWhirter must answer some questions asked by Ventura's attorneys. Those include issues of whether Gallagher had authority or direction to use confidential sources and whether there was any discussion of whether it was legal to access voice mails.

Ventura's suit is scheduled for trial in January.

He said he is entitled to unspecified damages because his exposure as a source for negative stories about Chiquita damaged his reputation and cost him a job as a partner in a Utah law firm. He is now in private law practice in Salt Lake City.

(Reprinted from the Ohio Press Association Bulletin.)

Supreme Court to hear newspaper carrier case

The Kentucky Supreme Court has decided it will consider the issue of whether newspaper carriers are employees of the paper or independent contractors.

In mid-August, the court granted the Unemployment Insurance Commission's request for discretionary review in its case against Landmark Community Newspapers Inc.

The Court of Appeals ruled in September of last year that two former newspaper carriers were not employees of the paper.

The two men, who delivered the Kentucky Standard in Bardstown, sued for unemployment benefits after they lost their jobs in 1996.

When the two carriers filed for unemployment benefits, an auditor with the Division for

Unemployment Insurance determined that the two men, along with 21 other carriers at the paper, were employees of the newspaper for the purpose of unemployment insurance.

Since the agency ruled the workers were employees and not independent contractor, it billed Landmark for contributions it said was owed to the state on monies paid to the workers, plus interest.

Landmark appealed the agency's ruling in circuit court, but lost the case.

The appellate court determined that Franklin Circuit Court erred when it ruled in favor of the employees and against the Standard's parent company, LCNI.

The commission's briefing must be filed within 60 days of the order.

Judges, journalists discuss often clashing roles in forum

By ROGER ALFORD
Associated Press Writer

(AP) — Some judges in the state's mountain region say they shun interviews with reporters because of fear of being misquoted.

Reporters say their stories would be more complete if judges would make themselves more accessible to answer questions.

Such was the dialogue on recently in the sixth of a series of bench-media forums being held across the state.

The forums, sponsored by the Administrative Office of the Courts in conjunction with the University of Louisville College of Arts and Sciences, are intended to soothe the sometimes strained relations between judges and journalists. They bring representatives of the two professions together to discuss one another's responsibilities to work for the public good.

Chief Regional Circuit Judge Stephen Frazier said at the latest forum Aug. 30 in Paintsville that reporters he sees in court often are fresh out of college, know little about the judicial process and yet are dispatched to cover complicated legal cases.

"The reporters on these most complex cases need to be the very best," he said.

Gary White, president of the Kentucky Broadcasters Association, conceded the problem. He said the mountain region often is a training ground for young journalists who begin their careers in small towns, get experience, then move to other cities to work. Seldom do they specialize in legal reporting.

Although a division between the two groups is likely to always exist, "it will be narrowed by those who are thinking progressively enough to confront the problems that have existed for years between two very important parts of our society."

Marty Backus

KPA President

publisher Appalachian News-Express

"They may be covering a murder trial one day and a county fair the next," he said.

Melinda Wheeler, deputy director of the Administrative Office of the Courts, said newspaper and broadcast companies have an obligation to better train rookie reporters to cover the judicial system.

Discussions at the forum revealed a division between judges and journalists, said Marty Backus, publisher of The Appalachian News-Express in Pikeville. Although he said that's likely to always exist, "it will be narrowed by those who are thinking progressively enough to confront the problems that have existed for years between two very important parts of our society."

Bob Schulman, special projects coordinator for the University of Louisville, said he believes the forum helped judges and journalists reach a new level of understanding.

"There were no miracle solutions, but the situation is not one that lends itself to miracles," he said.

Enquirer

Continued from page 8

renounced the stories and paid Chiquita \$14 million.

Former Chiquita attorney George Ventura had asked Sherman last month to order the two journalists to discuss Ventura's role as a confidential source for the stories. Ventura things the information is material to a lawsuit he has filed against the Enquirer and its owner, Gannett.

Ventura argued that the privilege of confidentiality did not apply because his identity already had been revealed by another former Enquirer reporter, Michael Gallagher.

However, Sherman said Ventura could not assume that he was the only confidential source and that a shield law can be waived only by a newsperson.

McWhirter, Wells and both companies both say they have not identified any confidential sources for the stories about Chiquita.

Newsroom noise can lead to better stories

Coach's corner

By Jim Stasiowski



For our big night out, my wife and I went to a high-school play.

I know, I'm a really big spender.

A friend had invited us to watch his son in a goofy, offbeat musical production. Usually, I avoid amateur theater, but my friend was persuasive. "The audience so far have been dead," he said, "and they need encouragement. Jim, they need you."

We sat in the fourth row, right in the middle.

And I laughed.

My laugh is loud. If ordinary laughter is a waterfall, mine is a tsunami.

Because I laughed, others did, too. In fact, I heard laughter throughout the play.

Afterward, a lot of the actors said to me, "Can you come back for our show tomorrow?"

A newsroom is like that auditorium. Quiet breeds quiet, but one boisterous person can ignite the excitement of everyone in the room.

Many newsrooms these days are library quiet. Part of that is technology's fault. The cushioned tapping on a computer keyboard has replaced the clunky splat of typewriter keys against the platen. The clatter of the wire-service tele-

type has faded, as electrons from around the world steal silently into the newsroom.

But I think the people of modern newsrooms have changed, too. In this age of consensus teams and focus groups, we have lost the fire that used to rage in newsrooms. In some newsrooms, delivering the news seems secondary to pacifying everyone.

My newsroom experiences were different. I vividly remember yelling at my friends, editors and fellow-reporters alike, because I thought they were wrong. And they yelled back, defending themselves, insisting I was wrong. Later, we'd apologize and go out for a beer.

Newsrooms, like op-ed pages, need clashes. Joe, the reporter, needs to compete with Sally, the reporter, for space on Page 1. The columnist needs to try to scoop the city desk. When Mary, the editor, gives Fred, the reporter, a story assignment, Fred needs to challenge Mary's idea, he needs to revise it and make it his own so he can give it his full enthusiasm.

From those situations, friction, noise, even outright arguments arise. And so do benefits.

First, the arguments are reminders of who we are. Newspapers should not be The Establishment, quiet and complacent. Reporters and editors should be the questioners, the ones who, when everyone else is tired and wants to go home, are persisting, saying, "Wait a minute, I still don't

understand, I still am not satisfied with the answers I've heard."

Although I regret some of my immature tactics, newsroom battles kept me sharp for the battles I faced with sources. If I practiced looking for the flaws in my friends' arguments, I was ready when my sources tired to pull a fast one on me.

Second, a newsroom, like a newspaper, should be a marketplace of ideas. When thought in a newsroom becomes homogeneous, when consensus and teamwork dominate, the newspaper becomes as boring as the TV sitcom based on market research from focus groups.

Third, the determined argument is the only weapon left to the individual. Most memorable news stories are those that go against the grain, those that defy the collective wisdom, those that reveal what the majority wished to ignore.

When I laugh at a line I think is funny, I am not intending to lead, I am doing only that which, for me, is right. But because others see it's OK to laugh, they join in.

The same thing happens in a newsroom. If a reporter cares enough to argue for a story, an idea or a revision, others see such aggressiveness pays off. Soon, the room is full of life, arguments, the aggressiveness that pays off in better reporting and writing.

I saw this happen.

Editors and reporters were sitting around, tossing out ideas to make their newsroom more efficient. One reporter said, "What is

we had funeral homes send obituaries by e-mail? That would save us a lot of typing. We could just revise their copy, which is all we do now."

The consensus was: That's impractical.

But the reporter persisted. She said, "I don't understand why that's impractical. They fax their obituaries now. E-mailing is just as easy."

The discussion got serious: They maybe we can talk some of them into e-mailing.

Editors, encourage noise; reporters, stand up for your ideas.

And if anyone tells you to quiet down, do what I do.

Laugh.

THE FINAL WORD: If you said to me, "In that period of time, I was confused and depressed," you would say so quickly, I wouldn't notice the redundancy of "period" and "of time."

But the difference between speaking and writing is the same as the difference between listening and reading. I use little effort to listen, but reading is more of a chore. Thus, when I hear "period of time," I don't notice, but when I have to read the extra two words, I labor, if only slightly.

A "period" is, by definition, a portion of time. When you use "period" in that context, leave out the extra words.

(Writing coach Jim Stasiowski welcomes your questions or comments. Call him at 410-247-4600, or write to 5812 Heron Drive, Baltimore, Md. 21227.)

People

Continued from page 2

Ward is new publisher at Tribune-Courier

James Ward was named the new publisher of The Tribune-Courier in Benton. He has served in management positions for 36 years. Before coming to Benton, he was the advertising manager of the News Tribune Company in Jefferson City, Mo. since 1992. While there, he managed a staff of 13.

Ward attended Pittsburgh State University, where he took courses in creative writing, English and photo journalism.

Emond named news editor at Pineville Sun

Jerry Emond, of Manchester, was named news editor for the Pineville Sun in July. Emond served in that position for the Manchester Enterprise from 1990

to 1992.

He was executive-director of the Manchester/Clay County Chamber of Commerce for five years before returning to the Enterprise in 1999.

Keaton is Paintsville's new associate editor

Joanna Keaton is the new associate editor at the Paintsville Herald.

Keaton graduated from Johnson Central High School and attended the University of Kentucky, where she worked as a contributing writer for the Kentucky Kernal.

Before coming to the Herald, Keaton was the news director at WSIP.

Former Ky. reporter entering mission field

Rebecca Barnhart, a former news editor at the Todd County Standard, in August began a two-year Christian mission effort in Hungary. Barnhart, who also worked at the Bourbon Times, serves as the communications manager for

Operation Mobilization-Hungry and as communications officer for OM-Central Europe.

Hale joins Lake News

Neeta Keeling Hale joined the staff of the Lake News in Calvert City in July. She is working in sales and in all areas of newspaper production.

Brocker is Pineville's new receptionist

Tara Brocker was hired at the Pineville Sun in August as the new receptionist.

Jessamine Journal wins third NNA award

The Jessamine Journal won first-place for best use of color in the 2001 National Newspaper Association Better Newspaper Contest in its division.

The paper won two other awards in the same competition: a third-place award for best breaking news story and an honorable mention for best advertising idea.

The awards will be formally

presented at the NNA's annual convention in Milwaukee, Wisc. on Sept. 14.

Branham moves to News-Graphic

Teresa Branham, the former Advertising Director at the Appalachian News-Express, left the paper after nearly 20 years to work at its sister publication, the Georgetown News-Graphic.

Alderette takes parts in Leadership Louisville

Leadership Louisville selected Andy Alderette of The Courier-Journal to participate in its Class of 2002.

Leadership Louisville is an annual program that familiarizes business and civic leaders with the area's opportunities, needs, problems and resources to prepare them to be trustees of the community.

Alderette was one of 58 people selected. The participants will meet monthly from August to May 2002.

National

Continued from page 7

office, a mayoral race in Frankfort in 1999, wasn't successful. He ran third in a five-person race.

"Even though I grew up literally, all over the country, I consider Frankfort my home. It's the place I've spent the most time and I really wanted to take a shot at being the city's top representative," said White. "It was a great experience. I don't regret it and I really appreciate the people who voted for me."

While more political races probably aren't in White's future, safeguarding the interests of KBA and helping to pave the way for the industry's future are.

"We always will keep our sights on any legislative actions that might not be in the best interest of broadcasters," said White, "but we are also looking ahead. It's a very exciting time right now on the TV side. We're moving toward completing the change in the way TV sounds are broadcast, from analog to digital, and will in this decade complete the transition."

"We've got to keep our members informed during this period. It's exciting to be involved

"It's always flattering to be selected by your peers to head any organization like that."



Gary White
KBA President & CEO

with this. A lot of people are comparing it to the time when television was converted from black and white to color. It's quite an achievement."

KBA's goal of more visibility took a major shot in the arm last year when it unveiled its new 10,000-square foot office building.

The modern-designed, state-of-the-art building sits conspicuously visible from I-64 and White gets comments about the building on his travels around the state. One of the most noticeable features about the building is the actual broadcast tower out front.

"That tower is a symbol of our industry, both radio and television," said White. "When I'm traveling around the state and people find out what organization I'm with, I often hear compliments about our facility."

Records

Continued from page 8

ket requests for information on a particular subject without specifying certain documents need not be honored. For that reason, the AG upheld the Kentucky Transportation Cabinet's denial of a request to inspect "all records in the Highway Right-of-Way Division of the Department of Transportation District 5" 83-OAG-386.

On the other hand, there will be times when you don't know whether a specific record exists, so it is impossible to explicitly describe it. In that case, you need to describe around it. Ask for "any and all documents relating to consulting services provided Bridge Building Consultants, Inc.; the decision to retain the services of Bridge Building Consultants, Inc.; any requests for proposals issued for this consulting project and any bids received from Bridge Building Consultants, Inc. or other bidders." So, if you have reliable information that another company made a quality bid that was significantly lower than the bid of Bridge Building Consultants, Inc. and you want to explore the reason for that, the city's response to this open records request should get you started.

4. To the extent you can, when requesting voluminous records, narrow the time period down. That was another of the Attorney General's objections to the 1983 request for all records of the Department of Transportation Right-of-Way Division. The request had no beginning and no end.

There are times when you need to ask for a lot of records spanning a period of time. But when you are

searching for a needle in a haystack, it behooves you to whittle down the size of the haystack as much as you can before you make your request. For example, a usually reliable source has told you something that, if confirmed, would be a statewide scoop. It involves some outlandish expenditures by the wife of a former Kentucky governor. Your source, however, didn't tell you which governor. In your haste to submit your open records request, you could simply ask for records showing expenditures on behalf of the Kentucky First Lady for the last 30 years. It is probably within your power, though, to narrow the field before you make your request. That will likely insure a speedier response.

This is important since KRS 61.872(6) allows an agency to refuse a request which places an unreasonable burden in producing public records. (If challenged on this refusal, however, the agency must be prepared to sustain it by clear and convincing evidence.) Subsection five allows agency to exceed the statutory three day time limit for responding to open records requests when a record is in storage or not otherwise available.

A good example of the need for reasonable specificity in your requests is 91-OAG-58. In that case, a Mr. Christensen requested "all notes, letters, memos, and studies which might contain information about the exchange of information between the Office of Economic Development (OED) ..." and several other public agencies concerning UPS and the airport expansion project. The AG found his request to be overly broad and ambiguous, because the UPS and airport expansion projects were multifaceted, multiphase projects which were ongoing. And the OED acted as a facilitator in coordinat-

ing several of the subprojects, as well. The requested documents might have been contained in the files of as many as 31 employees of the OED as well as files in the central file room, the general files of three OED division offices and the files of the Louisville Urban Renewal Commission.

The Attorney General had no trouble upholding the agency's denial of his request.

Given the vast number of files which might fall within the parameters of Mr. Christensen's request, their broad dispersal, and the difficulties which would attend any attempt to separate exempt from nonexempt materials, we conclude that your reliance on KRS 61.872(5) was proper, and that you have established by clear and convincing evidence that the request places an unreasonable burden on your agency. 91-OAG-58 p. 2.

5. If time is of the essence and you suspect the agency will push its time limits, consider hand delivering your request. That way you can hand write the time of day the request was delivered. That will get the three-business-day clock ticking with some precision.

6. Of course, you should always write "open records request" in all caps at the top of your letter and on the outside of your envelope, so you alert the recipient that the letter is time sensitive.

7. Consider a closing paragraph in your letter which reminds the agency of its three-business-day time limit to respond, and provide your telephone number so they can reach you with questions they might have in the meantime.

8. You may deliver your request in person, via the mail or via facsimile.

9. You may be asked, and should expect to pay, a reasonable fee for making copies of the records

"We wanted the high-tech modern-looking design because we believe that's reflective of our industry."

Another feature of the building is a 100-seat classroom that KBA plans to utilize for training sessions for its members. White would like to see some type of certification program for TV and radio station employees established in the near future.

"We'd be the first state to offer such training," he said. "It's just something that's not being done yet. But if we could establish a curriculum, then we could offer it to our members right here at the KBA office."

KBA's been innovative in other ways: The organization joined KPA in launching the Kentucky High School Journalism Association five years ago and has remained a committed partner in that endeavor which reaches out to high school journalism advisers, both print and broadcast.

"Our members certainly feel the contributions we make are worthwhile and will be very valuable to our industry," said White. "We want to do whatever we can to help and support these young people who are on a career path that's began with their high school journalism broadcast program."

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produced. The Attorney General has rejected charges of \$1 per page. A public agency is required to calculate a reasonable fee based on its actual cost, excluding the cost of staff. KRS 61.874(2). That could mean the actual cost of the copy, a minimal cost these days.

This changes if you ask the public agency to produce a record in a nonstandardized format or to tailor the format to meet your particular needs. The public agency may — but does not have to — provide the requested format. If it does it may recover staff costs as well as actual copy charges.

The Act also contains a provision for public records provided to persons who intend to use them for commercial purposes. A public agency may establish a reasonable fee for those based upon either the agency's cost to copy the record including staff time or the cost to the agency of the creation, purchase or other acquisition of the public records.

Public records obtained for use by newspapers are not considered records intended for commercial purposes, so you should not have to be concerned about these particular requirements.

If you have other questions about crafting your open records request, don't hesitate to contact your Hotline lawyers.

Pikeville paper pulled from racks at local hospital

By JACINTA FELDMAN
KPA News Bureau

The Appalachian News-Express was removed from the Pikeville Methodist Hospital gift shop and emergency room waiting area July 31 without any explanation from hospital administration, said News-Express editor David Gross.

And more than a month later, the papers are still out of the hospital, and the administration has not given the paper any reason why, Gross said.

Gross said he believes the paper was removed that Tuesday because of an article that ran in the previous issue about the hospital that included information about a large deficit in its budget.

The hospital removed the paper "at least in our mind, to try to influence our coverage," Gross said.

Hospital administration did not return calls to the KPA News Bureau to comment on why the paper was removed from the building.

Hospital officials told the News-Express' circulation department to remove the paper from the gift shop and the hospital removed a coin newspaper machine from the emergency room waiting area.

The hospital and the newspaper have had a strained relationship for a long time, Gross said. Over the years, the hospital has pulled all of its advertising and had its monthly news letter published at another plant in response to articles written about it.

Gross said that although the loss of advertising cost the newspaper 10's of thousands of dollars, it has not caused them to cover the hospital any differently or reduced the coverage. It may have done just the reverse, he said, just so there

is no perceived conflict of interest in the reader's eyes.

He said that publisher Marty Backus was very dedicated to having a story in every issue about the removal of the papers. The newspaper also ran an editorial about the issue, criticizing the hospital for what it considered "defying the First Amendment."

"Like any, our publisher here wants to have as many advertisers as possible, but you can't let an advertiser dictate the news," Gross said.

Gross said the paper researched trying to force the hospital into returning the papers, but after investigating its options, found that it did not have legal footing to do so because the hospital is a private nonprofit organization and not an arm of the public government.

Adobe

Continued from page 5

One of the nice features of version 7 is its ability to output quality PDF files. A full version of Acrobat Distiller is included with PageMaker 7.

When the user selects FILE/EXPORT AS PDF, a Postscript file is automatically created and a Distiller interface appears on the PageMaker screen. This allows the user to set all the properties normally created in Acrobat Distiller. It's like having a shortcut that doesn't take any shortcuts.

The export filter creates a full-blown postscript file and distills the file just as if you went through all the steps manually.

In addition, PageMaker 7 provides tighter integration with other Adobe products including Acrobat, Photoshop, InDesign and Adobe Illustrator. Raw Photoshop and Illustrator files can now be placed directly onto PageMaker pages. QuarkXpress and Microsoft Publisher files can be converted into PageMaker files, which gives me an answer when staff members ask, "What am I supposed to do with this Publisher file?"

Would I upgrade to PageMaker 7 for my own newspaper? Yes and no. For \$79, PageMaker 7 is well worth the upgrade price. The included Acrobat 5.0 software guarantees that. However, for my money Adobe's InDesign is well ahead of PageMaker and QuarkXpress when it comes to professional page layout. For that reason Adobe wisely markets PageMaker toward the home and small business user who wants more than Microsoft Publisher or Word has to offer. The full version of PageMaker 7 sells for \$499. Previous owners of PageMaker can upgrade for \$79. For more information go to Adobe's website at www.adobe.com.

The Computer Transfer From Hell

I hate old computers. All they bring is heartache. When I visit a newspaper still doing word processing on Mac Classics or IBM 386 computers I want to cry. Ad layout and page layout on anything older than a Mac G3 or Pentium II ought to be outlawed.

Yesterday an old Mac Performa 6400 ended up on my desk. It had reached a point where it wasn't worth bandaging any longer and it somehow became my responsibility to get the information from this old workhorse. Easy enough, I thought. My plan was to copy the files onto the built-in Zip drive, place the Zip disks in my G4

and burn a CD. Unfortunately, the Zip drive on the 6400 was dead. After replacing the driver (twice) and checking the hardware I came to the realization that no files were being written on this drive. Now it got a little harder. The 6400 used a SCSI interface. Some of you are old enough to remember these. There were no Ethernet, USB or FireWire ports. This meant I had two choices: copy the files onto an external SCSI device and then find a way to get them onto my G4 or install an Ethernet, USB or Firewire port on the 6400.

Fortunately when I purchased new G4s for our office, I also bought a Microtech FireSCSI Xpress, which was advertised to bring "high speed, plug and play connectivity for SCSI peripherals" using a FireWire port. I knew the day might come when I would need to connect a SCSI device to one of our computers. I also found an old SCSI Syquest EZFlyer 230. This is similar to a SCSI Zip drive, holding up to 230 Mb of data.

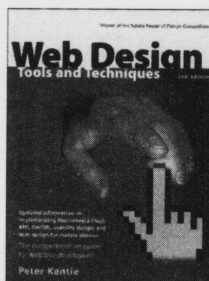
Unfortunately, the Performa 6400 had a "female" SCSI port, where most other computers had a "male" port. This meant my SCSI cable wouldn't connect the EZFlyer drive to the 6400. A quick trip to CompUSA and I had a gender changer which allowed me to connect the drive.

The files downloaded to two Syquest disks.

Next it was time to install and connect the FireSCSI Xpress. I followed the instructions and connected the device, about the size of a Hershey candy bar. My computer refused to restart with the FireSCSI Xpress connected and turned on. Finally I turned off the power on the FireSCSI Xpress and the G4 started. Next I turned on the power to the FireSCSI Xpress and my computer recognized the Syquest drive (but not the disk inside). After over an hour of trying difference options (and restarting the computer several times), the G4 finally recognized the disk inside the Syquest drive. I immediately noticed it was taking several minutes for the files from the Syquest to appear on my screen. When they were all there, I dragged the files from the Syquest disk to a folder on my desktop. There were over 2,000 files. As I watched the files being copied, I noticed it was taking about 30 seconds to copy each file. Apparently, the "high speed" part of the FireSCSI Xpress wasn't working for me. This translated to approximately 18 hours, assuming the computer didn't crash during the process. That was too much of a gamble for me.

As a final effort, I drove to my house and retrieved my Powerbook G3. It was the only computer easily accessible with both a SCSI and Ethernet port. I connected the Syquest drive to the SCSI port (using the gender changer mentioned earlier) and the Powerbook to the

A new book by Peter Kentie, "Web Design, Tools and Techniques," uses easy to understand examples from both the Mac and PC platform.



Ethernet network. My patience began to run thin when the Powerbook wouldn't recognize the Syquest drive. I downloaded a drive from the Syquest website (yes, it's still there) and tried several combinations in Silverlining Pro (a software program which recognizes hardware connected to Macs) and finally was successful in getting the Powerbook to recognize the Syquest disk. I transferred the files to the Powerbook desktop, then over the network to my G4, then onto a CD.

I hate old computers.

A Great Book for Web Designers

Peachpit Press has released a new book for web designers that is both interesting and informative to web design experts and intermediate users alike. Web Design, Tools and Techniques (Second Edition) by Peter Kentie uses examples from both the Mac and PC platform understandable enough to use right out of the book. Advanced Web developers will also find a wealth of practical knowledge regarding tools employed by state-of-the-art sites, including Flash, XML, DHTML, JavaScript, database publishing and 3D visualization.

Web marketers will gain insight into all kinds of valuable techniques for getting the most from a site, including banner advertising, effective navigation and information design, and designing for e-commerce.

Web Design, Tools and Techniques is available at most large bookstores or on the World Wide Web at www.peachpit.com. The list price is \$39.99.

(Kevin Slimp served as director of the Institute of Newspaper Technology from 1997 - 2000. He has been very active with newspapers of all sizes as a consultant and trainer since 1993. He serves as Director of Communications for the Holston Conference and Adjunct Professor of the University of Tennessee School of Journalism. He can be reached by email at kslimp@holston.org)