



DRAFT MINUTES
SOCIETY OF PROFESSIONAL JOURNALISTS
BOARD OF DIRECTORS MEETING
DATE: AUG. 13, 2023
TIME: 8 P.M. EDT

Call to order

SPJ National President Claire Regan called the meeting to order at 8:06 p.m. EDT.

Roll call

SPJ Secretary-Treasurer Israel Balderas called roll. All board members were present except Jodi Rave Spotted Bear. Also present were SPJ's attorney Mark Bailen and Fred Brown, who acted as parliamentarian.

Consideration of LDF support for Marion County Record

Regan began the meeting by saying the Board came together in solidarity following the raid by law enforcement of the Marion County Record newsroom in Marion, Kansas. She called it an egregious attack on freedom of the press, the First Amendment and all the liberties we hold dear as journalists in this great country. Links with more information about the raid were shared with the Board in the agenda.

Balderas and Bailen explained the process of getting/giving funding from the Legal Defense Fund and that the LDF application process can be expedited in emergency cases. Bailen mentioned that he contacted attorney Bernie Rhodes, who represents the newspaper, and he welcomes financial assistance.

Bailen also highlighted the importance of assessing the merits of the case, ensuring that support doesn't inadvertently create bad legal precedent for journalists. He discussed the legal principle that news organizations receiving information without actively participating in its illegal acquisition generally aren't considered to have committed a crime. However, Mark notes a potential caveat: if it's proven that someone from the newspaper was involved in obtaining the information illegally, it could complicate matters. He suggests that the committee or board should consider this when approving

legal fee funding.

The Board discussed the case. They reached out to the Marion County Police Chief who sent SPJ a letter citing the Privacy Protection Act as the basis for seizing materials. Bailen reviewed the federal law on the Department of Justice website and argued that the law required more than just probable cause.

Balderas emphasized that the burden should be on the government to prove guilt, and the First Amendment protected against such actions. Bloch shared a letter from the Reporters Committee for Freedom of the Press signed by 34 media organizations, including SPJ.

Sennott raised a question about the newspaper's insurance coverage, and Bailen explained that insurance might not cover all expenses, and deductibles could be significant. He suggested making the funding contingent or having it in reserves if not immediately needed.

Sennott moved for the LDF to donate \$20,000 to support the Record's legal costs.

Bailen clarified that even if a certain amount, such as \$20,000, is approved, the funds are not immediately disbursed in full but are paid based on the invoices submitted. Any unspent funds are retained for future use.

Balderas moved that the board approve the funding of up to \$20,000 from the LDF to the Record. Second from Bloch.

Ibarra raised a question about how they arrived at the \$20,000 figure, and the response was that it was somewhat arbitrary but designed to provide a substantial amount without depleting the entire LDF. The current balance of the LDF is around \$70,000.

Multiple board members expressed their support for the initiative, citing the importance of showing solidarity and emphasizing the need to protect First Amendment rights.

The discussion was opened to public comments. Several people in attendance including, Emily Bradberry, executive director of the Kansas Press Association, Beth Potter from the Journalism Trust Initiative and SPJ leaders from Kansas, expressed their support for the Record. Overall, the discussion highlighted the unity and determination within the journalism/SPJ community to protect press freedom.

The Board brainstormed how to show the Society's support for the Record and raise more funds, including ideas to place an ad in the newspaper and sell T-shirts. The statement of support SPJ issued was highlighted. Board members emphasized the importance of gathering all the facts before making statements and the importance of getting it right rather than being first.

Sennott called the question. The motion passed unanimously. Bailen noted he would be in contact with the Record's lawyer.

Adjournment

Blaize-Hopkins motioned to adjourn. Second by Balderas. The motion passed unanimously. The meeting adjourned at 8:58 p.m. EDT.