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*Attorney - client
Privileged*

Robert Jackson <rjackson@murraystate.edu>

WKMS

1 message

Robert Jackson <rjackson@murraystate.edu>

Sun, May 23, 2021 at 7:27 PM

To: Robert Miller <rmiller47@murraystate.edu>

Bcc: rjackson@murraystate.edu

redacted KRS 61.878(1)(k) attorney client

Thanks, Bob

Here's the email from Chad.

Hi Dave,

Thanks for sending. I was on vacation last week, forgive me for being late on the uptake here. Let me tell you what I know.

Asia Burnett was acting in my stead while I was away. She called me this morning to let me know that Liam had concerns about a potential story he was working on related to Sen. Jason Howell's twitter account. She shared his concerns. I called Liam this morning to talk through how this came to light and whether or not it should be a story. WKMS News had received tips from credible sources a number of months ago related to some pornography-related activity, but the Senator's account, at the time, was private, so there was nothing to do/look into. Then last week Liam noticed that Sen. Howell liked or retweeted something from Ag. Commissioner Ryan Quarles, and at that point Liam noticed the Senator's profile was then public, so he looked into the tips the newsroom received related to the Senator's twitter activity. That is what led Liam down this path.

He and I discussed the work he had completed to this point including research on previously private social media pages and what happens when those become tied to now-public officials. Liam also mentioned that he spoke with Sen. Howell, I believe it was after he sent the email, about the twitter account. He indicated that the Senator seemed surprised about this twitter activity on his account. I believe Liam even had to explain to Sen. Howell how to access the information that Liam had found.

After we discussed the situation at length, I told Liam this isn't a type of story WKMS would or should do for a number of reasons: the inability to prove the account was or wasn't hacked, the twitter activity isn't illegal, overtly racist etc, and it's hard to know if this would really add value for the WKMS audience. I.E. other stories that have drawn criticism had easily demonstrable value to the WKMS audience. (school security officers and related tax dollars, publicly available COVID data, etc..)

I apologize for being out last week, had I been in the office we would have had a conversation before there was any significant research. (As we do with any story that has the risk of being very controversial). Liam did work the story as he should, because he did express his concern to Asia who was acting in my stead. To be fair to Asia and the rest of the team tried very hard not to interrupt my time away.

And in hindsight, I suppose it was good for Sen. Howell to be aware of this activity on his twitter account because he has since unfollowed all the pornographic accounts and deleted the related tweets.

-Chad

Dr. Robert L (Bob) Jackson
President
Murray State University

270-809-3763 (O)

Fwd: On Deadline: Commentary On "Liked" Pornography On Public Twitter Account

1 message

Robert Jackson <rjackson@murraystate.edu>

Sun, May 23, 2021 at 4:23 PM

To: Timothy Todd <ttodd@murraystate.edu>

Bcc: rjackson@murraystate.edu

Provost - hello. I hope you had a good past week...Welcome back to Murray to me...please see below. Just hung up on a call, several texts and Jordan has received too.

Please read closely.

Thanks, Bob

Dr. Robert L (Bob) Jackson

President

Murray State University

270-809-3763 (O)

Sent from my iPhone

Begin forwarded message:

From: Jordan Smith <jsmith3@murraystate.edu>

Date: May 23, 2021 at 3:42:33 PM CDT

To: Robert Jackson <rjackson@murraystate.edu>

Subject: Fwd: FW: Re: On Deadline: Commentary On "Liked" Pornography On Public Twitter Account

WOW - see below.

----- Forwarded message -----

From: Jhowell <jhowell@murraykylaw.com>

Date: Sun, May 23, 2021 at 4:18 PM

Subject: FW: Re: On Deadline: Commentary On "Liked" Pornography On Public Twitter Account

To: Jordan Smith <jsmith3@murraystate.edu>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Liam Niemeyer <lniemeyer1@murraystate.edu>

Date: 5/21/21 5:03 PM (GMT-06:00)

To: Jason Howell <jhowell@murraykylaw.com>

Subject: Re: On Deadline: Commentary On "Liked" Pornography On Public Twitter Account

I will follow up if I have any other questions, Senator Howell.

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio
<https://ohiovalleyresource.org>
Work: 270-809-4744
redacted KRS 61.878(1)
(a) personal privacy

On Fri, May 21, 2021 at 4:06 PM Jason Howell <jhowell@murraykylaw.com> wrote:
Please see the following as my response to your inquiries:

"It was brought to my attention that a Twitter account I operate was hacked. I have taken the necessary steps to update my security settings, fortifying the account and resolving the issue."

Hope you have a nice weekend. Jason

—
Jason G. Howell
The Law Offices of Jason G. Howell, PLLC
603 Main St.
Murray, Kentucky 42071
(270) 753-2200 telephone
(270) 761-5292 facsimile

On Fri, May 21, 2021 at 8:29 AM Liam Niemeyer <lniemeyer1@murraystate.edu> wrote:
Sen. Howell,

I'm the assistant news director at WKMS Public Radio in Murray. Our newsroom has documented your public Twitter account -- listed on your state senator profile page -- appearing to have "liked" at least 20 tweets containing pornography, nudity, or other sexual context over the past year.

The most recent "liked" pornographic tweet is dated May 11. We have also documented your public account following at least six accounts related to sexual content and pornography.

We wanted to reach out to you for comment on our upcoming story. Our hard deadline for you to provide comment for our story is **10 a.m. CST on Monday, May 24**. Please give me a call at your earliest convenience. Below is a list of questions our newsroom would be looking for answers to:

- Were you aware that your "likes" are public on your Twitter account?
- Did you "like" the above-mentioned tweets? If not, what is your explanation for why those "liked" tweets appear on your public account?
- An applied ethics expert told our newsroom the "liked" tweets are problematic, in that the message it sends is not demonstrating the virtue an elected official should have in serving the public's interest, and may potentially undermine public confidence. What is your response to that sentiment?
- This Twitter account is listed on your state senator profile page. Do you consider this account to be a personal account, or an official account for your work as state senator? Why do you classify the account in that way?
- What message do you have for your constituents regarding the pornography promoted on your Twitter account?

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio
<https://ohiovalleyresource.org>
Work: 270-809-4744
redacted KRS 61.878(1)(a) personal privacy

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Jordan N. Smith, MPA
Executive Director, Government & Institutional Relations
Murray State University