
WPSD-TV, LLC

PLAINTIFF

v.

MURRAY STATE UNIVERSITY

DEFENDANT

NOTICE

Please take notice that WPSD-TV, LLC will present this Motion for Summary Judgment to be heard at the Court's motion hour scheduled for Wednesday, November 22, 2023, at 2:30 PM.

INTRODUCTION

This is an Open Records Act (the "Act") case that concerns important public records at Murray State University related to former-Judge Jamie Jameson's efforts to kill unflattering stories reported by WKMS—Murray State University's ("MSU") public radio station—and the University's response to those efforts. After more than a year of delay, and extensive negotiations between counsel, MSU continues to willfully refuse to produce public records that it must under the Act. WPSD is entitled to injunctive relief ordering MSU to produce these public records and a finding that MSU has willfully violated the Act entitling WPSD to its costs and attorney's fees. *See* KRS 61.882(5).

FACTUAL BACKGROUND

In November 2022, Kentucky's Judicial Conduct Commission removed Circuit Court Judge Jamie Jameson from the bench after finding he violated seven provisions

of the Code of Judicial Conduct. Ex. 1, JCC Order. One of the seven charges against Judge Jameson concerned the Judge’s efforts “to use the power and prestige of [his] office” to pressure Chad Lampe—the former station manager of Murray State University’s public radio station—to stop investigating an unflattering story about Judge Jameson walking around the Marshall County Courthouse in his underwear. *Id.* at 34.

The JCC unanimously found by clear and convincing evidence that after Judge Jameson learned Mr. Lampe filed an open records request seeking security footage of the Marshall County Courthouse, Judge Jameson called Mr. Lampe to inform him that he had spoken to MSU’s president—Dr. Robert Jackson—who “was not happy” about Mr. Lampe’s reporting. *Id.* Judge Jameson asked Mr. Lampe to confirm that the news station was not going to run a story about the requested footage. *Id.* Within days of that conversation, MSU leadership also contacted Mr. Lampe “requesting information about the Open Records Act request.” *Id.* Judge Jameson’s pressuring Mr. Lampe, according to the JCC, violated several Supreme Court Rules and Canons of the Code of Judicial Conduct, including Canon 1, Rule 1.1 “which requires a judge to comply with the law.” *Id.* At 35.

I. October 20, 2022 Open Records Request

On October 20, 2022, WPSD Station Manager Perry Boxx submitted an open records request to MSU seeking the following public records:

- A. Correspondence, including but not limited to, emails and attachments, responses and threads, letters and other forms of communications from and/or to Dr. Robert Jackson, President, Tim Todd, Provost and Vice President for Academic Affairs, David Eaton Dean of the Arthur J. Bauernfeind College of Business, Circuit Court

Judge Jamie Jameson, and former WKMS Station Manager Chad Lampe in any combination, the content of which regards a Kentucky Open Records Request filed by the news department of WKMS Radio News seeking courthouse security video showing Circuit Court Judge Jamie Jameson walking around the courthouse security video showing Circuit Court Judge Jamie Jameson walking in the Marshall County Courthouse in his underwear.

- B. Correspondence, including but not limited to emails and attachments, responses, and threads, letters and other forms of communications regarding WKMS News, both prior to and subsequent to the open records request described above in item “A” from and/or to Dr. Allen White, former Chair, Department of Journalism and Mass Communications, former WKMS News Director Rachel Collins, WKMS News Director Derek Operle, Kevin Qualls, Chair, Department of Journalism and Mass Communications, Asia Burnett, WKMS interim Station Manager, WKMS reporter Liam Niemeyer, Jordan Smith, Executive Director Governmental and Institutional Relations, Jill Hunt, Senior Executive Coordinator for the President and Coordinator for Board Relations, and Shawn Touney, Executive Director, Marketing and Communications.

The time period for this request is March 1, 2022 to the present date.

Ex. 2, The October ORR. This request sought the only public records that confirm if MSU officials joined in Judge Jameson’s efforts to use his position to kill a potentially unflattering story.

MSU responded by denying the vast majority of the request. Regarding Part A, MSU claimed that the requested records are not “readily available” and informed Mr. Boxx that it would search its files and provide responsive records at a later date.

Ex. 3, MSU’s First October ORR Response. However, MSU refused to search its records for any emails regarding WKMS because, according to MSU, records showing whether the University pressured journalists to kill an unflattering story supposedly were protected from disclosure by the First Amendment. *Id.*

MSU refused to even *search* for documents responsive to Part B of the October Request. MSU repeated its incorrection assertion that records “regarding WKMS news are protected from disclosure by the First Amendment.” *Id.* at 3. MSU also claimed that Mr. Boxx did not “precisely describe” the records he requested because the request “does not identify a specific date” or a record of correspondence between a specific sender and a recipient.” *Id.* at 2. But MSU directly contradicted that reasoning in the very next paragraph when it complained that complying with the request will be unduly burdensome because the date range and number of individuals identified in the request “potentially result in thousands of emails and attachments.” *Id.* In other words, MSU simultaneously claimed that Mr. Boxx has not identified a specific date range and individuals in his request, and that producing records responsive to the specific date and individuals identified in the request is unduly burdensome.

On November 3, MSU produced only 31 heavily redacted emails responsive to Part A of the request. Accompanying the documents was a letter reiterating that MSU had no intention of providing any communications regarding WKMS and a log of MSU redactions identifying the exemption claimed for each redaction. Ex. 4, MSU Second October ORR Response. The claimed exemptions were: 1) The First Amendment, which is incorporated into the Open Records Act by KRS 61.878(1)(k); 2) the Act’s preliminary records exemption, KRS 61.878(1)(j); 3) Attorney-Client Privilege, which is incorporated into the Open Records Act by KRS 61.878(1)(k); and 4) the Act’s personal privacy exemption, KRS 61.787(1)(a).

II. Attorney General Appeal (23-ORD-024)

WPSD appealed MSU's denial of the October Request to the Office of the Attorney General ("OAG"). The OAG determined that MSU violated the Act when it invoked the preliminary records exemption to deny production of non-preliminary emails and refused to search for records responsive to Part B of the October Request. Ex. 4, 23-ORD-024. The OAG also summarily rejected MSU's contention that the First Amendment somehow protected its administrators' emails because they may be related to WKMS. *Id.* at 5.

After the OAG ruling, MSU produced a batch of heavily redacted records purporting to respond to Parts A & B of the October ORR. Those redactions were made supposedly pursuant to the Act's personal privacy exemption (KRS 61.878(1)(a), the Act's preliminary records exemption (KRS 61.878(1)(i)-(j)), and the attorney-client privilege. *See* Ex. 5, MSU First Post-OAG Log Oct. ORR Part A; Ex. 6, MSU First Post-OAG Log Oct. ORR Part B.

III. November 16, 2022 Open Records Request

On November 16, 2022 Mr. Boxx submitted a second open records request to MSU seeking:

- A. Records to and from Dr. Robert Jackson, President, Tim Todd Provost and Vice President for Academic Affairs, and former WKMS Station Manager Chad Lampe, relating to a "Zoom" conference call and the subjects discussed between the three on or about November 23, 2020. This request includes the "invitation" sent to the parties. It is specifically inclusive of records prior to or subsequent to the meeting relevant to the purpose of the meeting (matter(s) pertaining to public radio station WKMS) that raise, memorialize, summarize, or discuss topics covered during the meeting. These records may include, but are not limited to content about, complaints received by President Jackson about WKMS, the mission and purpose of WKMS, whether investigative reporting is or should be part of the mission of

- WKMS, policy for managing the filing of open records requests by WKMS staff, responsibility for the WMS approach to the news, content issues, Calloway County Covid numbers and complaint from politicians. The time period for this request is October 1, 2020 to July 1, 2022.
- B. Records to and from David Eaton, Dean of the Arther J. Bauernfeind College of Business, Chad Lampe, former Station Manager WKMS, Tim Todd, Provost and Vice President for Academic Affairs relating to grants, budgeting, budget reductions, the Ohio Valley Resource, the Corporation for Public Broadcasting (CPB), Louisville Public Media, Public Media Code of Integrity, and NPR (National Public Radio). The time period for this request is December 2020 to July 1, 2022.
 - C. Records to and from Dr. Robert Jackson, President, Tim Todd, Provost and Vice President for Academic Affairs, Eric Crigler, then Chair, Murray State Board of Trustees, each and every member of the Murray State Board of Regents in 2021 and the current membership relating to a meeting or conversation between Jackson and Crigler in January 2021(believed to be during the week of January 23, 2021) during which was discussed a reexamination of the mission and purpose of WKMS. The request is specifically inclusive of records prior to or subsequent to the meeting or conversation described that raise, memorialize, summarize, or discuss the meeting or conversation, and/or the mission and purpose of WKMS, political perception of WKMS, investigative reporting at WKMS, the role of WKMS in student education, donor and political feedback about WKMS, policy on Open Records requests made by WKMS and accreditation from the Accrediting Council on Education in Journalism and Mass Communication The time period for this request is August 1, 2020 to the present date.
 - D. Records to and from Dr. Robert Jackson, President, David Eaton, Dean of the Arthur J. Bauernfeind College of Business Jacklyn Dudley, Vice-President Finance and Administrative Services and Chad Lampe, former Station Manager WKMS relating to WKMS budgeting. The request is inclusive of but not limited to records related to a \$150,000 loan for transmitter needs at WKMS. The time period for this request is January 1, 2021 to the present date.
 - E. The “Self-Study” report required by the Accrediting Council on Education in Journalism and Mass Communication for presentation

to the site visit team of the ACEJMC earlier this fall (2022). The time period for the request is January 1, 2021 to the present date.

- F. Records to and from Dr. Kevin Qualls, Chair, Department of Journalism and Mass Communications, Asia Burnett, Interim Station Manager WKMS, Dr. Robert Jackson, President, Tim Todd, Provost and Vice President for Academic Affairs, and David Eaton, Dean of the Arthur J. Bauernfeind College of Business relating to the Accrediting Council on Education in Journalism and Mass Communication current accreditation renewal process for Murray State University. The time period for the request is January 1, 2021 to the present date.

Ex. 7, The November ORR.

MSU produced 849 heavily redacted records on December 19, 2022. It withheld four responsive documents in their entirety—three were withheld citing attorney-client privilege and one citing the preliminary records exemption. MSU redacted at least 73 additional records. MSU’s justifications for these redactions are: 1) Attorney-Client privilege; 2) the Act’s personal privacy exemption, KRS 61.878(1)(a); and 3) the Act’s preliminary records exemption, KRS 61.878(1)(j). Ex. 8, MSU’s First Response to November ORR.

A cursory review of MSU’s redactions reveals that MSU willfully mis-applied (and continues to mis-apply) the Act’s exemptions to withhold information it would rather not see the light of day. For example, MSU withheld as preliminary communications related to MSU’s report to the Accreditation and Mass Communications program in plain violation of well-established precedent. *See* Ex. 8. More egregiously, MSU initially redacted an entire email from David Eaton (Dean of MSU’s business school) as “preliminary.”



To: [redacted] Tue, Oct 25, 2022 at 11:40 AM

----- Forwarded message -----
From: David Eaton <deaton@murraystate.edu>
Date: Thu, Apr 14, 2022 at 8:48 AM
Subject: [redacted]
To: [redacted], Timothy Todd <ttodd@murraystate.edu>

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

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David Eaton
Dean, Arthur J. Bauernfeind College of Business
270-809-4183

WPSD reporters, however, obtained the same email from another source and it is clear there is nothing at all “preliminary” discussed in the email. It is a directive from David Eaton and Timothy Todd instructing Chad Lampe to keep them apprised of any communications (including open records requests) related to “the circuit judge situation.” Nevertheless, MSU redacted the subject matter, some of the recipients, and the entirety of its contents.

"From: David Eaton <deaton@murraystate.edu>
 Date: Thu, Apr 14, 2022 at 8:48 AM
 Subject: Circuit judge records request
 To: Chad Lampe <clampe@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Tim's request is for any communication (emails, letters, etc) pertaining to open records requests on the circuit judge situation.

I imagine that would include copies of any open records requests submitted, any another other emails related to decisions on how to proceed.

Copy me on what you send.

Thanks."

After months of exchanges between counsel attempting to narrow MSU's heavily over-redacted productions, MSU eventually un-redacted the body of this email, but it is still willfully refusing to un-redact the name and email address of the MSU administrator that was forwarded this email thread by preposterously claiming that that information is somehow "preliminary" to a policy decision yet to be made by MSU. (That forwarding information was not contained in the unredacted version of the email WPSD has obtained).



To:

Tue, Oct 25, 2022 at 11:40 AM

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

From: **David Eaton** <deaton@murraystate.edu>
 Date: Thu, Apr 14, 2022 at 8:48 AM
 Subject: Circuit judge records request
 To: Chad Lampe <clampe@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Tim's request is for any communication (emails, letters, etc) pertaining to open records requests on the circuit judge situation.

I imagine that would include copies of any open records requests submitted, any another other emails related to decisions on how to proceed.

Copy me on what you send.

Thanks.

Sent from my iPhone

--
 David Eaton
 Dean, Arthur J. Bauernfeind College of Business
 270-809-4183

IV. Complaint and *Vaughn* Index

MSU’s refusal to comply with the Open Records Act caused WPSD to file this lawsuit on March 6, 2023. After MSU answered, undersigned counsel wrote MSU’s counsel to “streamline and expedite” the litigation. Ex. 9, 5/2/2023 Letter. That letter requested MSU fulfill its duty to “provide the requesting party and the court with sufficient information about the nature of the withheld record (or the categories of withheld records) and the harm that would result from its release to permit the requester to dispute the claim and the court to assess it.” *Id.* (quoting *City of Fort Thomas v. Cincinnati Enquirer*, 406 S.W.3d 842, 852 (Ky. 2013)). In response to that letter, MSU agreed to produce to WPSD a *Vaughn*-index—named for the seminal case *Vaughn v. Rose*, 484 F.2d 820 (D.C. Cir. 1973)—which is a “routine device through which the agency describes the documents responsive to [an Open Records] request and indicates the reasons for redactions or withholdings in sufficient detail to allow a court to make an independent assessment of the claims for exemptions from disclosure under the Act.” *Id.* (quoting *Rugiero v. U.S. Department of Justice*, 257 F.3d 534, 544 (6th Cir. 2001)).

MSU has produced a *Vaughn* index, but after several attempts, it remains inadequate. After months of correspondence between counsel, MSU has produced some additional records that were initially improperly withheld or redacted, but it continues to willfully maintain dozens of redactions that are not permitted by the Act. WPSD has consolidated these redactions that have been asserted at various times

across multiple productions into one master index that lists all remaining contested redactions. Ex. 10, WPSD Summary Judgment Redaction Index.¹

MSU asserts three distinct Open Records Act exemptions to justify its remaining redactions. First, MSU claims several emails between MSU administrators *without legal counsel included on the thread* are somehow protected by the Attorney-Client privilege. Ex. 10, line 5. Second, MSU has redacted communications related to MSU's retention and promotion of certain faculty members citing the Act's personal privacy exemption without even attempting to explain why these public employees paid with taxpayer dollars enjoy a personal right of privacy to their employment status at MSU. Ex. 4, pp.4-7. Third, MSU continues to mis-apply the Act's preliminary records exemption to withhold documents that are no longer (or never have been) preliminary to a final policy decision to be made by MSU.

ARGUMENT

I. MSU is misusing the Attorney Client Privilege.

The application of the attorney-client privilege turns on two questions. "First, the statements must actually be confidential, meaning they are 'not intended to be disclosed to third persons other than those whom to disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication.'" *Univ. of Kentucky v. Lexington H-L Servs., Inc.*, 579 S.W.3d 858 (Ky. Ct. App. 2018) (citing *Collins v. Braden*, 384

¹ This index was created by WPSD for the purposes of this motion. It lists the redactions still in dispute and was compiled from all MSU's previously inadequate production attempts.

S.W.3d 154, 161 (Ky. 2012) (Quoting KRE 503(a)(5)). “Second, the statements must be made for the purpose of obtaining or furthering the rendition of legal services to the client.” *Id.* (citing KRE 503(b)). It is MSU’s burden to prove the privilege applies to the communications claimed. *And v. Braden*, 384 S.W.3d 154 (Ky. 2012). That is especially true in the open records context because the withholding agency always carries the burden to demonstrate its redactions and withholdings are permitted by the Act. KRS 61.880.

From the outset of this litigation MSU has willfully abused the attorney client privilege to redact public records that seemingly have nothing to do with providing legal services and were shared with multiple third parties that do not enjoy the privilege. Initially, MSU attempted to withhold hundreds of responsive documents with broad claims that the records were *possibly* privileged or exempt by the Act’s exceptions. MSU could not know for sure because it did not bother to search for responsive records after receiving WPSD’s request. Ex. 3, p. 2. The OAG rightly admonished MSU for its blatant violation of the Act: “At bottom, the University did not search for records responsive to [WPSD’s] second request. Thus, the University’s estimate that ‘thousands’ of records exist and that many or all of them are required to be kept confidential remains wholly speculative.” Ex. 11, 23-ORD-024 at 8. MSU’s “speculation is not evidence” and cannot be considered an attempt to meet its burden to justify redacting public records with “clear and convincing evidence.” *Id.*

Even after the OAG ordered MSU to search for responsive records and produce them to WPSD, MSU continues to willfully misapply the attorney client privilege to

withhold documents that do not appear legal in nature, and were shared with several non-attorneys, without adequate explanation. Ex. 5, MSU Post-OAG Redaction log. It blacked-out several emails from President Jackson, Provost Todd, Dean Eaton, and Marketing Professor Shawn Touney without any explanation beyond MSU's assertion that the privilege applies. Ex. 5, pp. 1, 30, 33-34, 36-37. After additional correspondence between counsel, and significant delay, MSU responded with another over-redacted and underexplained production that raised more questions than it answered. Ex. 12, MSU's Second Post-OAG Production Oct. ORR Part A. MSU un-redacted portions of emails to reveal only that non-attorney MSU employees were on the thread discussing non-legal matters. *Id.* at 1, 30, 33-34, 36-37.

In yet another example, MSU has inexplicably redacted sections of emails from President Jackson to MSU's Board of Regents that are almost certainly not privileged and are directly responsive to WPSD's Request. Ex. 13, MSU Second Post-OAG Production Oct ORR Part B, p. 159. President Jackson is not a lawyer and his email, unsurprisingly, is not communicating legal advice. Rather, President Jackson wrote to share "a link to a news report dated October 7, 2022 from WPSD regarding Circuit Judge Jamie Jameson's Judicial Conduct Commission proceeding. President Jackson goes on to inform the Board that "Judge Jameson contacted [him] in April 2022 regarding a WKMS news story and open records request." *Id.* A month after that email was sent, the Judicial Conduct Commission removed Judge Jameson from the bench, in part, because he told WKMS Station Manager Chad Lampe that he had spoken to President Jackson about his reporting and President Jackson "was not

happy about it.” Ex. 1, p. 35. According to the JCC, within days of that conversation, MSU leadership also contacted Mr. Lampe “requesting information about the Open Records Act request.” *Id.* In other words, this email that MSU asserts is somehow partially privileged may directly answer whether MSU’s President indeed participated in Judge Jameson’s efforts to kill WKMS’ unflattering reporting.

These examples are not an exhaustive list of MSU’s willful abuse of the attorney client privilege. *See* Ex. 10, Index. The University’s refusal to produce these public records and support its redactions with “particular and detailed information in response to a request for documents” is a clear violation of the Act that warrants sanction from this Court. *See Edmondson v. Alig*, 926 S.W.2d 856, 858 (Ky. App. 1996); KRS 61.880(1).

II. MSU has not met the requirements of the Act’s preliminary records exemptions.

Preliminary records are recommendations, drafts, notes, correspondence and memoranda used to create opinions or policy recommendations. KRS 61.878(1)(j). Preliminary records are protected from production by the Open Records Act—but only temporarily. They lose their protected status “once they are adopted by the agency as part of its action.” *Univ. of Kentucky v. Lexington H-L Servs., Inc.*, 579 S.W.3d 858 (Ky. Ct. App. 2018) (*Univ. of Kentucky v. Courier-J. & Louisville Times Co.*, 830 S.W.2d 373 (Ky. 1992)). At that moment, the Act’s exemption no longer applies and the records are subject to release. *See Kernel Press, Inc.*, 620 S.W.3d 43. “The Act does not require that an agency reference or incorporate specific documents in order for those records to be adopted into the final agency action.” *Univ. of Kentucky. v.*

Lexington H-L Servs., Inc., 579 S.W.3d 858, 863 (Ky. Ct. App. 2018). Rather, all records “which form the basis of the agency’s final action are subject to disclosure.” *Id.* MSU initially withheld broad categories of public records without even attempting to make the showing required to invoke KRS 61.878(1)(j). To withhold any record under the Act, a public agency must “include a statement of the specific exemption authorizing the withholding of the records and a brief explanation of how the exception applies to the record withheld.” *Univ. of Kentucky v. Kernel Press, Inc.*, 620 S.W.3d 43 (Ky. 2021) (citing KRS 61.880). The explanation “must be detailed enough to permit the court to assess its claim and the opposing party to challenge it.” *Id.* (citing *Kentucky New Era, Inc. v. City of Hopkinsville*, 415 S.W.3d 76, 81 (Ky. 2013)). Here, that requires MSU to identify both 1) what agency decision the document is preliminary to, and 2) whether the agency has made a final decision. MSU ignored this black-letter law and used the Act’s preliminary exemptions to categorically redact any document “in which opinions are expressed or policies formulated or recommended.” Ex. 4, p. 2-4.

Again, MSU continued to willfully overapply the Act’s preliminary records exemptions after WPSD prevailed on its appeal to the OAG. MSU produced 849 heavily redacted documents responsive to the November Request. MSU invoked the Act’s preliminary records exemption to support many of these redactions, but its explanations as to why that exemption applied were facially inadequate. For example, MSU redacted all communications related to MSU’s accreditation report to the Accrediting Council on Education in Journalism and Mass Communications

(“AJEJMC”) because that third-party agency would not make a final decision until April 2023. Ex. 8, pp. 4-7. The Kentucky Supreme Court rejected precisely that reasoning more than 30 years ago in *Univ. of Kentucky v. Courier-Journal & Louisville Times Co.*, 830 S.W.2d 373 (Ky. 1992). There the Court considered the University of Kentucky’s attempt to use the Act’s preliminary records exemption to withhold its completed report to the NCAA regarding alleged recruiting violations. Like MSU here, the university attempted to withhold its own records until a third-party agency acted upon them. The Court refused to extend the exemption to cover the actions of third parties not subject to the Act: “the fact that the Response was submitted prior to final action by the NCAA is irrelevant. The only agency subject to the provisions of the Act is the University...once the University made full and complete disclosure of the materials contained in the Response to the NCAA, it subjected these documents to full disclosure once the University’s actions became final.” *Id.* at 378. MSU simply ignored this precedent and forced WPSD to litigate for months to obtain these records it should have received in five days. *See* 61.872(5).

Eventually, MSU abandoned these and other redactions it once claimed were preliminary to final policy decisions to be made by the University. These far-too-late concessions came only after WPSD was forced to file suit and incur significant costs to enforce its rights under the Act. It has been MSU’s burden from the outset of this litigation to prove that each redaction fits within an Open Records Act exemption and explain how it applies. *Kernel Press*, 620 S.W.3d 43 at 55-56. MSU’s “boilerplate...this, but if not this, then that” explanation “used for every withheld

document was wholly unacceptable.” *Id.* Indeed, MSU’s back-pedaling revealed that it initially asserted the preliminary records exemption over documents that were obviously never preliminary to any policy decision to be made by MSU. *See e.g.*, Ex. 5; *compare* Ex. 12.

In any event, MSU continues to this day to willfully assert the Act’s preliminary exemption to withhold the ultimate recipient of an email from David Eaton and Timothy Todd to Chad Lampe directing him to keep them apprised of any communications (including open records requests) related to “the circuit judge situation.” *Supra*, p. 7-8. MSU has not (and cannot) explain why the recipient of that email is somehow “preliminary” while the substance of the email is “final.” There is simply “no rational basis” for MSU’s assertion that “parts” of the email are “subject to disclosure while other parts [are] exempt.” *Univ. of Kentucky*, 830 S.W.2d 373 (Ky. 1992). MSU has no plausible justification to redact these public records under KRS 61.878(1)(j) or any other of the Act’s exemptions. It must produce them in their entirety.

III. The Personal Privacy Exemption does not protect information related to public employee’s employment status.

MSU has misused the Act’s personal privacy exemption, too. KRS 61.878(1)(a) prevents the release of public records only if the “disclosure thereof would constitute a clearly unwarranted invasion of privacy.” KRS 61. 878(1)(a). To invoke the Act’s personal privacy exemption, an agency must analyze the open records request in context and strike an appropriate balance between the public and private interests at stake. *Kentucky Bd. of Examiners of Psychologists v. Courier-Journal & Louisville*

Times Co., 826 S.W.2d 324, 327 (Ky. 1992). The exemption requires a “comparative weighing” of interests on a “case-specific approach”; “the question of whether an invasion of privacy is ‘clearly unwarranted’ is intrinsically situational and can only be determined within a specific context.” *Id.* When weighing the public interest, the “primary concern is the nature of the information which is the subject of the requested disclosure” and whether the public has a legitimate interest in the disclosure. *Lexington-Fayette Urban Cty. Gov't v. Lexington Herald-Leader Co.*, 941 S.W.2d 469, 472 (Ky. 1997).

MSU has never attempted this required balancing test. Its feeble attempts to explain the basis for applying KRS 61.878(1)(a) are wholly inadequate. MSU, for example, was wrong to categorically redact the name and identifying information of “private donors” to a public university. *See* Ex. 8, pp. 4-7. Over 15 years ago, the Kentucky Supreme Court announced that donations to public universities must be released under the Act. *Cape Publications, Inc. v. Univ. of Louisville Found., Inc.*, 260 S.W.3d 818, 824-25 (Ky. 2008) (“[F]uture donors to the [University] foundation are aware, and on notice, that their gifts are being made to a public institution and, therefore, are subject to disclosure regardless of any requests for anonymity.”).

Nor can MSU redact public records related to the employment status of public employees. *See* Ex. 8, pp. 4-7. A “public employee’s name, position, workstation, and salary are subject to public inspection, as well as portions of the employee’s resume reflecting relevant prior work experience, educational qualifications, and information regarding the employee’s ability to discharge the responsibilities of public

employment.” 07-ORD-056 (collecting cases); *see also*, *Palmer v. Driggers*, 60 S.W.3d 591 (Ky. App. 2001). Here, the public’s interest in understanding how MSU makes employment decisions with taxpayer dollars certainly outweighs whatever minimal privacy interest public employees have in keeping their employment status secret. *Id.*

IV. MSU’s redactions are a willful violation of the Open Records Act.

An individual who prevails against an agency in an Open Records Act case may “be awarded costs, including reasonable attorney’s fees,” if “the records were willfully withheld.” KRS 61.882(5). In addition, the statute grants the Court discretion “to award the person an amount not to exceed twenty-five dollars (\$25) for each day that he was denied the right to inspect or copy said public record.” KRS 61.882(5). In this context, “willful ‘connotes that the agency withheld requested records without plausible justification and with conscious disregard of the requester’s rights.’” *Cabinet for Health and Family Services v. Todd County Standard, Inc.*, 488 S.W.3d 1 (Ky. App. 2015) (quoting *City of Fort Thomas v. Cincinnati Enquirer*, 406 S.W.3d 842, 854 (Ky. 2013)). It does *not* require a showing of bad faith.

From the outset of this case, MSU has acted with conscious—indeed, deliberate—disregard of WPSD’s rights under the Open Records Act. MSU’s initial responses to WPSD’s requests were willfully inadequate and ensured that production of these public records would be long delayed and obtained at significant cost to WPSD. MSU’s denial speciously invoked the First Amendment and accused WPSD of interfering with WKMS’ news-gathering process as WPSD sought the only public records capable of affirming whether MSU pressured WKMS reporters to kill

negative reporting about Judge Jameson. Indeed, MSU refused to even search for responsive records and, instead, attempted to withhold hundreds of responsive documents with broad “speculation” (ex. 11) that the records could be privileged or somehow exempt from production. Ex. 3, p. 2.

MSU’s willful defiance of the Act has continued well after WPSD prevailed in its appeal to the OAG. MSU refused to attempt to undertake the required steps to properly invoke the Act’s preliminary records and personal privacy exemptions. Instead, MSU asserted the kind of broad categorical exemptions that have always been rejected under the Act. *See, e.g., City of Fort Thomas*, 406 S.W.3d at 855 (rejecting blanket denial of police investigatory file); *Com., Cabinet for Health & Fam. Servs. v. Lexington H-L Servs., Inc.*, 382 S.W.3d 875 (Ky. App. 2012) (rejecting blanket denial of child abuse records); *Kentucky New Era, Inc. v. City of Hopkinsville*, 415 S.W.3d 76 (Ky. 2013) (“the Act forbids blanket denials of ORA requests”). MSU’s categorical rule to redact all information related faculty employment has long been “at odds with existing law.” *Cape Publications*, 191 S.W. 3d at 14. So too was its decision to blanketly withhold all information “in which opinions are expressed or policies formulated or recommended.” Ex. 4, pp. 2-4.

MSU’s decision to abandon many of its initial redactions should not mitigate its past and present willful conduct. If anything, removing those redactions has only revealed the extent of MSU’s willfulness when it initially denied WPSD’s request. It is now apparent that MSU never had any plausible justification for most of its redactions. It used barebones “boilerplate, multiple grounds exemptions... for every

single document” it redacted. *Kernel Press*, 620 S.W.3d at 55. That blatantly inadequate response forced WPSD to assert its rights in the OAG and in circuit court, incurring significant costs to obtain public records that should have been released within five days of WPSD issuing its requests. *See* 61.872(5). “Simply put. This is not how the ORA process works.” *Kernel Press*, 620 S.W.3d at 55.

In any event, MSU to this day remains in willful defiance of the Act. It continues to assert the attorney-client privilege over communications entirely between non-lawyers (*see* Ex 12, p. 1, 30, 31-32, 33-34, 36-37) and redact information purportedly pursuant to the Act’s preliminary records exemption that cannot possibly be preliminary. *See supra*, p 7-8.

MSU’s willful denials of WPSD’s requests should be sanctioned by this Court. It is precisely this kind of gamesmanship the General Assembly meant to stop when it allowed open requesters to recover their costs and fees for agencies willful violations of the Act. *Cabinet for Health & Fam. Servs. v. Courier-Journal, Inc.*, 493 S.W.3d 375 (Ky. App. 2016) (“The Act’s purpose is served “not only by the limited reading of exceptions to such a rule...but also by liberal reading of those provisions aimed at the meaningful punishment of those who willfully obfuscate the public’s ability to examine non-exempt records.”). This Court should hold that MSU’s blatant disregard for controlling precedent and the requirements of the Open Records Act is a willful violation of the law. Failure to do so would reward MSU’s willful noncompliance with the Open Records and reward its delay-by-any-means-necessary litigation tactics.

V. The Court should review the contested redactions in camera.

On October 3, 2023, MSU produced additional records responsive to Part B of the October ORR and the November ORR. Due to the large size of those files, MSU has not attached them as exhibits to this Motion. However, WPSD's Index (Ex. 10) incorporates these productions into its list of contested redactions. It remains clear that MSU continues to assert redactions that are not permitted by the Act.

Accordingly, WPSD requests this Court exercise its authority to "view the records in controversy in camera before reaching a decision" on this motion. KRS 61.882(3). WPSD is not required to simply take MSU's redactions at their word. Because WPSD cannot view the responsive records in question, this Court should determine the propriety of MSU's remaining redactions.

Finally, the many exhibits attached to this summary judgment motion suggest that the several exchanges of records and logs between counsel have created an unwieldy record. Accordingly, WPSD suggests that if this Court does exercise its discretion to review MSU's remaining redactions in camera that it order MSU to provide: 1) An unredacted copy of all records responsive to WPSD's requests grouped in two PDF documents, one for each open records request; 2) Redacted copies of all records responsive to WPSD's records requests groups in two PDF documents, one for each open records request; and 3) One master redaction log that, once and for all, describes all MSU's redactions and explains MSU's reasons for those redactions.

CONCLUSION

For the foregoing reasons, this Court should grant WPSD's motion for summary judgment, including its request for attorneys' fees and statutory penalties.

WPSD requests 10 days from the issuance of this Court's summary judgment order to submit its motion for attorneys' fees, costs, and statutory penalties.

Respectfully Submitted,

/s/ Michael P. Abate

Michael P. Abate

Jon L. Fleischaker

William R. Adams

Kaplan Johnson Abate & Bird LLP

710 West Main Street, 4th Floor

Louisville, Kentucky 40202

(502) 416-1630

jfleischaker@kaplanjohnsonlaw.com

mabate@kaplanjohnsonlaw.com

radams@kaplanjohnsonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2023 I filed this Motion using the Court's electronic filing system, which caused a copy to be served on all counsel of record.

/s/ William R. Adams
William R. Adams

Exhibit 1

JCC Order

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**JAMES T. JAMESON, CIRCUIT COURT JUDGE
42ND JUDICIAL CIRCUIT**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

I. INTRODUCTION

THE PURPOSE AND AUTHORITY OF THE JUDICIAL CONDUCT COMMISSION

The Judicial Conduct Commission of the Commonwealth of Kentucky (Commission) was created for the purpose of, and is vested with the jurisdiction to initiate, hear and decide charges of official misconduct by any judge of the Court of Justice or lawyer while a candidate for judicial office, and upon a finding of such official misconduct, to impose sanctions pursuant to SCR 4.020. Proceedings before the Commission may result in the discipline, retirement or removal of the judge. SCR 4.000. In furtherance of this authority and purpose, the Commission¹ filed charges of judicial misconduct against Judge James T. “Jamie” Jameson (Judge Jameson or Respondent), Circuit Court Judge, 42nd Judicial Circuit, on June 13, 2022, after receiving allegations of misconduct by Judge Jameson. The Notice of Formal Proceedings and Charges (and amendments thereto) are attached hereto and incorporated herein by reference.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension

¹ Citizen member Dr. Joe Ellis recused in this matter.

without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:

- (i) Misconduct in office.
- (v) Violation of the code of Judicial Conduct, Rule 4.300.
- (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

The Kentucky Supreme Court has recently opined on the extent of the authority of the Commission in *Maze v. Judicial Conduct Comm’n*, 612 S.W.3d 793 (2020), *Gentry v. Judicial Conduct Comm’n*, 612 S.W.3d 832 (2020), and *Gordon v. Judicial Conduct Comm’n*, ___S.W.3d ___ (2022) (Removal was appropriate sanction to impose on judge ... [who] committed numerous acts over extended period, and was previously warned about her actions related to son’s cases). In *Gordon*, the Supreme Court quoted from *Gormley v. Judicial Conduct Comm’n*, 332 S.W.3d 717, 727, n.24 (Ky.2010) as follows:

Section 121 of the Kentucky Constitution gives the Commission the authority to take action in instances of judicial misconduct or unfitness for office. The Commission can impose the following sanctions: (1) admonition, private reprimand or public reprimand; (2) suspension without pay, or removal or retirement from judicial office. SCR 4.020(1) (b). “[W]hether sanctions are appropriate, and the degree of any sanctions to be imposed, should be determined ‘on such factors as the seriousness of the transgression, whether there is a pattern of improper activity and the effect of the improper activity on others or on the judicial system.’ ” (Emphasis added).

II. PROCEDURAL BACKGROUND

1. The Respondent, Judge Jameson, is the general jurisdiction Circuit Court Judge of the 42nd Judicial Circuit, consisting of Marshall and Calloway Counties in the Commonwealth of Kentucky, elected in 2015.

2. The Commission received complaints alleging Judge Jameson engaged in misconduct and the Commission authorized a preliminary investigation. SCR 4.170(1). (See, the Commission's Formal Proceedings Docket for docket entries (DE), https://kycourts.gov/Courts/JCC%20Actions%20Documents/2022_jamesonformalproceedings.pdf).

3. By letter dated August 9, 2021, Judge Jameson was provided with notice of the allegations and of the preliminary investigation and was invited to respond. SCR 4.170(2).

4. Judge Jameson responded to the Commission and its notice in a three (3) page letter dated August 26, 2021 with appendices A – E. (See JCC Hearing Exhibit 69) (Initial Statement). By letter dated September 13, 2021, Judge Jameson was invited to attend an informal conference to discuss the complaints.

5. Judge Jameson and his counsel appeared before the Commission on October 15, 2021, for an informal conference consistent with SCR 4.170(2), at which Judge Jameson read a lengthy statement to the Commission. (See JCC Hearing Exhibit 72) (IC Statement).

6. Following the informal conference, Judge Jameson was provided the factual information in the custody of the Commission for examination, and he was afforded an opportunity to present any other information bearing on the investigation. SCR 4.170(4). It was noted in the Commission's transmittal letter of the factual file that a second complaint had been submitted to the Commission alleging misconduct of Judge Jameson involving issues "already before the Commission", and that the investigation has further raised additional allegations of misconduct, including but not limited to those based on temperament, abuse of contempt power, due process violations, abuse of judicial

office/power, referrals to Riverwoods, fundraising, and incidents taking place in the Marshall County courthouse investigated by the Marshall County Sheriff's office. (See DE 15, Exhibit 1).

7. He thereafter supplemented his position statement with a thirteen (13) page letter from his then-counsel dated April 14, 2022, which was "verified" by Judge Jameson as true and correct. (See JCC Hearing Exhibit 70) (Supplemental Statement).

8. Based on the complaint presented to the Commission, the Commission's preliminary investigation and Judge Jameson's Initial and Supplemental Statements, the Commission concluded that formal proceedings should be initiated. On June 13, 2022, consistent with SCR 4.180, the Commission served Judge Jameson with the Notice of Formal Proceedings and Charges (the Charges) consisting of Counts I through IV. (See DE 1).

9. Following a motion for extension of time filed by Judge Jameson and entry of an order granting extension of time, substitute counsel for Judge Jameson filed an Answer to the charges on July 6, 2022, styled as "Answer to JCC Proceedings" comprised of seventy-three (73) pages, with appendices A-X, and took various positions with respect to and in response to the Charges. (See JCC Hearing Exhibit 71). Judge Jameson's various written responses (Initial, IC and Supplemental Statements) denied several of the Charges and the alleged misconduct and violations of the Canons but admitted some of the operative facts set forth in the Charges.

10. On July 11, 2022, the Commission entered its Order and Notice of Hearing on the suspension of Judge Jameson from his duties pending final adjudication pursuant to SCR 4.020(1)(a)(ii) (Temporary Suspension Hearing). (See DE 8). The purpose of the

Temporary Suspension Hearing was to determine whether it would be in the best interest of justice to temporarily suspend Judge Jameson, without affecting his pay status, until final adjudication of the pending Formal Proceedings. The Temporary Suspension Hearing was scheduled for August 12, 2022.

11. On July 21, 2022, the Commission entered the Amended Notice of Formal Proceedings and Charges as to Counts I through IV. (See DE 9).

12. On August 12, 2022, the Commission conducted the Temporary Suspension Hearing pursuant to SCR 4.020(1)(a)(ii), and based upon the requisite standard and the evidence presented at the hearing, ordered that Judge Jameson be suspended from acting in his official capacity as a judge and from the performance of his duties, without affecting his pay status, until final adjudication of the pending Formal Proceedings, which was set forth in the Order entered August 15, 2022. (See DE 11).

13. On August 18, 2022, the Commission noticed the Proceedings and Charges for hearing on October 17, 2022 (Final Hearing). (See Notice of Time and Place for Hearing, DE 13).

14. On August 18, 2022, Respondent filed a motion to alter, amend or vacate (See DE 12) the Order of Temporary Suspension entered August 15, 2022, and that motion was denied by Commission Order entered August 24, 2022. (See DE 16).

15. On October 4, 2022, the Commission filed its Second Amended Notice of Formal Proceedings and Charges, adding Counts V and VI to the charges. (See DE 24). Respondent failed to file an Answer to the second amended charges (specifically V and VI) and the Commission considered the allegations denied by the Respondent, subject to completion of the Final Hearing.

16. On October 7, 2022, the Commission filed its Third Amended Notice of Formal Proceedings and Charges, adding Count VII to the Charges. (See DE 25). Respondent failed to file an Answer to the third amended charges (specifically Count VII) and the Commission considered the allegations denied by Respondent subject to completion of the Final Hearing.

17. During the course of these proceedings, the parties have filed numerous motions, and the Commission's rulings on those motions are set forth in the public record of this proceeding. (See ¶2, *infra*).

18. The Prehearing Order entered August 22, 2022, provided that "any exhibit or deposition identified by a party pursuant to this order shall be admitted into evidence if probative, unless written objections are filed as set forth in this order." (See DE 14, Order, ¶ 7). An Amended Prehearing Order (Order on Motion for Extension of Time and Amended Pre-Hearing Order) was entered September 29, 2022. (See DE 20). As a result, and consistent with the conduct at the Final Hearing, all exhibits presented by each party were admitted without objection, which includes the Commission's (JCC'S) exhibits, 1-76, and Judge Jameson's exhibits, 1-28.

19. On October 18, 2022, Judge Jameson filed with the Kentucky Supreme Court a Petition for Writ of Prohibition from Judicial Conduct Commission challenging the temporary suspension of Judge Jameson until final adjudication of the instant Formal Proceedings. (*James T. Jameson v. Judicial Conduct Comm'n*, Kentucky Supreme Court, Case No. 2022-SC-0454-OA).

20. The hearing on the Formal Proceedings and Charges against Judge Jameson commenced on October 17, 2022, in District Courtroom 1 of the Christian County Justice

Center. The Commission was represented by Hon. Jeffrey C. Mando and Hon. Joseph K. Hill, and the Respondent was present and represented by Hon. Richard L. Walter and Hon. Bradley A. Sears (Final Hearing).

21. Counsel for the Commission moved that “The Rule” be invoked as to the separation of witnesses at the Final Hearing, and said motion was sustained and implemented by the Chair of the Commission. (See Hearing Recording. 2022-10-17_08.51.00.125, at 8:52:54).

22. At the commencement of the Final Hearing, counsel for the Commission presented his opening statement, and counsel for Judge Jameson presented his opening statement. (See Hearing Recording 2022-10-17_08.51.00.125, at 8:57:38).

23. During the Final Hearing, the parties acknowledged and further agreed and presented no objection to the admission of “[t]he video record and all exhibits of the hearing on temporary suspension in this case conducted August 12, 2022, [which] shall be admitted as evidence as part of the hearing record without the necessity of playing the video at the hearing, and all Commission members presiding at the hearing shall review the video and exhibits before commencement of the hearing.” (See August 22, 2022, Prehearing Order, ¶4 and see also, Hearing Recording 2022-10-17_08.51.00.125, at 9:14:43).

24. The parties presented their evidence² over four (4) “extended” days and the Final Hearing concluded October 20, 2022. Judge Jameson testified several separate times during the Hearing, through direct examination, cross-examination, as a rebuttal witness, and essentially whenever his counsel delegated responsibility to Judge Jameson for

² Under SCR 4.030 the powers of the Commission include the taking of testimony under oath.

presentation or cross-examination of witnesses.

25. At the conclusion of the Commission's proof, Judge Jameson made an oral motion for directed verdict. Counsel for the Commission objected, except as to Count III, subsections B. and C.³ The Chair denied the motion for directed verdict, except as to those subsections. (See Hearing Recording 2022-10-19_08.33.13.968, at 8:40:40).

26. At the conclusion of the Final Hearing and presentation of all proof and defense by counsel for the parties, the Commission then deliberated on the Charges and considered all the evidence presented by the parties at the Temporary Suspension Hearing and the Final Hearing.

27. The five voting members of the Commission are as follows: Bar Member and Chair, Hon. R. Michael Sullivan; Court of Appeals alternate Member Judge Glenn E. Acree; Circuit Judge alternate Member Mitch Perry; District Judge Member Karen Thomas; and Citizen Member Janet Lively McCauley. Also, in attendance during the hearing were Court of Appeals Member Jeff S. Taylor;⁴ alternate District Judge Member Elizabeth Chandler; and alternate KBA Member/Chair Carroll M. Redford, III. Citizen Member Dr. Joe E. Ellis recused from the proceedings.

28. On October 24, 2022, Judge Jameson filed a Renewed Motion for Directed Verdict. That motion is addressed herein.

29. On October 31, 2022, the Kentucky Supreme Court entered its Writ of

³ Counsel for the Commission made clear that the concession was made under the conditions precedent that there was probable cause and good faith basis to file and pursue the Charges.

⁴ Judge Jeff S. Taylor attended the Final Hearing except for the fourth day and was absent to attend to his judicial responsibilities with and for the Court of Appeals. Court of Appeals Alternate Member, Judge Glenn E. Acree, who attended the entirety of the Final Hearing, deliberated and voted.

Prohibition which vacated and set aside the Commission's Order of Temporary Suspension and immediately returned Judge Jameson to the Bench. (*James T. Jameson v. Judicial Conduct Comm'n*, Kentucky Supreme Court, Case No. 2022-SC-0454-OA). The Supreme Court further dismissed as interlocutory the direct appeal Judge Jameson had also filed. (See *James T. Jameson v. Judicial Conduct Comm'n*, Kentucky Supreme Court, Case No. 2022-SC-0370-RR).

III. THE SCR 4.220 HEARING AND BACKGROUND SUMMARY

In 2015, Judge Jameson became the general jurisdiction circuit judge of Marshall County and Calloway County as a result of the election by the citizens of those counties. During 2021 and 2022, complaints against Judge Jameson came to the attention of the Commission for his actions during his tenure as general jurisdiction judge of the 42nd Judicial Circuit. Judge Jameson was previously before the Commission on multiple occasions between January of 2016 and June of 2021. Prior to the instant matters, the Commission requested Judge Jameson respond to three prior complaints.⁵ While the first complaint resulted in no action, the Commission sent a letter containing cautionary language on Canon 2D and Canon 5A(1)(c). The second and third complaints each resulted in a private

⁵ Judge Jameson raised his previous encounters with the Commission as a type of defense to, or mitigation of, the charges before the Commission. During Jameson's tenure on the Bench, he has been asked to respond to previous complaints. A 2016 complaint, looking back, contains strikingly similar issues involving an in-patient substance use treatment facility, the judge's social media endorsements of it, allegations of being on the board of directors of it, ordering defendants to attend and that family members were involved in running the facility. It turns out that these prior matters bringing Judge Jameson before the Commission laid the foundation, and were part of his learning curve, for the matters in the instant case which are clearly violations of the Canons as addressed herein.

admonition to Judge Jameson. The Commission history⁶ is directly relevant because Judge Jameson has more than once been cautioned or admonished to maintain the constitutional role of being judge, or in a more colloquial description, to “stay in his lane” and not venture into activities of other branches of government. The clear and convincing evidence presented to the Commission further established that his inability, and downright refusal during his entire tenure as judge, to maintain the constitutional role of being judge, all to satisfy his personal desire to bring to reality his vision of an in-patient substance use disorder (SUD) center is the catalyst of his decision to violate the Canons. Merely because goals (referred to by Judge Jameson as “dreams”) may be altruistic does not mean that attempting to fulfill those dreams does not violate the Canons or result in misconduct by a judge.

A summary of the Charges addressed at the Final Hearing include:

Count I: You acted as the alter ego for the 42nd Judicial Circuit Community Corrections Board (CCB) in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

Count II: You acted as the alter ego for the 42nd Judicial Circuit Community Corrections Board (CCB) in the implementation and operation of CCB’s ankle monitoring program.

Count III: You mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct.

Count IV: You used your influence and the prestige of the judicial office to pressure persons to donate or support your political campaign.

Count V: You have repeatedly attempted to obstruct justice and impede the Commission’s authority to investigate the charges against you.

⁶ The Commission takes judicial notice of its own disciplinary records, its official business records. Judge Jameson has repeatedly maintained before the Commission and the public that in his previous encounters with the Commission he was found to have done nothing wrong. The Commission record refutes his characterization.

Count VI: You engaged in a pattern of noncompliance and interference with the Commission's orders.

Count VII: You have engaged in acts of intimidation.

The misconduct allegations against Judge Jameson presented to the Commission through the complaints and subsequent related hearings include serious claims of lack of judicial temperament, abuse of contempt power, due process violations, abuse of judicial office/power, improper implementation, use and administration of ankle monitors and processes, fundraising matters, "bid rigging," incidents taking place in the Marshall County courthouse investigated by the Marshall County Sheriff's office, obstruction of justice, misuse and abuse of power, various improprieties as a judicial officer, the appearance of impropriety, improper exercise of influence, misusing and abusing the prestige and power of his judicial office, retaliation, and a lack of candor to the relevant tribunals. Although the initial complaint for the instant action came from a sole defendant disgruntled by the ankle monitor process and administration, the ultimate evidence presented at the Final Hearing established that those allegations were the tip of the iceberg of the improper and wrongful conduct of Judge Jameson involving the community corrections board he created, established, implemented, oversaw, and administered. Even without the complaints involving the community corrections board, its operation and administration, and the associated rigging of the bid process, the other conduct of Judge Jameson established by the clear and convincing evidence presented at the Temporary Suspension Hearing and Final Hearing is sufficient to justify the Commission's decision herein, and the discipline imposed of removal from office.

COMMUNITY CORRECTIONS BOARD ISSUES:

The Commission was unaware of the community corrections board "issues" prior to the instant complaint(s). But as the clear and convincing evidence at the Final Hearing established, Judge Jameson began contemplating the implementation of a GPS ankle monitoring program through a local nonprofit agency as early as August of 2017. Pursuant to KRS 67.372, GPS⁷ ankle monitoring is a program operated exclusively through county government, not the Court of Justice. The underlying purpose of the creation of the nonprofit entity by Judge Jameson, as well as the GPS ankle monitoring program, was to generate funds to build and operate a 100-bed in-patient drug treatment facility in the 42nd Judicial Circuit. The building of a treatment center was a dream of Judge Jameson⁸ as well as a platform in his 2015 election campaign.

The nonprofit entity created by Judge Jameson through his office was the 42nd Judicial Circuit Community Corrections Board (CCB), whose statutory genesis is KRS 196.725. KRS Chapter 196.700 *et seq.*, provides for Community Corrections Programs to be operated under the Department of Corrections, an executive branch agency within the Justice and Public Safety Cabinet. The statutory scheme was designed for community corrections boards to apply for grants⁹ from the Kentucky State Corrections Commission, again an executive

⁷ This term, global positioning system, references the technical aspects and abilities of the monitoring of defendants by location based upon the equipment used.

⁸ In his testimony, Judge Jameson referred to it as a "pipe dream". Webster's Dictionary defines the term as meaning an illusory or fantastic plan, hope or story. As determined herein, the pipe dream was clearly outside the constitutional role of a judge.

⁹ The testimony involving the grant matters was extensive. It further established that Judge Jameson was acting outside the constitutional role of a judge.

branch agency. While judges are permitted to serve on CCBs, there is absolutely no statutory basis or legal authority for a judge to utilize the board as a mechanism to operate an ankle monitoring program from the judge's office or otherwise utilize the board as a conduit for fundraising to build an in-patient drug treatment center. Such an improper use of a CCB is clearly outside the scope of KRS 196.700 *et seq.* Therein lies the background for numerous violations of judicial Canons and applicable laws by Judge Jameson, while also misusing and abusing the prestige and power of his judicial office.

In November 2018, Judge Jameson laid the foundation for the ankle monitoring program through inquiries with the Administrative Office of the Courts (AOC) (See JCC Hearing Exhibit 23 and 51¹⁰), although the 42nd Judicial Circuit Community Corrections Board was not created by Judge Jameson until December 31, 2018. Judge Jameson was the incorporator of the CCB, its initial registered agent, and a named director and President of the CCB. The articles of incorporation¹¹ were drafted by his staff attorney, a Court of Justice employee, and the principal office of the corporation was Judge Jameson's judicial chambers in the Marshall County Judicial Center.¹² (*Id.*)

¹⁰ In the November 21, 2018 email to Kim Hosea at AOC, that was copied to Kelly Stephens and Katie Shepherd at the Kentucky Supreme Court, Judge Jameson stated that he and "other local leaders" had formed a community corrections board pursuant KRS Chapter 196. That email discussed the long-range goal of CCB to fund and build a 100-bed in-patient treatment center and to implement an ankle monitoring program.

¹¹ The Articles foreshadowed violations of the Canons by Judge Jameson as they describe the purposes of the corporation that involved matters that would be before Judge Jameson in his court. (See Articles, VI – Purpose, JCC Hearing Exhibit 19).

¹² Judge Jameson testified that Dominik Mikulcik and Christine Pickett just did things on their own, yet Judge Jameson was their direct supervisor and responsible for their actions. Rule 2.1 requires a judge to require court staff, court officials and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations

Prior to incorporation of the CCB, Judge Jameson had already begun initiating contact directly from his office with an ankle monitor vendor and manufacturer based in Illinois, to obtain pricing and specifications for ankle monitors that he believed would be profitable if utilized by the CCB. (See JCC Hearing Exhibits 22, 33, 34, 35). These monitors would be rented to criminal defendants in cases from both Calloway and Marshall Circuit Court, where Judge Jameson presided.

Judge Jameson made personal appearances before both the Calloway and Marshall County Fiscal Courts in 2019,¹³ first to advise those governmental bodies that they were not in compliance with KRS Chapter 67 regarding the use of GPS ankle monitors¹⁴ and second, to inform and influence the counties that the nonprofit board (CCB) he had created could provide GPS ankle monitors for the counties. Specifically, Judge Jameson directly communicated to the fiscal courts that his CCB could deliver ankle monitors to the counties that would result in a substantial monetary savings in the operation of their respective jails. Judge Jameson also directly injected himself into the county public bidding process, including the preparation of specifications for the Request For Proposals (RFP). (See JCC Hearing Exhibits 39, 36, 37, 38, 41, 42, 44, 61, 35, 63, 64 and 38). Judge Jameson's input insured that the bid ultimately submitted by the CCB would be the best bid in accordance with the

under the Code. Judge Jameson has over and over tried to cast blame on others who he solicited to be involved in his scheme.

¹³ See JCC Hearing Exhibit 33, Judge Jameson presentation before the Marshall County Fiscal Court, March 5, 2019. Judge Jameson also appeared before the Calloway County Fiscal Court on March 19, 2019.

¹⁴ See JCC Hearing Exhibit 34.

specifications that he assisted in preparing. No other bidders had Judge Jameson's assistance or input in the bid process. (See JCC Hearing Exhibits 40, 47).

Upon injecting himself into the counties' RFP and bid specification process, Judge Jameson then prepared and submitted the CCB's bid to the respective fiscal courts, said bid conforming to the specifications in the RFP that Judge Jameson had directly influenced and assisted in preparing. (See RFP, JCC Hearing Exhibits 39, 47, 63 & 65). As a result of Judge Jameson's inappropriate intervention in the bidding process, the CCB's bid was approved and accepted by the respective fiscal courts in August and September of 2020. (See JCC Hearing Exhibit 49).

Upon obtaining the fiscal courts' approval of the CCB's bid proposal, in November of 2020, Judge Jameson implemented the ankle monitoring program in both counties and thereupon operated the program out of the Judge's office in Marshall County until at least January of 2022. In conjunction therewith, Judge Jameson and CCB staff under his direct supervision created rules, procedures and forms for the operation of the ankle monitor program without the approval of the Chief Justice of Kentucky. This included violation notice forms (See JCC Hearing Exhibits 53, 54, 55, 56 & 57), which were filed in court records of pending criminal cases by CCB employees working out of Judge Jameson's office who were not employed by the Court of Justice.¹⁵ These forms also included an ankle monitoring services agreement, that was executed by defendants upon payment of fees at the time of installation of the ankle monitor. (See JCC Hearing Exhibit 68). This agreement was also signed by Judge Jameson as President of the CCB, in direct conflict with his duties as Judge of

¹⁵ See Final Hearing testimony of Christine Pickett and Sarah Gipson.

the 42nd Judicial Circuit, having as judge ordered the defendants into the ankle monitoring program.

While Judge Jameson communicated and implied that the AOC had approved his ankle monitor program and his involvement with the CCB in this regard, the AOC actually communicated to Judge Jameson as early as December 4, 2018 (See JCC Hearing Exhibit 51), that the agency could not provide “definitive answers” regarding his GPS ankle monitoring proposal. And, Judge Jameson never requested or obtained a written opinion from the Judicial Ethics Committee (JEC) regarding his involvement in the program.¹⁶ Equally disturbing, AOC advised against the circuit court clerks collecting ankle monitoring fees from defendants in the program, which advice Judge Jameson and the clerks failed to follow. (*Id.*; see also testimony of Linda Avery and Tiffany Griffith).

ABUSE OF CONTEMPT POWERS, TEMPERAMENT AND OTHER MATTERS:

During the course of these proceedings and the Commission’s investigation, the Commission received several complaints regarding Judge Jameson’s abuse of the contempt power, including the regular threat of sanctions against courtroom participants during court

¹⁶ Judge Jameson testified that Chief Justice John D. Minton, Jr. had approved circuit judges being involved in administering GPS ankle monitoring programs through a CCB and further acquiesced in the judge’s involvement with the funding and building of an inpatient drug treatment facility in Marshall and Calloway County. Jameson specifically relies on a report issued through the Chief Justice’s office in March of 2021 styled “Recovery Oriented Systems of Care: Needs and Opportunities for Kentucky’s Court System” (ROSC). (See Judge Jameson Hearing Exhibit 7). The Commission thoroughly reviewed this report and can find no reference or direction by the Chief Justice to circuit judges that would authorize or approve judges in Kentucky to operate a GPS ankle monitoring program out of their office or engage in fundraising and related activities to build a drug treatment center in their respective counties. We note that Chief Justice Minton was not called as a witness by Judge Jameson at the hearing nor is the building of drug treatment centers a function of the judiciary in Kentucky.

proceedings. At the temporary suspension hearing on August 12, 2022, the Commission reviewed video records from several cases during Judge Jameson's tenure as Circuit Judge, including Marshall County cases *Commonwealth v. Anastasia Dean*, Case No. 18-CR-00029; *Commonwealth v. Danny Dale*, 19-CR-000210 and 19-CR-00211; *Commonwealth v. William McAlpin*, 17-CR-0004, and proceedings on November 10, 2020, involving Deputy Jailer Sean Gourd.¹⁷ In each of these cases, Judge Jameson abused his contempt power and exhibited a complete lack of patience and dignity by either threatening or actually holding attorneys, defendants and Deputy Gourd in contempt.

Despite the relative egregiousness of all the matters presented herein, Judge Jameson's abuse of the contempt power still shocks the conscience. The most egregious abuse of the use of the contempt powers was in the *Dean* case.

In the *Dean* case in 2018, the defendant's probation was revoked by Judge Jameson. The defendant's grandfather, Richard Hoefle, a spectator in the courtroom, questioned aloud what he was to do with the defendant's baby, his great-grandchild. Judge Jameson responded that if Mr. Hoefle could not care for the baby, then he should "turn it over to the state". As he left the courtroom, Mr. Hoefle commented that the judge would not get his vote in the next election. Upon hearing this statement, Judge Jameson immediately held Mr. Hoefle in contempt, sentenced him to 180 days in jail, and had him taken into custody. While in cuffs and still in the courtroom, Mr. Hoefle made a statement to his granddaughter, which triggered the judge to add another 180 days to his sentence, resulting in 360 days in

¹⁷ Video of the court proceedings for each matter was presented and played without objection during the temporary suspension hearing and introduced into evidence at the Final Hearing. (See JCC Hearing Exhibits 6 and 7 for the Hoefle case, 8 and 9 for the Dale case, 10 and 11 for the McAlpin case, and 12, 13, and 14 for the Deputy Gourd matter).

jail. Approximately two hours later, Mr. Hoefle was brought from a holding cell to the courtroom, where Judge Jameson proceeded to conduct what amounted to a sentencing hearing, without counsel present for Mr. Hoefle. Nothing in the record reflects that Mr. Hoefle was read his rights or advised he was entitled to counsel. The judge then proceeded to conditionally discharge the 360-day contempt sentence for a period of two years provided Mr. Hoefle had no other outbursts or law violations. Mr. Hoefle left the courtroom with a criminal record.¹⁸ At the temporary suspension hearing, Judge Jameson testified that Mr. Hoefle had resisted arrest by the bailiffs. However, the video record clearly reflects that Mr. Hoefle was holding a baby carrier at the time of his arrest and did not resist being taken into custody.

In the proceeding involving the Marshall County deputy jailer in November of 2020, Judge Jameson became upset during a court session when he was advised by a bailiff that a defendant he had earlier ordered to jail would not be accepted by the deputy jailer due to Covid restrictions. The judge recessed his court docket and proceeded to direct a deputy sheriff to take the deputy jailer into custody for “civil contempt,¹⁹” although the alleged contempt had not occurred in the judge’s presence. Shortly thereafter, Judge Jameson proceeded to conduct a *sua sponte* hearing for the deputy jailer, who was in handcuffs,

¹⁸ What is perhaps most troubling is Judge Jameson’s verbal order to the Circuit Clerk to open two “CR” cases for contempt against this gentlemen. A review of Kentucky Courtnet reveals that this gentleman does indeed show a record of two counts of a “CR” conviction, recorded as if he pleaded guilty to a felony charge of contempt, and one has to wonder if he will find himself unable to vote in the upcoming election without going through the steps to prove himself not a convicted felon.

¹⁹ While Judge Jameson disputed the claim that he had directed the deputy sheriff to take the deputy jailer into “custody,” the deputy jailer was no doubt brought in handcuffs into the courtroom and remained in handcuffs for the entire hearing.

without counsel, and who had further indicated on the record to the judge that his retained counsel was on the way to the courthouse. Nevertheless, upon contacting the jailer by phone, the judge proceeded to conduct a hearing, admonished the jailer and deputy jailer, and ultimately released the deputy jailer from custody.

At the temporary suspension hearing, the day long testimony presented to the Commission included that from attorney Lisa DeRenard and others which established that Judge Jameson used his influence and the prestige of the judicial office to pressure persons to donate or support his political campaign, including Attorney DeRenard. Her testimony was credible, and the evidence presented clear and convincing.

It bears noting that nearly all questioning of Judge Jameson through these proceedings resulted in his token acknowledgement of the behavior, while denying any personal responsibility or wrongdoing on his own part. Nearly all the concerns related to fundraising were attributed by Judge Jameson to the Fletcher Group. For example, a color flyer featuring a photograph of Judge Jameson and a quote by Judge Jameson was sent by Judge Jameson, through his official email, to what appeared to be the local bar members, and others, in the Calloway and Marshall County Area. (See JCC Hearing Exhibits 62 and 76). When questioned about this, Judge Jameson claimed he did not realize that flyer was attached to his email, denied making the quote attributed to him on the flyer, and claimed he did not provide the photograph to the Fletcher Group to attach to the flyer, but did mention he had suggested that Fletcher Group perform “a google search” to find his likeness.

The Commission remains greatly concerned based upon statements by Judge Jameson to date that leave the clear message he intends to continue his actions and efforts and that he fails to acknowledge or see how his actions and efforts addressed herein are acts

of misconduct, violations of the Canons and/or take him far afield of his constitutional role as judge.

Based upon clear and convincing evidence presented at the hearings, the individual misconduct claims against Judge Jameson are of significant concern and present numerous, serious transgressions, and a pattern of improper conduct based on his self-declared “pipe dream” of the CCB matters after he was previously admonished regarding the potential issues such actions created for a sitting judge and the limits created by the constitutional role of judge, and that such are violations of the Rules of the Kentucky Code of Judicial Conduct.

Collectively, the misconduct claims against Judge Jameson established at the Temporary Suspension Hearing and the Final Hearing justify a severe but necessary disciplinary action against him as set forth below.

IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Judicial Conduct Commission concludes that the following Findings of Fact and Conclusions of Law have been established by clear and convincing evidence.

At all relevant times, Judge Jameson was the Circuit Court Judge for Kentucky's 42nd Judicial Circuit consisting of Calloway and Marshall counties.

COUNT I

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count I²⁰ that the Respondent committed the acts as follows:

²⁰The charges were taken from the Notice of Formal Proceedings and Charges, Amended Notice of Formal Proceedings and Charges, and Second Amended Notice of Formal Proceedings and Charges and set forth herein as to matters proven at the Final Hearing by the requisite standard. “You” and “your” refer to Judge Jameson.

You acted as the alter ego for the 42nd Judicial Circuit Community Corrections Board (CCB) in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

- A. As supported by Judge Jameson's admissions (See November 21, 2018 Email from Judge Jameson, JCC Hearing Exhibit 23), and the testimony of Christine Pickett and Linda Avery, Judge Jameson created the CCB improperly²¹ and for an improper purpose (residential treatment) contrary to KRS 196.705.²² You created a Kentucky non-profit entity, held it out as a properly formed community corrections board when it failed to comply with the applicable statutory requirements. Your creation of this Executive Branch Board falls outside of the scope of your judicial duties and responsibilities and constitutes an improper use of judicial resources.
- B. In the creation and development of the CCB ankle monitoring program, you admitted that you developed procedures and local rules without the approval from the Chief

²¹ When questioned under oath about the lack of compliance with the statutes governing formations of community corrections boards, Judge Jameson repeatedly testified that this was not that type of a community corrections board, but was merely a Kentucky nonprofit corporation that was *named* "community corrections board," and as such not required to comply with those statutes. However, in correspondence with county government, providers of ankle monitoring services, circuit clerks, county attorneys, and grant applications, it was repeatedly held out as "a community corrections board" as if formed under those (KRS Chapter 196) statutes, and not merely a nonprofit corporation.

²² Pursuant to KRS 196.725, a judge may serve as a board member of such entity.

Justice of the Kentucky Supreme Court as required under SCR 1.040(3), the Administrative Office of the Courts (AOC), Kentucky statute, or other authority.²³

- C. You attended meetings and communicated²⁴ with CCB ankle monitor vendors to solicit specifications and pricing for monitors, while also meeting with elected officials regarding those costs and specifications.
- D. You prepared and submitted through your staff attorney²⁵ CCB's ankle monitoring program bid to the Calloway and Marshall County Fiscal Courts and participated in the bidding process, using your influence to have a specific ankle monitor provider selected and approved.

²³ When questioned under oath about his proceeding without benefit of Kentucky Supreme Court approved local rules, he testified that he had submitted two sets of local rules, both of which were rejected by the Office of the Chief Justice, as if this somehow authorized and validated, or alternatively mitigated, his improper behavior. (See Judge Jameson testimony).

²⁴ Emails reflect communication with the Calloway County Attorney regarding the requests for proposal for bids, followed by submission to his choice of ankle monitor vendor requesting that company ascertain whether anything in that RFP would exclude their product from consideration, and if so to fix the RFP to cure the problem. (See JCC Hearing Exhibit 37).

²⁵ In what can only be described as a strange turn of events, Judge Jameson called his former staff attorney Dominik Mikulcik who, after consulting with an attorney, elected to invoke the protection of the Fifth Amendment of the United States Constitution in response to nearly every question on direct examination relating to his involvement in the formation of "the CCB." Mikulcik later acknowledged involvement in nearly every stage of formation during questioning by the Commission members, in effect waiving the Fifth Amendment protections.

- E. You were involved with drafting the Fiscal Court's request for proposals²⁶ for the ankle monitoring program in Marshall and Calloway Counties, hindering the competitive bid process.²⁷
- F. As supported by your admissions and the testimony of Christine Pickett,²⁸ you submitted a grant application to the Kentucky Department of Corrections (See JCC Hearing Exhibits 24, 25, 26 and 27) seeking funding for an improper purpose on behalf of CCB, an entity not formed in compliance with KRS 196.700, et seq., and without complete and proper disclosure by you, listing yourself as the project director/contact, thereby creating a conflict of interest²⁹ with your position as Circuit Court Judge in Marshall and Calloway Counties.

²⁶ In an amazing feat, though fraught with potential negative exposure, Judge Jameson was able to involve himself in the preparation of the RFP, the preparation of the bid, and the administration and operation of the equipment obtained through the bidding process. Judge Jameson's involvement in all aspects of the bid process is unprecedented and certainly falls well outside the constitutional role of judge.

²⁷ Hindering the competitive bid process is the polite description for "bid rigging." Bid rigging was the term used by counsel for the Commission in his opening statement of what he intended to prove; and he did so by clear and convincing evidence. (See Judge Jameson's email to Ed Brennan, JCC Hearing Exhibit 46, having the pricing information in advance and the Buddi letter, JCC Hearing Exhibit 40).

²⁸ Christine Pickett testified that her work began as an unpaid intern for Judge Jameson, answering primarily to Dominik Mikulcik. She then began working as the paid contractor for the CCB, a position that Mikulcik testified was first offered to him. Mikulcik testified that he believed it would be inappropriate to accept such a position while employed full time by the Kentucky Court of Justice. Pickett also testified that she never completed the grant application. This directly contradicted Judge Jameson's statements to the Department of Corrections that she had tried to submit it but had trouble submitting it online, so he was doing it for her. This is one of many conflicting statements the Commission heard during the Final Hearing.

²⁹ Judge Jameson ordered defendants on ankle monitors creating the need for and use of the monitors.

- G. As supported by your admissions and the testimony of Dominik Mikulcik, you used the prestige of your judicial office to influence various elected officials, agencies, and individuals, promoting the CCB ankle monitoring program as a cost-saving measure and a means to raise funds for a proposed inpatient substance use disorder (SUD) treatment facility project you are spearheading. (See JCC Hearing Exhibits 48, 47 ¶2, 23, 62 and 17).
- H. As supported by your admissions and the testimony of Linda Avery,³⁰ and documents in the record, you used the prestige of your judicial office to solicit support and personal donations from elected officials, organizations, and individuals for the CCB and SUD treatment facility.³¹ (See JCC Hearing Exhibits 29, 30, 31 and 76).
- I. As supported by your admissions, you appeared before the Calloway and Marshall County fiscal courts to express your legal opinion and to assert that the use of the current ankle monitor system and equipment violates the law and suggested “a solution” that inured to the benefit of you and others. (See JCC Hearing Exhibit 33 and 34, and Section III, *infra*).

³⁰ Linda Avery testified that she was fully supportive of Judge Jameson’s “pipe dream,” at least partly under pressure of the local fiscal court to get people out of jail because the cost of incarceration, and to a greater degree because of the costs incurred by the county for coincidental medical treatment required by inmates during incarceration, were creating a huge financial burden on Calloway County. However, it must be stated that her personal belief in this cause was so great that she donated, over time, \$21,000 of her personal funds to support it and eventually became an officer of the CCB entity.

³¹ The promotional flyer and advertising info, as well as the radio advertisement, are persuasive on this charge. (See JCC Hearing Exhibits 31, 62 and 76.)

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 3, Rule 3.1 (A)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that will interfere with the proper performance of the judge's judicial duties.
- **Canon 3, Rule 3.1 (C)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
- **Canon 3, Rule 3.1 (D)** which provides that when engaging in extrajudicial activities, a judge shall not engage in conduct that would appear to a reasonable person to be coercive.
- **Canon 3, Rule 3.2** which provides that a judge shall not appear voluntarily at a public hearing before, or otherwise consult with, an executive or legislative body or office.
- **Canon 3, Rule 3.7(A)(4)** which provides that a judge shall not personally engage in direct solicitation of contributions.

Count II

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count II that the Respondent committed the acts as follows:

You acted as the alter ego for the 42nd Judicial Circuit Community Corrections Board (CCB) in the implementation and operation of CCB's ankle monitoring program.

- A. As supported by the testimony of Dominik Mikulcik, Christine Pickett, Sarah Gipson and Landon Norman, as Circuit Court Judge, you participated in communications with CCB staff, including individuals for whom you are the appointing authority, whose work you directed and directly supervised, including conversations regarding the ankle monitoring program rules, alleged violations, and Orders for cases over which you presided.
- B. As supported by the testimony of Dominik Mikulcik, and Christine Pickett, you received direct notifications of alleged ankle monitor violations (See JCC Hearing Exhibits 55, 56, 57, 58 and 59) and instructed³² CCB staff, including individuals for whom you are the appointing authority, whose work you directly supervised, to send ankle monitor violations directly to you.
- C. As supported by the testimony of Christine Pickett, on more than one occasion, you issued arrest warrants for individuals participating in the ankle monitoring program upon receipt of notices of alleged violations from CCB staff, whose work you directly

³²Emails between Judge Jameson and Christine Pickett show involvement to such a degree that Judge Jameson directed police be sent to specific locations and to try to "catch them" before they leave Calloway County. (See JCC Hearing Exhibits 53, 55-59).

supervised,³³ but who were not Court of Justice employees. (See JCC Hearing Exhibits 55-59).

- D. As supported by the testimony of Dominik Mikulcik, Christine Pickett and Linda Avery, despite presiding over cases in which you ordered participation in CCB's ankle monitoring program, you participated in the collection of fees,³⁴ managed financial transactions, and wrote checks on behalf of CCB.
- E. You created the appearance of impropriety³⁵ by ordering individuals to participate in CCB's ankle monitoring program³⁶ when the proceeds of the program were intended to support a project advanced by a corporation in which you held the offices of president and director.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

³³ While it is not uncommon for a judge to issue a bench warrant based on correspondence from Pretrial Services, Judge Jameson's testimony was that Pretrial Services was in no way involved in this process.

³⁴ The fee payments were placed in Judge Jameson's box located in the circuit court clerk's office.

³⁵ When questioned about whether an appearance of impropriety existed regarding his setting bonds in order to fund his "CCB," he acknowledged that it did create an appearance of impropriety, as it could appear to people that defendants who might have otherwise been released on non-financial conditions were placed on the ankle monitor instead.

³⁶ Judge Jameson further acknowledged that he was not using Pretrial Services' official "risk assessment" tool in his setting of bonds and indicated he had not seen Pretrial Services in court since 2020, and that he was not provided a printout of that department's assessment tool to consult while deciding the fate of criminal defendants, effectively cutting Pretrial Services out of involvement with Circuit Court defendants. The testimony established that Judge Jameson had effectively created his own, private "pretrial service."

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.9 (C)** Which requires that a judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.
- **Canon 3, Rule 3.7(6)(a)** which allows a judge to serve as an officer, director, trustee, or nonlegal advisor of a charitable organization unless it is likely that the organization or entity will be engaged in proceedings that would ordinarily come before the judge.

COUNT III

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count III that the Respondent committed the acts as follows:

During your tenure as Circuit Court Judge, you mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct.

- A. As supported by your admissions, you ordered individuals to participate in ankle monitoring services provided by CCB, a corporation in which you held the offices of president and director and which you operated from your judicial chambers. (See Section III, *infra*).
- B. You displayed behavior toward persons in your courtroom that was not patient, dignified, and courteous. (See Section III, *infra*).
- C. You personally pressured an attorney, Lisa DeRenard, who appeared before your Court, to file a bar complaint against another attorney, and to draft a sworn statement on your behalf to rebut a complaint made against you. (See Section III, *infra* and testimony of Lisa DeRenard on August 12, 2022).³⁷
- D. You retaliated against a Marshall County Sheriff's Department employee by seeking his termination or re-assignment after he reviewed Courthouse video footage of you because you believed, without any evidence,³⁸ he leaked the video to media outlets. (See Section III, *infra* and JCC Hearing Exhibits 15, 16 and 18).

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

³⁷ See also Tiffany Griffith Statement to the Commission and her testimony at the Final Hearing and Exhibit 59; and the testimony of Sheriff Eddie McGuire and Lisa DeRenard at the temporary suspension. This evidence supports the Commission's conclusion as to retaliation by Judge Jameson, and that he sought the termination or reassignment of Deputy Clerk Lacey Cavitt after he had received the factual information from the Commission.

³⁸ Much ado appears to have been made about this after-hours courthouse security video, but it appears to have been Judge Jameson's own actions that brought it to the attention of the media and this Commission and caused it to rise to the level of requiring Commission review.

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.8 (B)** which requires that a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and other with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's discretion and control.

COUNT IV

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count IV that the Respondent committed the acts as follows:

During your tenure as Circuit Court Judge, and as supported by the testimony and evidence presented at the Temporary Suspension Hearing, the testimony of Landon T. Norman, and Lisa DeRenard, you used your influence and the prestige of judicial office to pressure persons to donate to or support your political campaign.³⁹

³⁹ See also, testimony of Sara Gipson and Landon Norman at Final Hearing.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 4, Rule 4.8** which requires that a judge shall not personally solicit or accept financial or in-kind campaign contributions other than through a campaign committee.

COUNT V

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count V that the Respondent committed the acts as follows:

During the course of the Commission's proceedings, you have repeatedly attempted to obstruct justice and impede the Commission's authority to investigate the charges against you. Specifically, you intimidated and attempted to interfere with your judicial staff complying with a Commission subpoena.

On September 21, 2022, upon request by Counsel for the Commission, the Commission issued a subpoena for Kentucky Court of Justice records as follows:

All documents including, but not limited to, internal emails, external emails, text messages, letters, reports, audio recordings and handwritten notes in the possession of any and all Marshall and Calloway County elected judges, judicial staff, elected clerks, and elected clerk staff pertaining to, relating to and/or arising from any of the allegations, events or incidents related to 42nd Judicial

Circuit Judge James Jameson's involvement with the 42nd Circuit's Community Corrections Board ("CCB"), Track Group⁴⁰ ankle monitoring services, or Re-life substance abuse disorder treatment program.

Your counsel was provided a copy of the subpoena upon service.

On September 26, 2022, you contacted your administrative support specialist via telephone to discuss the subpoena. In short, and as supported by the testimony of Sarah Gipson (see JCC Hearing Exhibit 73), you instructed your judicial staff to act in contradiction to their duties and responsibilities as AOC employees.⁴¹

Staff attorney Landon Norman testified that he perceived the statements in the September 6, 2022, Facebook post made by Judge Jameson's wife, Jenny Jameson, as a threat to anyone, including himself, who may cooperate with the Commission or testify in the Commission's proceedings. (See JCC Hearing Exhibit 75).

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety, and the appearance of impropriety.

⁴⁰ The evidence presented referred to Track Group and Trac Solutions. They appear to be related entities. (See JCC Hearing Exhibits 41 and 44; Request for Proposal, JCC Hearing Exhibit 39).

⁴¹ As became evident from the clear and convincing evidence presented at the hearings, a common thread through all improper actions of Judge Jameson is his overriding desire to maintain total control. It is also part of his downfall. Ironically, he could have followed proper legal procedures and used his counsel of record to obtain copies of the documents sought by the Commission's subpoena like any other party to litigation, rather than employing intimidation tactics and demands over Court of Justice employees.

- **Canon 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.

The Commission further finds and concludes that the actions of Judge Jameson set forth in Count V are, and should be, subject to the review and exercise of the contempt powers of the Supreme Court, whose rules and discipline process are at issue, but no such contempt powers exist under the Commission's rules and scope of authority. Given the absence of any specific rule setting forth or defining contempt powers for the Commission, the Commission hereby refers the matters in Count V to the Kentucky Supreme Court to fully address, noting the seriousness of the actions of Judge Jameson attempting to interfere in the duties of the Commission with and in its proceedings and hearings.

COUNT VI

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count VI that the Respondent committed the acts as follows:

Following your temporary suspension, you engaged in a pattern of noncompliance and interference with the Commission's orders. Specifically, you failed to adhere to the terms of your temporary suspension by contacting your judicial staff and availing yourself of judicial resources.

As a part of your temporary suspension on August 15, 2022, you were prohibited from accessing court resources. However, notwithstanding your suspension, you continued to access your judicial e-mail account and contact your staff members for purposes related

to your judicial role. Then, in September 2022, you contacted your staff to request delivery of an AOC laptop docking station. You continued to have in your possession and used or attempted to use two KCOJ laptops. You have also contacted your staff to request copies of AOC documents and materials to which you no longer had access.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 2, Rule 2.16(A)** which requires that a judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies, including the Judicial Conduct Commission.

The Commission acknowledges the Writ of Prohibition entered by the Kentucky Supreme Court on October 31, 2022, after the conclusion of the Final Hearing, and the deliberation and voting by the Commission. The Writ vacated and set aside the Commission's Order of Temporary Suspension and declared it *void ab initio*. As a result, Count VI is now not considered by or factored into the discipline imposed by the Commission herein.

COUNT VII

Based upon the totality of the evidence presented, and following significant deliberation by the Commission, by a vote of 5-0, the Commission finds with respect to Count VII that the Respondent committed the acts as follows:

In early April of 2022, after learning that an Open Records Act request had been made to the Administrative Office of the Courts for security footage of the courthouse, you called Chad Lampe, the station manager of the public radio station at Murray State University.

During that phone call, believing the station had filed an appeal of the denial of the Open Records Act request, you told Mr. Lampe you had already spoken to the President of the University and you told Mr. Lampe the President was not happy. You asked Mr. Lampe to confirm that the news station was not going to run a story about the camera footage of you walking around in the courthouse in your underwear. Within a day or two after your phone call, University leadership contacted Mr. Lampe requesting information about the Open Records Act request. (See JCC Hearing Exhibit 74). The foregoing, established by clear and convincing evidence, demonstrates your attempt to use the power and prestige of your office for personal gain.

Judge Jameson's actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, Judge Jameson's actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety, and the appearance of impropriety.
- **Canon 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.

ORDER

Judge Jameson has been found guilty by the Commission of violating the Kentucky Code of Judicial Conduct and engaging in misconduct in all seven (7) of the counts charged against him. His conduct has violated numerous Rules of the Judicial Canons, including the following:

- Failing to comply with the law (Canon 1, Rule 1.1).

- Failing to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and avoiding impropriety and the appearance of impropriety (Canon 1, Rule 1.2), and not abuse the prestige of judicial office to advance the personal interests of the judge or others (Canon 1, Rule 1.3).
- Failing to give precedence of the judicial office over all of a judge's personal and extrajudicial activities (Canon 2, Rule 2.1).
- Failing to perform the duties of judicial office fairly and impartially (Canon 2, Rule 2.2) and without bias or prejudice (Canon 2, Rule 2.3(A) and (B)).
- Allowing social, political, financial or other interests or relationships to influence judicial conduct or judgment (Canon 2, Rule 2.4(B)). Failing to be patient, dignified, and courteous to those with whom the judge deals in an official capacity, and permitting similar conduct of others subject to his direction and control (Canon 2, Rule 2.8(B)).
- Investigating facts in a matter independently, and considering facts not properly presented or judicially noticed. (Canon 2, Rule 2.9(C)).
- Failing to require his staff to act in a manner consistent with the judge's obligations under the Code of Judicial Conduct (Canon 2, Rule 2.12(A)).
- Failing to cooperate and be candid and honest with judicial disciplinary agencies (Canon 2, Rule 2.16(A)).
- Participating in activities that will interfere with the proper performance of the judge's judicial duties. (Canon 3, Rule 3.1(A)).
- Participating in activities that would appear to a reasonable person to undermine the judge's independence, integrity or impartiality. (Canon 3, Rule 3.1(C)).
- Engaging in conduct that would appear to a reasonable person to be coercive (Canon 3, Rule 3.1(D)).
- Appearing voluntarily at a public hearing before, or otherwise consult with, an executive or a legislative body or official. (Canon 3, Rule 3.2)).
- Personally soliciting contributions and further allowing his name, image and prestige of judicial office to be used by others directly in the solicitation of contributions for the building of an inpatient drug treatment center in Marshall and Calloway counties. (Canon 3, Rule 3.7(A)(4)).
- Serving as an officer, director, trustee, or nonlegal advisor of such an organization or entity that is engaged in proceedings that come before the judge. (Canon 3, Rule 3.7(6)(a)).
- Personally soliciting or accepting financial or in-kind campaign contributions other than through a campaign committee authorized by Rule 4.4 (Canon 4, Rule 4.1(A)(8)).

Judge Jameson's conduct violating the Canons was not isolated but was a pattern of repeated conduct over an extended period of time. He put great thought, planning and effort into the community corrections board matters and bid rigging, and he repeatedly abused the

court's contempt powers, violating the due process rights of those in his courtroom. His violations of the Code of Judicial Conduct were extensive and frequent. The conduct occurred inside and outside the courtroom, and in his official capacity. Judge Jameson testified and his counsel argued (in opening) and in mitigation (in closing) that he may have made mistakes and maybe he should have just come to the courthouse, handled his docket and gone home. While Judge Jameson acknowledged that most if not all the critical and operative conduct as alleged did occur, he steadfastly refused to acknowledge that any of his conduct presented issues or problems or was misconduct or violations of the Canons. To justify his conduct, he expressed his belief that "generational" differences motivate modern judges to be more involved in finding solutions to society's problems.

Unfortunately for Judge Jameson, altruistic intentions do not overcome or eliminate his serious violations of the Canons of Judicial Conduct. There is no doubt that he has brought the integrity and respect for the judiciary within Calloway and Marshall Counties into disrepute and that his improper actions violate the Canons. As part of the misconduct, Judge Jameson exploited his judicial position to satisfy his personal desires. It is the Commission's conclusion that there are other, deep-seated issues to be addressed with Judge Jameson but these are well beyond the jurisdiction of the Commission.

Based upon a reasonable and reasoned application of the Rules, it is clear that Judge Jameson lacks fitness to continue on the Bench. In fact, it is the Commission's conclusion that Judge Jameson is unfit for office going forward.

As most realize (but some still do not), failing to be candid and honest with the Commission in its investigation and process on multiple occasions, including in Formal

Proceedings, goes to the heart of a judge's integrity. Judge Jameson failed to be candid with the Commission and obstructed justice.

While instrumental in Judge Jameson's misconduct and his removal from judicial office, the bid rigging conduct and related influence exerted by Judge Jameson over the public bid process in Marshall and Calloway counties creates ancillary issues that are outside the scope of the jurisdiction of the Commission. The Commission is not tasked with investigating or charging any others who may have been involved in Judge Jameson's activities or what has been uncovered by this Hearing on the bid rigging "issues" within the county and among its participants. Those issues do not go and should not go unnoticed. The Commission acknowledges that this decision does not address and will not resolve all the issues that have been uncovered through its investigation and as a result of the Final Hearing.

As is typical of matters that end up in Final Hearing with the Commission, this case does not involve one or two isolated occurrences, but instead involves Judge Jameson's pattern of misconduct and his repeated exercise of total control, improper behavior on the bench, extremely poor judgment and his engagement in matters that are well outside the bounds of the constitutional role of a judge. Any reasonable person could easily recognize the significant issues presented by Judge Jameson's conduct as outlined in this Order as concerns the Code of Judicial Conduct and its Canons. This is especially true in Judge Jameson's case, given he was warned by the Commission in the past that his conduct should conform to the bounds of the constitutional role as a judge.

The Preamble to SCR 4.300 provides that "Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures

the greatest public confidence in their independence, impartiality, integrity, and competence.” Respondent failed in essentially every respect of this fundamental rule applicable to all judges. After proper notice and hearing, and based on the totality of the circumstances and evidence presented at the Hearing and the broad range of repeated and systemic misconduct by Respondent over a substantial period of time, the Commission by unanimous vote (of 5-0) orders that Judge Jameson be removed from office. The Commission notes that the severity of the penalty imposed is driven significantly by his violations of the Canons in Counts I, II and III, and those alone justify removal from office now and in the future, even without the other significant misconduct found.

WHEREFORE, based upon the foregoing and the totality of the clear and convincing evidence presented to the Commission at the Temporary Suspension Hearing and the Final Hearing, pursuant to SCR 4.020(1)(b) and based upon misconduct in office and numerous violations of the code of Judicial Conduct in Rule 4.300, it is the Commission’s conclusion and ruling that Judge Jameson is unfit for the office he currently holds and is equally unfit to serve in the same office for which he seeks a subsequent term by re-election. Therefore, the Commission hereby ORDERS that Judge Jameson be, and hereby is, REMOVED from judicial office for this term, and that this same unfitness disqualifies Judge Jameson from holding the same judicial office for the immediately succeeding term. The Commission believes it has a good faith basis under *Gordon v. Judicial Conduct Comm’n* to find and conclude that Judge Jameson should be permanently removed from judicial office because the totality of the clear and convincing evidence presented at the Temporary Suspension Hearing and Final Hearing established that he is unfit for judicial office.

For the reasons stated herein, IT IS FURTHER ORDERED that Judge Jameson's October 24, 2022, Renewed Motion for Directed Verdict be, and hereby is, DENIED.

Rule 4.270 provides that the Commission's Order shall become effective ten (10) days after service, which service date is set forth in the Certificate of Service, below, unless an appeal is filed within that time.

I hereby certify that the Findings of Fact, Conclusions of Law, and Final Order represent an action of the Judicial Conduct Commission on this 4th day of November, 2022.

11/4, 2022


 R. MICHAEL SULLIVAN, CHAIRMAN
 KENTUCKY JUDICIAL CONDUCT COMMISSION

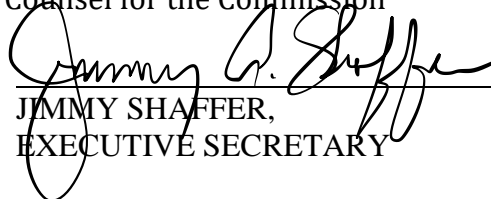
Dr. Joe Ellis has recused himself from any consideration in this matter.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this order has been served this 4th day of November, 2022 via electronic and first-class mail upon:

Richard L. Walter (rwalter@bsgpad.com)
 Boehl Stopher and Graves, LLP
 410 Broadway
 Paducah, KY 42001
 Counsel for Judge Jameson

Jeffrey C. Mando (JMando@adamsattorneys)
 Adams Law, PLLC
 40 W. Pike St.
 Covington, KY 41011
 Counsel for the Commission


 JIMMY SHAFFER,
 EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**JAMES T. JAMESON, CIRCUIT COURT JUDGE
42ND JUDICIAL CIRCUIT**

NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 42nd Judicial Circuit consisting of Calloway and Marshall counties. The charges are as follows:

Count I

You acted as the alter ego for the 42nd Judicial Circuit Community Corrections Board ("CCB") in the creation and development of an ankle monitoring program, failing to separate yourself as Circuit Judge from your duties at CCB, creating the appearance of impropriety to the public.

- A. You created the CCB for an improper purpose contrary to KRS §196.705. Your creation of this Executive Branch Board falls outside of the scope of your judicial duties and responsibilities and constitutes an improper use of judicial resources.
- B. In the creation and development of the CCB ankle monitoring program, you developed procedures and local rules without the approval from the Chief Justice of the Kentucky Supreme Court as required under SCR 1.040(3), the Administrative Office of the Courts (AOC), Kentucky statute, or other authority.

- C. You attended meetings and had conversations with CCB ankle monitor vendors to solicit specifications and pricing for monitors, while also meeting with elected officials regarding those costs and specifications.
- D. You prepared and submitted CCB's ankle monitoring program bid to the Calloway and Marshall County Fiscal Courts, using your influence to have a specific ankle monitor provider selected and approved.
- E. You were involved with drafting the Fiscal Court's request for proposals for the ankle monitoring program in Marshall and Calloway Counties, hindering the competitive bid process.
- F. You submitted a grant application to the Kentucky Department of Corrections on behalf of CCB, listing yourself as the project coordinator, creating a conflict of interest with your position as Circuit Court Judge in Marshall and Calloway Counties.
- G. You used the prestige of your judicial office to influence various elected officials, agencies, and individuals, promoting the CCB ankle monitoring program as a cost-saving measure and as means to raise funds for Re-Life, a proposed inpatient substance abuse disorder treatment facility project you are spearheading.
- H. You used the prestige of your judicial office to solicit support and personal donations from elected governmental bodies, elected officials, organizations, and individuals for the CCB and Re-Life/substance abuse disorder treatment facility.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.

- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 3, Rule 3.1 (A)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that will interfere with the proper performance of the judge's judicial duties.
- **Canon 3, Rule 3.1 (C)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
- **Canon 3, Rule 3.1 (D)** which provides that when engaging in extrajudicial activities, a judge shall not engage in conduct that would appear to a reasonable person to be coercive.
- **Canon 3, Rule 3.2** which provides that a judge shall not appear voluntarily at a public hearing before, or otherwise consult with, an executive or legislative body or office.
- **Canon 3, Rule 3.11 (B)** which requires that a judge shall not serve as an officer, director, manager, general partner, advisor, or employee of any business entity.

Count II

You acted as the alter ego for the 42nd Judicial Circuit Community Corrections Board ("CCB") in the implementation and operation of CCB's ankle monitoring program.

- A. As Circuit Court Judge, you participated in communications with CCB staff, whose work you directly supervised, including conversations regarding the ankle monitoring program rules, alleged violations, and Orders for cases over which you presided.
- B. You received direct notifications of alleged ankle monitor violations and instructed CCB staff, whose work you directly supervised, to send ankle monitor violation reports directly to you.
- C. On more than one occasion, you issued arrest warrants for individuals participating in the ankle monitoring program upon receipt of notices of alleged violations from CCB staff, whose work you directly supervised.
- D. Throughout your tenure as Circuit Court Judge, you directed local authorities to arrest individuals alleged to be in violation of the ankle monitoring program before an arrest warrant had been properly issued.
- E. Despite presiding over cases where you ordered participation in CCB's ankle monitoring program, you participated in the collection of fees, managed financial transactions, and wrote checks on behalf of CCB and Re-Life.
- F. You created the appearance of impropriety by ordering individuals participate in CCB's ankle monitoring program when the costs associated with the program directly supported Re-Life.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.

- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.
- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.4 (C)** which requires that a judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge.
- **Canon 2, Rule 2.6 (A)** which requires that a judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.
- **Canon 2, Rule 2.9 (A)** which provides that a judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter.
- **Canon 2, Rule 2.9 (B)** which provides if a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.
- **Canon 2, Rule 2.9 (C)** Which requires that a judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.
- **Canon 3, Rule 3.7(6)(a)** which allows a judge to serve as an officer, director, trustee, or nonlegal advisor of a charitable organization unless it is likely that the organization or entity will be engaged in proceedings that would ordinarily come before the judge.

COUNT III

During your tenure as Circuit Court Judge, you mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct including but not limited to,

- A. Throughout your tenure as Circuit Court Judge, you ordered individuals to participate in CCB's ankle monitoring services, but only allowed them to enroll with Track Group, the program that you had direct ties with through CCB, despite the availability of other ankle monitoring services.
- B. You required individuals in your courtroom to attend Riverwoods over other treatment options, because of your personal connection with the Riverwoods program.
- C. You regularly represented that Riverwoods was the only intensive out-patient ("IOP") program available, even absent evidence that Riverwoods was licensed as an IOP provider in Kentucky.
- D. As Circuit Court Judge, you displayed behavior towards Court staff and attorneys that was not patient, dignified, and courteous.
- E. You have demonstrated clear bias against Assistant Public Defender Amy Harwood-Jackson and other attorneys.

- F. As Circuit Court Judge, you personally pressured an attorney who appears before your Court to file a bar complaint against another attorney, and asked that same attorney to draft a sworn statement on your behalf to rebut a complaint made against you.
- G. You retaliated against a Marshall County Sheriff's Department employee by seeking his termination or re-assignment after he reviewed Courthouse video footage of you because you believed, without any evidence, he leaked the video to media outlets.
- H. You directly requested that Marshall County Sheriff Eddie McGuire send deputies to find a vehicle you saw flying a flag with what you believed was an offensive political statement and to request the driver remove the sign. You suggested to the Sheriff that he should cite or bring criminal charges against the driver if they refused to remove the flag.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially.

- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.8 (B)** which requires that a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and other with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's discretion and control.
- **Canon 2, Rule 2.12 (A)** which provides that a judge shall require court staff, court officials, and others subject to the judge's discretion and control to act in a manner consistent with the judge's obligations under the Code of Judicial Conduct.

COUNT IV

During your tenure as Circuit Court Judge, you used your influence and the prestige of judicial office to pressure attorneys, individuals, and groups to fund and support your political campaign, going as far as saying that certain monetary contributions were not sufficient.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

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- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 4, Rule 4.8** which requires that a judge shall not personally solicit or accept financial or in-kind campaign contributions other than through a campaign committee.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
 - (i) Misconduct in office.
 - (v) Violation of the code of Judicial Conduct, Rule 4.300.
 - (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.


For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

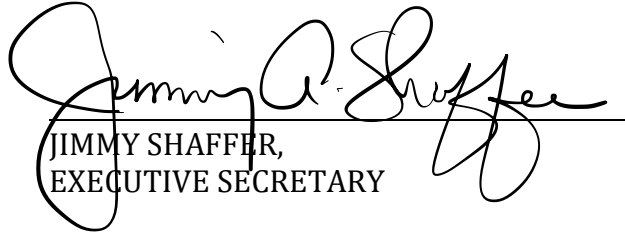
June 13th, 2022


R. MICHAEL SULLIVAN, CHAIRMAN
KENTUCKY JUDICIAL CONDUCT COMMISSION

Dr. Joe Ellis has recused himself from any consideration in this matter.

CERTIFICATE OF SERVICE

I hereby certify that copy hereof was served on Judge James T. Jameson, by mailing and emailing the same to his attorney Charles E. English, Jr. ("Buzz"), English, Lucas, Priest & Owsley, LLP, 1101 College Street, P.O. Box 770, Bowling Green, KY 42102-0770 this 13th day of June, 2022.


JIMMY SHAFFER,
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**JAMES T. JAMESON, CIRCUIT COURT JUDGE
42ND JUDICIAL CIRCUIT**

AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 42nd Judicial Circuit consisting of Calloway and Marshall counties. The charges are as follows:

Count I

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- A. You created the CCB for an improper purpose contrary to KRS §196.705. Your creation of this Executive Branch Board falls outside of the scope of your judicial duties and responsibilities and constitutes an improper use of judicial resources.
- B. In the creation and development of the CCB ankle monitoring program, you developed procedures and local rules without the approval from the Chief Justice of the Kentucky Supreme Court as required under SCR 1.040(3), the Administrative Office of the Courts (AOC), Kentucky statute, or other authority.

- C. You attended meetings and had conversations with CCB ankle monitor vendors to solicit specifications and pricing for monitors, while also meeting with elected officials regarding those costs and specifications.
- D. You prepared and submitted CCB's ankle monitoring program bid to the Calloway and Marshall County Fiscal Courts, using your influence to have a specific ankle monitor provider selected and approved.
- E. You were involved with drafting the Fiscal Court's request for proposals for the ankle monitoring program in Marshall and Calloway Counties, hindering the competitive bid process.
- F. You submitted a grant application to the Kentucky Department of Corrections on behalf of CCB, listing yourself as the project coordinator, creating a conflict of interest with your position as Circuit Court Judge in Marshall and Calloway Counties.
- G. You used the prestige of your judicial office to influence various elected officials, agencies, and individuals, promoting the CCB ankle monitoring program as a cost-saving measure and as means to raise funds for Re-Life, a proposed inpatient substance abuse disorder treatment facility project you are spearheading.
- H. You used the prestige of your judicial office to solicit support and personal donations from elected governmental bodies, elected officials, organizations, and individuals for the CCB and Re-Life/substance abuse disorder treatment facility.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

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- **Canon 3, Rule 3.1 (A)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that will interfere with the proper performance of the judge's judicial duties.
- **Canon 3, Rule 3.1 (C)** which provides that when engaging in extrajudicial activities, a judge shall not participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.
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- **Canon 3, Rule 3.11 (B)** which requires that a judge shall not serve as an officer, director, manager, general partner, advisor, or employee of any business entity.

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- A. As Circuit Court Judge, you participated in communications with CCB staff, whose work you directly supervised, including conversations regarding the ankle monitoring program rules, alleged violations, and Orders for cases over which you presided.
- B. You received direct notifications of alleged ankle monitor violations and instructed CCB staff, whose work you directly supervised, to send ankle monitor violation reports directly to you.
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- D. Throughout your tenure as Circuit Court Judge, you directed local authorities to arrest individuals alleged to be in violation of the ankle monitoring program before an arrest warrant had been properly issued.
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- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.4 (C)** which requires that a judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge.
- **Canon 2, Rule 2.6 (A)** which requires that a judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.
- **Canon 2, Rule 2.9 (A)** which provides that a judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter.
- **Canon 2, Rule 2.9 (B)** which provides if a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.
- **Canon 2, Rule 2.9 (C)** Which requires that a judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.
- **Canon 3, Rule 3.7(6)(a)** which allows a judge to serve as an officer, director, trustee, or nonlegal advisor of a charitable organization unless it is likely that the organization or entity will be engaged in proceedings that would ordinarily come before the judge.

COUNT III

During your tenure as Circuit Court Judge, you mismanaged your courtroom, engaged in acts of retaliation, and deviated from acceptable standards of judicial conduct including but not limited to,

- A. Throughout your tenure as Circuit Court Judge, you ordered individuals to participate in CCB's ankle monitoring services, but only allowed them to enroll with Track Group, the program that you had direct ties with through CCB, despite the availability of other ankle monitoring services.
- B. You required individuals in your courtroom to attend Riverwoods over other treatment options, because of your personal connection with the Riverwoods program.
- C. You regularly represented that Riverwoods was the only intensive out-patient ("IOP") program available, even absent evidence that Riverwoods was licensed as an IOP provider in Kentucky.
- D. As Circuit Court Judge, you displayed behavior towards Court staff, attorneys, and others in your courtroom that was not patient, dignified, and courteous.
- E. You have demonstrated clear bias against Assistant Public Defender Amy Harwood-Jackson and other attorneys.

- F. As Circuit Court Judge, you personally pressured an attorney who appears before your Court to file a bar complaint against another attorney, and asked that same attorney to draft a sworn statement on your behalf to rebut a complaint made against you.
- G. You retaliated against a Marshall County Sheriff's Department employee by seeking his termination or re-assignment after he reviewed Courthouse video footage of you because you believed, without any evidence, he leaked the video to media outlets.
- H. You directly requested that Marshall County Sheriff Eddie McGuire send deputies to find a vehicle you saw flying a flag with what you believed was an offensive political statement and to request the driver remove the sign. You suggested to the Sheriff that he should cite or bring criminal charges against the driver if they refused to remove the flag.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 2, Rule 2.2** which requires that a judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially.

- **Canon 2, Rule 2.3 (A)** which requires that a judge perform the duties of judicial office, including administrative duties, without bias or prejudice.
- **Canon 2, Rule 2.3 (B)** which requires that a judge shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice, or engage in harassment and shall not permit court staff, court officials, or others subject to the judge's discretion and control.
- **Canon 2, Rule 2.4 (B)** which requires that a judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.
- **Canon 2, Rule 2.8 (B)** which requires that a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and other with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's discretion and control.
- **Canon 2, Rule 2.12 (A)** which provides that a judge shall require court staff, court officials, and others subject to the judge's discretion and control to act in a manner consistent with the judge's obligations under the Code of Judicial Conduct.

COUNT IV

During your tenure as Circuit Court Judge, you used your influence and the prestige of judicial office to pressure attorneys, individuals, and groups to fund and support your political campaign, going as far as saying that certain monetary contributions were not sufficient.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law, including the Code of Judicial Conduct.
- **Canon 1, Rule 1.2** which requires a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

- **Canon 1, Rule 1.3** which requires that a judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.
- **Canon 2, Rule 2.1** which requires that the duties of judicial office shall take precedence over all of a judge's personal and extrajudicial activities.
- **Canon 4, Rule 4.8** which requires that a judge shall not personally solicit or accept financial or in-kind campaign contributions other than through a campaign committee.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
 - (i) Misconduct in office.
 - (v) Violation of the code of Judicial Conduct, Rule 4.300.
 - (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.


For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

July 21st, 2022


R. MICHAEL SULLIVAN, CHAIRMAN
KENTUCKY JUDICIAL CONDUCT COMMISSION

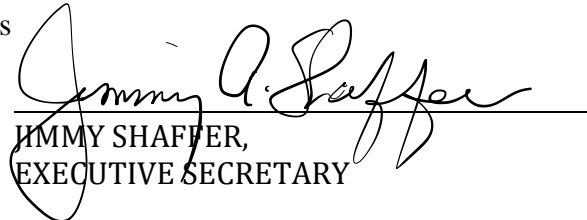
Dr. Joe Ellis has recused himself from any consideration in this matter.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Order has this July 21, 2022, been served via electronic and first-class mail upon the following:

Richard L. Walter (rwalter@bsgpad.com)	Jeffrey C. Mando (JMando@adamsattorneys)
Boehl Stopher and Graves, LLP	Adams Law, PLLC
410 Broadway	40 W. Pike St.
Paducah, KY 42001	Covington, KY 41011

Judge James T. Jameson at his home address


JIMMY SHAFFER,
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**JAMES T. JAMESON, CIRCUIT COURT JUDGE
42ND JUDICIAL CIRCUIT**

SECOND AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Counts I through IV in the June 13, 2002, Notice of Formal Proceedings and Charges are incorporated by reference and reaffirmed as if fully set forth herein.

COUNT V

During the course of the JCC's proceedings, you have repeatedly attempted to obstruct justice and impede the JCC's authority to investigate the charges against you. Specifically, you have intimidated witnesses involved in these proceedings and attempted to dissuade your judicial staff from complying with a JCC subpoena.

On September 21, 2022, upon request by Counsel for the Commission, the JCC issued a subpoena for Kentucky Court of Justice records as follows:

All documents including, but not limited to, internal emails, external emails, text messages, letters, reports, audio recordings and handwritten notes in the possession of any and all Marshall and Calloway County elected judges, judicial staff, elected clerks, and elected clerk staff pertaining to, relating to and/or arising from any of the allegations, events or incidents related to 42nd Judicial Circuit Judge James Jameson's involvement with the 42nd Circuit's Community Corrections Board ("CCB"), Track Group ankle monitoring services, or Re-life substance abuse disorder treatment program.

Your counsel was provided a copy of the subpoena upon service.

On September 26, 2022, you contacted AOC to complain about the subpoena and asked AOC not to comply with the subpoena. AOC denied your request and cautioned you

that it would be inappropriate to ignore a valid subpoena. You also contacted your administrative support specialist via telephone to discuss the subpoena. During that call, you instructed your judicial staff not to cooperate with the JCC's subpoena. You instructed your administrative support specialist and staff attorney to remove boxes from your office and to refuse to provide any documents from your office to the Commission per the subpoena. In short, you instructed your judicial staff to blatantly violate the law and to further act in contradiction to their duties and responsibilities as AOC employees.

Upon learning that AOC instructed your judicial staff to disregard your demands, you again contacted your staff and, this time, instructed them to send all documents they intended to produce to you for review *before* sending them to AOC. After this revised instruction, AOC was again forced to intervene and advise your judicial staff that they should once again disregard your unlawful instructions.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety, and the appearance of impropriety.
- **Canon 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.

- **Canon 2, Rule 2.16(B)** which prohibits a judge from retaliating, directly or indirectly, against a person known or suspected to have assisted or cooperated with an investigation of a judge or a lawyer.

COUNT VI

Following your temporary suspension, you engaged in a pattern of noncompliance and interference with JCC orders. Specifically, you failed to adhere to the terms of your temporary suspension by contacting your judicial staff and availing yourself of judicial resources.

As a part of your temporary suspension on August 15, 2022, you were prohibited from accessing court resources. However, notwithstanding your suspension, you have continued to access your judicial e-mail account and contact your staff members for purposes related to your judicial role. For example, you accessed your AOC e-mail account on August 19, 2022 and set up a Teams meeting with your staff attorney and administrative support specialist. Then in September 2022, you contacted your staff to request delivery of an AOC laptop docking station. You continue to have in your possession and to use two KCOJ laptops. You have also contacted your staff to request copies of AOC documents and materials to which you no longer had access.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 2, Rule 2.16(A)** which requires that a judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies, including the Judicial Conduct Commission.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
 - (i) Misconduct in office.
 - (v) Violation of the code of Judicial Conduct, Rule 4.300.
 - (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

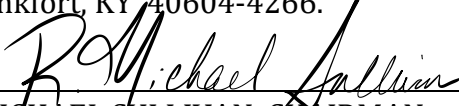
RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky

Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

October 4, 2022


 R. MICHAEL SULLIVAN, CHAIRMAN
 KENTUCKY JUDICIAL CONDUCT COMMISSION

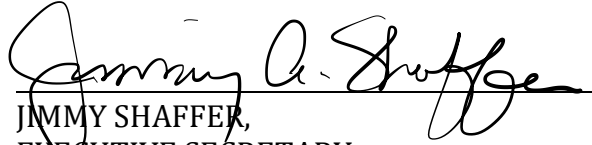
Dr. Joe Ellis has recused himself from any consideration in this matter.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this order has been served this 4th day of October 2022 via electronic and first-class mail upon:

Richard L. Walter (rwalter@bsgpad.com)
Boehl Stopher and Graves, LLP
410 Broadway
Paducah, KY 42001
Counsel for Judge Jameson

Jeffrey C. Mando (JMando@adamsattorneys)
Adams Law, PLLC
40 W. Pike St.
Covington, KY 41011
Counsel for the Commission


JIMMY SHAFFER,
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**JAMES T. JAMESON, CIRCUIT COURT JUDGE
42ND JUDICIAL CIRCUIT**

THIRD AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Counts I through IV in the June 13, 2002, Notice of Formal Proceedings and Charges are incorporated by reference and reaffirmed as if fully set forth herein.

COUNT V

During the course of the JCC's proceedings, you have repeatedly attempted to obstruct justice and impede the JCC's authority to investigate the charges against you. Specifically, you have intimidated witnesses involved in these proceedings and attempted to dissuade your judicial staff from complying with a JCC subpoena.

On September 21, 2022, upon request by Counsel for the Commission, the JCC issued a subpoena for Kentucky Court of Justice records as follows:

All documents including, but not limited to, internal emails, external emails, text messages, letters, reports, audio recordings and handwritten notes in the possession of any and all Marshall and Calloway County elected judges, judicial staff, elected clerks, and elected clerk staff pertaining to, relating to and/or arising from any of the allegations, events or incidents related to 42nd Judicial Circuit Judge James Jameson's involvement with the 42nd Circuit's Community Corrections Board ("CCB"), Track Group ankle monitoring services, or Re-life substance abuse disorder treatment program.

Your counsel was provided a copy of the subpoena upon service.

On September 26, 2022, you contacted your administrative support specialist via telephone to discuss the subpoena. During that call, you instructed your judicial staff not to cooperate with the JCC's subpoena. You instructed your administrative support specialist

and staff attorney to remove boxes from your office and to refuse to provide any documents from your office to the Commission per the subpoena. In short, you instructed your judicial staff to blatantly violate the law and to further act in contradiction to their duties and responsibilities as AOC employees.

Upon learning that AOC instructed your judicial staff to disregard your demands, you again contacted your staff and, this time, instructed them to send all documents they intended to produce to you for review *before* sending them to AOC. After this revised instruction, AOC was again forced to intervene and advise your judicial staff that they should once again disregard your unlawful instructions.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety, and the appearance of impropriety.
- **Canon 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.
- **Canon 2, Rule 2.12 (A)** which provides a judge shall require court staff, court officials, and others subject to judge's direction and control to act in a manner consistent with judge's obligations under this Code.
- **Canon 2, Rule 2.16(B)** which prohibits a judge from retaliating, directly or indirectly, against a person known or suspected to have assisted or cooperated with an investigation of a judge or a lawyer.

COUNT VI

Following your temporary suspension, you engaged in a pattern of noncompliance and interference with JCC orders. Specifically, you failed to adhere to the terms of your temporary suspension by contacting your judicial staff and availing yourself of judicial resources.

As a part of your temporary suspension on August 15, 2022, you were prohibited from accessing court resources. However, notwithstanding your suspension, you have continued to access your judicial e-mail account and contact your staff members for purposes related to your judicial role. For example, you accessed your AOC e-mail account on August 19, 2022 and set up a Teams meeting with your staff attorney and administrative support specialist. Then in September 2022, you contacted your staff to request delivery of an AOC laptop docking station. You continue to have in your possession and to use two KCOJ laptops. You have also contacted your staff to request copies of AOC documents and materials to which you no longer had access.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 2, Rule 2.16(A)** which requires that a judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies, including the Judicial Conduct Commission.

COUNT VII

In early April of 2022, after learning that an Open Records Act request had been made to the Administrative Office of the Courts for security footage of the courthouse, you called

Chad Lampe, the station manager of the public radio station at Murray State University. During that phone call, believing Mr. Lampe had filed an appeal of the denial of the Open Records Act request, you told Mr. Lampe you had already spoken to the President of the University and you told Mr. Lampe the President was not happy. You asked Mr. Lampe to confirm that the news station was not going to run a story about the camera footage of you walking around in the courthouse in your underwear. Within a day or two after your phone call, the Provost of the University contacted Mr. Lampe requesting information about the Open Records Act request.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1, Rule 1.1** which requires a judge to comply with the law.
- **Canon 1, Rule 1.2** which provides that a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety, and the appearance of impropriety.
- **Canon 1, Rule 1.3** which prohibits a judge from abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, or allowing others to do so.

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which reads in pertinent part as follows:

- (1) Commission shall have authority:
- (b) To impose the sanctions, separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:

- (i) Misconduct in office.
- (v) Violation of the code of Judicial Conduct, Rule 4.300.
- (c) After notice and hearing, to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

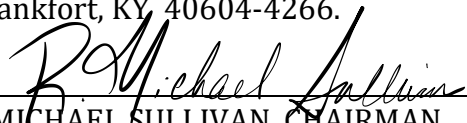
For your information, the Commission wishes to call your attention to the following Supreme Court Rule:

RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY, 40604-4266.

October 7, 2022


R. MICHAEL SULLIVAN, CHAIRMAN
KENTUCKY JUDICIAL CONDUCT COMMISSION

Dr. Joe Ellis has recused himself from any consideration in this matter.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this order has been served this 7th day of October 2022 via electronic and first-class mail upon:

Richard L. Walter (rwalter@bsgpad.com)
Boehl Stopher and Graves, LLP
410 Broadway
Paducah, KY 42001
Counsel for Judge Jameson

Jeffrey C. Mando (JMando@adamsattorneys)
Adams Law, PLLC
40 W. Pike St.
Covington, KY 41011
Counsel for the Commission

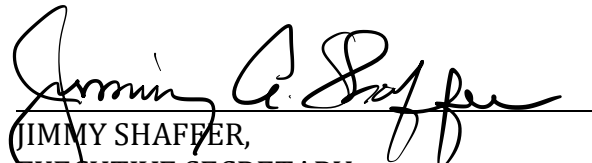

JIMMY SHAFFER,
EXECUTIVE SECRETARY

Exhibit 2

October ORR



WPSD Television
100 Television Lane
P. O. Box 1197
Paducah, KY 42003

October 20, 2022,

VIA EMAIL
thunt2@murraystate.edu

Jill Hunt
Senior Executive Coordinator for the President
and Coordinator for Board Relations
President's Office
Room 218 Wells Hall
Murray State University
Murray, KY 42071

Dear MS Hunt,

This letter is a request for the public records listed below pursuant to the Kentucky Open Records Act (KORA).

- A. Correspondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications from and/or to **Dr. Robert Jackson**, President, **Tim Todd**, Provost and Vice President for Academic Affairs, **David Eaton**, Dean of the Arthur J. Bauernfeind College of Business, Circuit Court Judge **Jamie Jameson**, and former WKMS Station Manager **Chad Lampe** in any combination, the content of which regards a Kentucky Open Records Request filed by the news department of WKMS Radio News seeking courthouse security video showing Circuit Court Judge Jamie Jameson walking in the Marshall County Courthouse in his underwear.
- B. Correspondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications regarding WKMS News, both prior to and subsequent to the open records request described above in item "A" from and/or to **Dr. Allen White**, former Chair, Department of Journalism and Mass Communication, former WKMS News Director **Rachel Collins**, WKMS News Director **Derek Operle**, **Kevin Qualls**, Chair, Department of Journalism and Mass Communications, **Asia Burnett**, WKMS interim Station Manager, WKMS reporter **Liam Niemeyer**, **Jordan Smith**, Executive Director, Governmental and Institutional Relations, **Jill Hunt**, Senior Executive Coordinator for the President and Coordinator for Board Relations, and **Shawn Touney**, Executive Director, Marketing and Communication.

The time period for the request is March 1, 2022 to the present date.

We remind you the General Assembly of the Commonwealth has declared that "free and open examination of public records is in the public interest" and the law "shall be strictly construed, even though such examination may cause inconvenience or embarrassment to public officials or others."

We request your timely response as required by the laws of the Commonwealth. Digital delivery of these documents is preferred. We will be happy to supply a jump drive for your convenience.

As time is of the essence, incremental fulfillment of our requests would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Perry Boxx", written over the word "Sincerely,".

Perry Boxx
News Director
WPSD Local 6
100 Television Lane
Paducah, KY 42003
270-415-1987

Exhibit 3

MSU First October ORR Response



MURRAY STATE UNIVERSITY

Office of General Counsel

107 Oakley Applied Science Building
Murray, KY 42071-3345
270-809-3399 • 270-809-3471 fax

October 27, 2022

Via Email to: pboxx@wpsdlocal6.com

Mr. Perry Boxx
News Director
WPSD Local 6
100 Television Lane
Paducah, KY 42003

RE: Open Records Request

Dear Mr. Boxx:

The university is in receipt of your Open Records Request dated October 20, 2022. Pursuant to your request, it is our understanding that you desire the following:

- A. Correspondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications from and/or to Dr. Robert Jackson, Tim Todd, David Eaton, Judge Jamie Jameson and Chad Lampe in any combination, the content of which regards a Kentucky Open Records Request filed by the news department of WKMS Radio News seeking courthouse security video showing Circuit Court Judge Jamie Jameson walking in the Marshall County Courthouse in his underwear.
- B. Correspondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications regarding WKMS News, both prior to and subsequent to the open records request described above in item "A" from and/or to Dr. Allen White, Rachel Collins, Derek Operle, Kevin Qualls, Asia Burnett, Liam Niemeyer, Jordan Smith, Jill Hunt and Shawn Touney.

In response to Request "A," please note that the Open Records Act requires a requester to precisely describe the record(s) being requested. Although your request fails to precisely describe the records as required by KRS 61.872(3)(b), and would require the University to guess as to the records you are seeking, the University will endeavor to collect and review documents that include all correspondence, including "other forms of communication," with the exception noted in the paragraph immediately below. Because your request does not identify a specific or approximate date, nor does it identify a University record of correspondence between a specific sender and a

murraystate.edu

recipient, additional time is needed to complete the collection and review of such records. The records are not readily available due to the aforementioned reasons. *See* KRS 61.872(5).

The aforementioned exception is that WKMS, as a member of the press, is entitled by the First Amendment to the U.S. Constitution to the free exercise of the press protections contained therein. The University understands, acknowledges and supports the policy statement in KRS 61.878 declaring that the “examination of public records is in the public interest...” In this case, there is a competing interest as to the freedom of the press. Permitting the public to engage in fishing expeditions by searching the files of journalists and/or an agency of the press, undermines and dissuades the press from fulfilling its Constitutionally protected freedom. For these reasons, your request “A” is denied to the extent documents contain exempt information – the disclosure of which would impinge or inhibit the freedom of the press – pursuant to KRS 61.878(1)(k).

The University will complete its review and provide responsive records regarding request “A” by November 4, 2022. If you wish to supplement your request in order to expedite this collection and review of records, please specify the documents/records that are being requested in definite, specific and unequivocal terms. To that end, attached is a copy of an article for your review.

Your request “B” is denied because it does not precisely describe the records you are requesting as required by KRS 61.872(3)(b). Your request for all correspondence including “other forms of communication” does not identify a specific or approximate date, nor does it identify a University record of correspondence between a specific sender and a recipient. Further, your request requires the university to guess as to which emails, attachments, memos, letters, etc. were composed “regarding WKMS news.” The Commonwealth of Kentucky Office of the Attorney General has consistently held that blanket requests for records do not adequately describe the record(s) being sought. *See, e.g.,* Attorney General Opinion 21 ORD-017.

Your request “B” is denied pursuant to KRS 61.872(6) because the request is unduly burdensome. Your request is unduly burdensome because the time period – 234 days, and the nine different individual email accounts you referenced potentially result in thousands of individual emails and attachments which would each require individual review. This individual review requires each email to be reviewed for confidential information, information protected by the attorney client privilege, and information that may require redaction as may be permitted by the Kentucky Open Records Act. As stated in Kentucky Attorney General opinion 22-ORD-182, the “number of records implicated” is the most important factor to be considered when determining whether a request is unduly burdensome. Importantly, the term *implicated* is broader than the number of records that may be responsive, and it is broader than the number of records that may be subject to disclosure after a careful review is conducted to determine whether an exemption is applicable. Such a review

would require dozens, and perhaps hundreds, of hours to search, locate, review and redact (as may be necessary) depending on the number of emails such a search would produce.

Your request "B" is denied pursuant to KRS 61.878(1)(k) because records "regarding WKMS news" are protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein. Permitting the public to engage in fishing expeditions by searching the files of journalists and/or an agency of the press, undermines and dissuades the press from fulfilling its Constitutionally protected freedom. For these reasons, to the extent that disclosure of documents containing exempt information would impinge or inhibit the freedom of the press, your request is denied.

Thank you.

Sincerely,



Robert Miller

RM/llm

Attachment

Exhibit 4

MSU Second October ORR Response



Office of General Counsel

107 Oakley Applied Science Building
Murray, KY 42071-3345
270-809-3399 • 270-809-3471 fax

November 4, 2022

Via Email to: pboxx@wpsdlocal6.com

Mr. Perry Boxx
News Director
WPSD Local 6
100 Television Lane
Paducah, KY 42003

RE: Open Records Request

Dear Mr. Boxx:

Please allow this as our supplementary response to that provided to you on October 27, 2022. At that time, we notified you that we were still in the process of reviewing your request "A" and that our response would be forthcoming by November 4, 2022. Pursuant to your request "A", you have requested:

- A. Correspondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications from and/or to Dr. Robert Jackson, Tim Todd, David Eaton, Judge Jamie Jameson and Chad Lampe in any combination, the content of which regards a Kentucky Open Records Request filed by the news department of WKMS Radio News seeking courthouse security video showing Circuit Court Judge Jamie Jameson walking in the Marshall County Courthouse in his underwear.

As previously stated in response to Request "A," please note that the Open Records Act requires a requester to precisely describe the record(s) being requested. Although your request fails to precisely describe the records as required by KRS 61.872(3)(b), and would require the University to guess as to the records you are seeking, the University will endeavor to collect and review documents that include all correspondence, including "other forms of communication," with the exception noted in the paragraph immediately below. Because your request does not identify a specific or approximate date, nor does it identify a University record of correspondence between a specific sender and a recipient, additional time is needed to complete the collection and review of such records. The records are not readily available due to the aforementioned reasons. See KRS 61.872(5).

The aforementioned exception is that WKMS, as a member of the press, is entitled by the First Amendment to the U.S. Constitution to the free exercise of the press protections contained therein. The University understands, acknowledges and supports the policy statement in KRS 61.878 declaring that the "examination of public records is in the public interest..." In this case, there is a competing interest as to the freedom of the press. Permitting the public to engage in fishing expeditions by searching the files of journalists and/or an agency of the press, undermines and dissuades the press from fulfilling its Constitutionally protected freedom. For these reasons, your request "A" is denied to the extent documents contain exempt information – the disclosure of which would impinge or inhibit the freedom of the press – pursuant to KRS 61.878(1)(k).

murraystate.edu

With the above having been said, please find the following in regard to each referenced email:

- Email #1: Please note that we have redacted information that is not responsive to your request.
- Email #2: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege in accordance with KRS 61.878(1)(k).
- Email #3: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #4: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #5: Please find email dated April 4, 2022 Re: WKMS Public Radio – Open Records Request.
- Email #6: Please find email dated March 30, 2022 Re: WKMS Public Radio – Open Records Request, correspondence dated April 4, 2022 from the Administrative Office of the Courts, Supreme Court of Kentucky Order 2017-09, and correspondence dated March 30, 2022 from WKMS Public Radio. We have also redacted information of a personal nature wherein disclosure would constitute an unwarranted invasion of personal privacy, same being personal cell phone number. KRS 61.878(1)(a).
- Email #7: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #8: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #9: Please find email dated April 4, 2022 Re: WKMS Public Radio – Open Records Request.
- Email #10: Please find email dated March 30, 2022 Re: WKMS Public Radio – Open Records Request, correspondence dated March 30, 2022 from WKMS Public Radio, correspondence dated April 4, 2022 from the Administrative Office of the Courts, and Supreme Court of Kentucky Order 2017-09. We have also redacted information of a personal nature wherein disclosure would constitute an unwarranted invasion of personal privacy, same being personal cell phone number. KRS 61.878(1)(a).
- Email #11: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege in accordance with KRS 61.878(1)(k).
- Email #12: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #13: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #14: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.

- Email #15: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.
- Email #16: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.
- Email #17: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.
- Email #18: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended. Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #19: Please find email dated October 10, 2022 Re: media inquiry on deadline.
- Email #20: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended. Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #21: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein. In addition, we have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.
- Email #22: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein. In addition, we have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.
- Email #23: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.

Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.

- Email #24: Please note that we have redacted information provided to/from the General Counsel's office which were utilized in the formation of legal advice or in the anticipation of litigation based on the attorney-client privilege/attorney work product in accordance with KRS 61.878(1)(k). We have also redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended. Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #25: Please note that we have redacted information that is not responsive to your request.
- Email #26: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #27: Please note that in accordance with KRS 61.878(1)(k), we have redacted information that is protected from disclosure by the First Amendment to the U.S. Constitution, specifically the free exercise of the press contained therein.
- Email #28: Please find email dated April 4, 2022 Re: WKMS Public Radio – Open Records Request.
- Email #29: Please find email dated March 30, 2022 Re: WKMS Public Radio – Open Records Request, correspondence dated April 4, 2022 from the Administrative Office of the Courts, Supreme Court of Kentucky Order 2017-09, and correspondence dated March 30, 2022 from WKMS Public Radio. We have also redacted information of a personal nature wherein disclosure would constitute an unwarranted invasion of personal privacy, same being personal cell phone number. KRS 61.878(1)(a).
- Email #30: Please note that we have redacted information that is not responsive to your request.
- Email #31: Please note that we have redacted preliminary information in accordance with KRS 61.878(1)(j) in which opinions are expressed or policies formulated or recommended.

Thank you.

Sincerely,



Robert Miller
General Counsel

RM/llm

Attachment

Exhibit 5

MSU First Post OAG
Log Oct. ORR Part A

Page No.	Description	Exemption	Rationale
1	Attorney client privileged information	KRS 61.878(1)(k) & KRE 503	Attorney client communications have been redacted.
2	Personal information	KRS 61.878(1)(a) personal privacy	Personal information regarding Judge Jameson's family has been redacted because such information is of a personal nature and the public interest in it does not outweigh the implicated personal privacy interests.
2	Notes and personal information	KRS 61.878(1)(i) and KRS 61.878(1)(a) personal privacy	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, personal privacy interests outweigh the public interest in an individual's cell phone number.
4	Personal cell phone number	KRS 61.878(1)(a) personal privacy	Personal privacy interests outweigh the public interest in an individual's cell phone number.
16-17	Notes and personal information	KRS 61.878(1)(i) and KRS 61.878(1)(a) personal privacy	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, personal privacy interests outweigh the public interest in an individual's cell phone number.
18	Personal cell phone number	KRS 61.878(1)(a) personal privacy	Personal privacy interests outweigh the public interest in an individual's cell phone number.
30	Attorney client privileged information and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i)	Attorney client communications have been redacted. In addition, these documents contain preliminary drafts that were redacted in accordance with 23-ORD-024.
31-32	Non-responsive [in addition to attorney client privileged information, and preliminary drafts]	[KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i)]	Non-responsive emails were redacted. In addition, in accordance with 23-ORD-024, the information on these pages constitutes preliminary drafts, and the communications are protected by the attorney-client privilege.
33-34	Attorney client privileged information and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i) and (j)	Attorney client communications have been redacted. In addition, these documents contain preliminary drafts that were redacted in accordance with 23-ORD-024.
36-37	Attorney client privileged information and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i) and (j)	Attorney client communications have been redacted. In addition, these documents contain preliminary drafts that were redacted in accordance with 23-ORD-024.
38	Non-responsive		Non-responsive emails were redacted.
38	Personal information	KRS 61.878(1)(a) personal privacy	Personal information regarding Judge Jameson's family has been redacted because such information is of a personal nature and the public interest in it does not outweigh the implicated personal privacy interests.
38-39	Notes and personal information	KRS 61.878(1)(i) and KRS 61.878(1)(a) personal privacy	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, personal privacy interests outweigh the public interest in an individual's cell phone number.
40	Personal cell phone number	KRS 61.878(1)(a) personal privacy	Personal privacy interests outweigh the public interest in an individual's cell phone number.
52	Non-responsive		Non-responsive emails were redacted.
52	Notes and preliminary recommendations	KRS 61.878(1)(i) and (j)	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, internal communications containing preliminary recommendations wherein opinions are expressed have been redacted.

Exhibit 6

MSU First Post OAG
Log Oct. ORR Part B

Page No.	Description	Exemption	Rationale
1	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
2	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	outweighs any public purpose of ensuring the university is
12	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	executing its statutory duties.
15,16	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	same as above
15,16	Preliminary correspondence with private individual	KRS 61.878(1)(i) private individual Also KRS 61.878(1)(j)	This preliminary draft was not fully incorporated into the final version sent by Asia Burnett on April 12 at 3:59 PM
19	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
20-26	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	outweighs any public purpose of ensuring the university is
20-24	Name of private citizen	KRS 61.878(1)(i) private individual	Preliminary correspondence with a private individual
28	personal cell number	KRS 61.878(1)(a) personal privacy	public interest does not outweigh personal privacy of cell#
30, 31	Preliminary memoranda in which opinions are expressed	KRS 61.878(1)(j)	final version of revised mission statement or editorial policy has not been adopted
33	personal cell number	KRS 61.878(1)(a) personal privacy	public interest does not outweigh personal privacy of cell#
36	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
			outweighs any public purpose of ensuring the university is
37-40	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
			outweighs any public purpose of ensuring the university is
37-40, 52	Preliminary correspondence with private individual	KRS 61.878(1)(i) private individual	Preliminary correspondence with a private individual
			No final action taken
73-76	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
			outweighs any public purpose of ensuring the university is
74-76	Preliminary correspondence with private individual	KRS 61.878(1)(i) private individual	Preliminary correspondence with a private individual
			No final action taken
79	Non-responsive/transitory document	Feb 3, 2023 email regarding transmittal	of responsive documents
79	Preliminary correspondence with private individual	KRS 61.878(1)(i) private individual	Preliminary correspondence with a private individual
	Personal privacy, document also non-responsive	KRS 61.878(1)(a) personal privacy	Discussion of personal issues between White and Lampe
89	Preliminary draft of communication sent to Zachary Lamb on 3/4/22. Drafts not adopted as final version.	KRS 61.878(1)(j)	Draft not adopted.
102	personal cell number	KRS 61.878(1)(a) personal privacy	public interest does not outweigh personal privacy of cell#
108-117	Preliminary recommendations and opinions.	KRS 61.878(1)(j)	Internal discussions re. media request
124	Personal email addresses of private citizens	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
			outweighs any public purpose of ensuring the university is
124	Attorney client privileged information	KRS 61.878(1)(k)	
125	Preliminary recommendations and opinions.	KRS 61.878(1)(j)	preliminary enrollment reports
126	Preliminary recommendations and opinions.	KRS 61.878(1)(j)	preliminary construction project report.
128	Preliminary drafts of communication sent to Zachary Lamb on 3/4/22. Drafts not adopted as final version.	KRS 61.878(1)(j)	Drafts not adopted.
139, 153-154	Preliminary drafts of communication re. media inquiry	KRS 61.878(1)(j)	Media COVID inquiry. Draft not adopted.
158	Attorney client privileged information	KRS 61.878(1)(k)	legal consultation
159	Personal email addresses	KRS 61.878(1)(a) personal privacy	Exposure of a person's private or non-university email address
			outweighs any public purpose of ensuring the university is
159	Attorney client privileged information	KRS 61.878(1)(k)	legal consultation report
160	Preliminary recommendations and opinions.	KRS 61.878(1)(j)	preliminary enrollment reports
	Preliminary recommendations and opinions.	KRS 61.878(1)(j)	preliminary construction project report.

Exhibit 7

November ORR



WPSD Television
100 Television Lane
P. O. Box 1197
Paducah, KY 42003

November 16, 2022

VIA EMAIL
thunt2@murraystate.edu

Jill Hunt
Senior Executive Coordinator for the President
and Coordinator for Board Relations
President's Office
Room 218 Wells Hall
Murray State University
Murray, KY 42071

Dear Ms. Hunt,

This letter is a request for public records pursuant to the Kentucky Open Records Act (KORA). The term "records" as used below, means all documents "regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by" Murray State University ("MSU"). KRS 61.870(2). And, as it pertains to any requests for email or text communications between named individuals, it requests all emails or messages, any responses thereto, and all attachments, sent to or from those individuals in any combination, including in communications with other parties not mentioned in the request.

- A.** Records to and from **Dr. Robert Jackson**, President, **Tim Todd**, Provost and Vice President for Academic Affairs, and former WKMS Station Manager **Chad Lampe**, relating to a "Zoom" conference call and the subjects discussed between the three on or about November 23, 2020. This request includes the "invitation" sent to the parties. It is specifically inclusive of records prior to or subsequent to the meeting relevant to the purpose of the meeting (matter(s) pertaining to public radio station WKMS) that raise, memorialize, summarize, or discuss topics covered during the meeting. These records may include, but are not limited to content about, complaints received by President Jackson about WKMS, the mission and purpose of WKMS, whether investigative reporting is or should be part of the mission of WKMS, policy for managing the filing of open records requests by WKMS staff, responsibility for the WKMS approach to news, content issues, Calloway County Covid numbers and complaints from politicians. **The time period for this request is October 1, 2020 to July 1, 2022.**
- B.** Records to and from **David Eaton**, Dean of the Arthur J. Bauernfeind College of Business, **Chad Lampe**, former Station Manager WKMS, **Tim Todd**, Provost

and Vice President for Academic Affairs relating to grants, budgeting, budget reductions, the Ohio Valley Resource, the Corporation for Public Broadcasting (CPB), Louisville Public Media, Public Media Code of Integrity, and NPR (National Public Radio). **The time period for this request is December 2020 to July 1, 2022.**

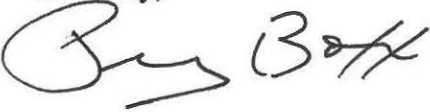
- C. Records to and from **Dr. Robert Jackson**, President, **Tim Todd**, Provost and Vice President for Academic Affairs, **Eric Crigler**, then Chair, Murray State Board of Trustees, **each and every member of the Murray State Board of Regents in 2021 and the current membership** relating to a meeting or conversation between Jackson and Crigler in January 2021 (believed to be during the week of January 23, 2021) during which was discussed a reexamination of the mission and purpose of WKMS. The request is specifically inclusive of records prior to or subsequent to the meeting or conversation described that raise, memorialize, summarize, or discuss the meeting or conversation, and/or the mission and purpose of WKMS, political perception of WKMS, investigative reporting at WKMS, the role of WKMS in student education, donor and political feedback about WKMS, policy on Open Records requests made by WKMS and accreditation from the Accrediting Council on Education in Journalism and Mass Communication. **The time period for this request is August 1, 2020 to the present date.**
- D. Records to and from **Dr. Robert Jackson**, President, **David Eaton**, Dean of the Arthur J. Bauernfeind College of Business **Jacklyn Dudley**, Vice-President Finance and Administrative Services and **Chad Lampe**, former Station Manager WKMS relating to WKMS budgeting. The request is inclusive of but not limited to records related to a \$150,000 loan for transmitter needs at WKMS. **The time period for this request is January 1, 2021 to the present date.**
- E. The “Self-Study” report required by the Accrediting Council on Education in Journalism and Mass Communication for presentation to the site visit team of the ACEJMC earlier this fall (2022). **The time period for the request is January 1, 2021 to the present date.**
- F. Records to and from **Dr. Kevin Qualls**, Chair, Department of Journalism and Mass Communications, **Asia Burnett**, Interim Station Manager WKMS, **Dr. Robert Jackson**, President, **Tim Todd**, Provost and Vice President for Academic Affairs, and **David Eaton**, Dean of the Arthur J. Bauernfeind College of Business relating to the Accrediting Council on Education in Journalism and Mass Communication current accreditation renewal process for Murray State University. **The time period for the request is January 1, 2021 to the present date.**

We remind you the General Assembly of the Commonwealth has declared that “free and open examination of public records is in the public interest” and the law “shall be strictly construed, even though such examination may cause inconvenience or embarrassment to public officials or others.”

We request your timely response as required by the laws of the Commonwealth. Digital delivery of these documents is preferred. We will be happy to supply a jump drive for your convenience.

As time is of the essence, incremental fulfillment of our request would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Perry Boxx", with a stylized flourish at the end.

Perry Boxx
News Director
WPSD Local 6
100 Television Lane
Paducah, KY 42003
270-415-1987

Exhibit 8

MSU First Response to Nov. ORR



MURRAY STATE UNIVERSITY

Office of General Counsel

107 Oakley Applied Science Building
Murray, KY 42071-3345
270-809-3399 • 270-809-3471 fax

December 19, 2022

Mr. Perry Boxx
News Director
WPSD Local 6
100 Television Lane
Paducah, KY 42003

RE: Open Records Request

Dear Mr. Boxx:

The university received your Open Records Request dated November 16, 2022 on November 17, 2022. On November 29, 2022 you were informed that records would be provided by December 19, 2022. Please note that University offices were closed November 23, 24 and 25 for the Thanksgiving holiday. In addition, on December 8, 2022, the university provided the ACEJMC self-study document consisting of 89 pages containing links to many additional documents. On the enclosed drive are 849 pages provided in response to your requests. The attached document provides a detailed list of responsive records that contain redactions along with the reason for the redaction.

Regarding attachments, many are embedded within emails, and additional attachments are provided separately on the USB drive. Some emails may refer to Murray State University Board minutes which can be located here: <https://www.murraystate.edu/about/administration/BoardOfRegents/Minutes.aspx>

If you would like to request more information regarding a specific attachment, or if you would like a copy of any Board minutes please let us know.

Pursuant to your request, it is our understanding that you desire the following:

- A. Records to and from Dr. Robert Jackson, Tim Todd, and Chad Lampe, relating to a "Zoom" conference call and the subjects discussed between the three on or about November 23, 2020. The time period for this request is October 1, 2020 to July 1, 2022.
- B. Records to and from David Eaton, Chad Lampe and Tim Todd relating to grants, budgeting, budget reductions, the Ohio Valley Resource, the Corporation for Public Broadcasting (CPB), Louisville Public Media, Public Media Code or Integrity, and NPR (National Public Radio). The time period for this request is December 2020 to July 1, 2022.
- C. Records to and from Dr. Robert Jackson, Tim Todd, Eric Crigler, and each and every member of the Murray State Board of Regents in 2021 and the current membership relating to a meeting or conversation between Jackson and Crigler in January 2021 (believed to be during the week of January 23, 2021) during which was discussed a reexamination of the mission and purpose of WKMS. The time period for this request is August 1, 2020 to the present date.

December 19, 2022

Page 2

- D. Records to and from Dr. Robert Jackson, David Eaton, Jacklyn Dudley and Chad Lampe relating to WKMS budgeting. The request is inclusive of but not limited to records related to a \$150,000 loan for transmitter needs at WKMS. The time period for this request is January 1, 2021 to the present date.
- E. The "Self-Study" report required by the Accrediting Council on Education in Journalism and Mass Communication for presentation to the site visit team of the ACEJMC earlier this fall (2022). The time period for the request is January 1, 2021 to the present date.
- F. Records to and from Dr. Kevin Qualls, Asia Burnett, Dr. Robert Jackson, Tim Todd and David Eaton relating to the Accrediting Council on Education in Journalism and Mass Communication current accreditation renewal process for Murray State University. The time period for the request is January 1, 2021 to the present date.

Sincerely,

/s/Robert Miller
Robert Miller
General Counsel

RM/llm

Attachment

Page	Email Date	Communication	Time	Redaction Reason
8	2/2/2022	Attorney Client privileged communication	1:33 PM	Attorney Client KRS 61.878(1)(k) contract advice
10	2/2/2022	Attorney Client privileged communication	3:04 PM	Attorney Client KRS 61.878(1)(k) contract advice
11	2/9/2022	Attorney Client privileged communication	3:45 PM	Attorney Client KRS 61.878(1)(k) contract advice
12	2/9/2022	Attorney Client privileged communication	3:49 PM	Attorney Client KRS 61.878(1)(k) contract advice
15	4/4/2022	Attorney Client privileged communication	1:36 PM	Attorney Client KRS 61.878(1)(k) contract advice
17	4/4/2022	Attorney Client privileged communication	3:07 PM	Attorney Client KRS 61.878(1)(k) contract advice
59	3/28/2022	Attorney Client privileged communication	10:07 AM	Attorney Client KRS 61.878(1)(k) contract advice
61	3/28/2022	Attorney Client privileged communication	2:19 PM	Attorney Client KRS 61.878(1)(k) contract advice
65	4/5/2022	Private person to Lampe	2:44 PM	Personal Privacy KRS 61.878(1)(a) name of job applicant; releasing the name of a job applicant is an unwarranted invasion of personal
65	4/5/2022	Lampe to Private person	9:35 AM	Personal Privacy KRS 61.878(1)(a) name of job applicant; releasing the name of a job applicant is an unwarranted invasion of personal
68,69	3/28/2022	Attorney Client privileged communication	10:08 AM	Attorney Client KRS 61.878(1)(k) contract advice
77	3/2/2022	Attorney Client privileged communication	9:43 AM	Attorney Client KRS 61.878(1)(k) contract advice
78	3/2/2022	Attorney Client privileged communication	11:41 AM	Attorney Client KRS 61.878(1)(k) contract advice
81	3/2/2022	Attorney Client privileged communication	4:34 PM	Attorney Client KRS 61.878(1)(k) contract advice
85	3/22/2022	Attorney Client privileged communication	2:08 PM	Attorney Client KRS 61.878(1)(k) contract advice
85	3/22/2022	Attorney Client privileged communication	2:21 PM	Attorney Client KRS 61.878(1)(k) contract advice
86	3/22/2022	Attorney Client privileged communication	3:05 PM	Attorney Client KRS 61.878(1)(k) contract advice
92	3/17/2022	Private person to Lampe	3:38 PM	Private Individual correspondence KRS 61.878(1)(i) only name and contact information redacted
92	12/16/2021	Private person to Private person	4:27 PM	Private Individual correspondence KRS 61.878(1)(i) only name and contact information redacted
113	12/12/2021	Private person to Lampe	12:48 PM	Private Individual correspondence KRS 61.878(1)(i) only name and contact information redacted

114	12/12/2021	Private person to Lampe	12:50 PM	Private Individual correspondence KRS 61.878(1)(i) only name and contact information redacted
115	12/12/2021	Private person to Lampe	1:28 PM	Private Individual correspondence KRS 61.878(1)(i) only name and contact information redacted
151	7/16/2021	Attorney Client privileged communication	6:52 AM	Attorney Client KRS 61.878(1)(k) contract advice
153	7/14/2021	Attorney Client privileged communication	2:13 PM	Attorney Client KRS 61.878(1)(k) contract advice
155	7/12/2021	Attorney Client privileged communication	3:02 PM	Attorney Client KRS 61.878(1)(k) contract advice
156	7/9/2021	Attorney Client privileged communication	11:55 AM	Attorney Client KRS 61.878(1)(k) contract advice
161	6/30/2021	Attorney Client privileged communication	8:03 AM	Attorney Client KRS 61.878(1)(k) contract advice
181, 182	Eaton email 5	Policy Not Adopted	4:04 PM	Preliminary Draft - Policy Formulation KRS 61.878(1)(j) no final decision as of 12-16-22
206	3/16/2021	Lampe to Eaton	12:52 PM	Personal Privacy KRS 61.878(1)(a) public disclosure of donor identity is a clearly unwarranted invasion of personal privacy; This email is also a preliminary memorandum in which opinions are expressed. KRS 61.878(1)(j).
239	12/2/2020	Attorney Client privileged communication	2:01 PM	Attorney Client KRS 61.878(1)(k) re real property
245	1/25/2021	Private person to Burnett	6:26 PM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
245	1/25/2021	Lampe to Jackson	9:44 PM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
261	11/2/2022	Qualls to Multiple (site team comments; final report April 2023)	9:51 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
269	11/1/2022	Qualls to Eaton	1:31 PM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
269	11/1/2022	Eaton to Qualls	3:26 PM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
270	11/1/2022	Qualls to Eaton	3:34 PM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
272	11/7/2022	Qualls to Multiple	8:54 AM	Personal Privacy KRS 61.878(1)(a) disclosure of health condition would be an unwarranted invasion of personal privacy.

274	11/1/2022	Eaton to Qualls	3:26 PM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
276	10/31/2022	Qualls to Eaton	2:47 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
278	10/31/2022	Eaton to Todd	8:55 AM	Preliminary Draft KRS 61.878(1)(j) opinions regarding faculty promotion and tenure; also unwarranted invasion of personal privacy per KRS 61.878(1)(a)
278	10/31/2022	Qualls to Eaton	9:07 AM	Preliminary Draft KRS 61.878(1)(j) opinions regarding faculty promotion and tenure; also unwarranted invasion of personal privacy per KRS 61.878(1)(a)
280	10/27/2022	Qualls to Multiple	12:00 PM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
283	8/18/2022	Qualls to Multiple	3:17 PM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
285	4/1/2022	Qualls to Eaton	11:33 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
326	7/15/2021	Todd to Multiple	12:06 PM	Attorney Client privilege KRS 61.878(1)(k) contract advice
366	6/1/2021	Todd to Jackson	9:09 AM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
366	5/27/2021	Todd to Multiple	7:56 AM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
366	5/26/2021	Eaton to Todd	4:04 PM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
366	5/26/2021	Lampe to Eaton	3:55 PM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
382	7/16/2021	Attorney Client privileged communication	6:52 AM	Attorney Client KRS 61.878(1)(k) contract advice
586	9/24/2020	Lampe to Jackson	3:27 PM	Personal Privacy KRS 61.878(1)(a) photo of non-employee
663	4/2/2021	Private person to Multiple	10:23 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
663	4/2/2021	Private person to Jackson	1:02 PM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
665	11/23/2020	Lampe to Private person	10:52 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.

665	11/23/2020	Jackson to Private person	10:45 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
666	11/23/2020	Private person to Jackson	10:32 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
667	3/25/2021	Private person to Burnett	10:44 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
669	4/1/2022	Lampe to Private person	10:34 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
670	4/1/2022	Lampe to Jackson	10:34 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
671	4/1/2022	Jackson to Lampe	10:57 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
671	4/1/2022	Lampe to Multiple	10:35 AM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
676	1/25/2021	Lampe to Multiple	9:44 PM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
677	1/25/2021	Private person to Burnett	6:26 PM	Private individual correspondence KRS 61.878(1)(i) only name and contact information redacted for private donor.
w/held	5/24/2021	Attorney Client privileged communication	1:20 PM	Attorney Client KRS 61.878(1)(k); also preliminary draft per KRS 61.878(1)(j) policy not adopted.
w/held	5/24/2021	Attorney Client privileged communication	12:09 PM	Attorney Client KRS 61.878(1)(k); also preliminary draft per KRS 61.878(1)(j) policy not adopted.
w/held	5/24/2021	Attorney Client privileged communication; also contains non-responsive material	10:54 AM	Attorney Client KRS 61.878(1)(k); also preliminary draft per KRS 61.878(1)(j) policy not adopted.
731	5/27/2021	Jackson to Todd	8:00 AM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
733	6/1/2021	Jackson to Todd	9:06 AM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
735	5/26/2021	Policy	3:55 PM	Preliminary - Policy Formulation KRS 61.878(1)(j) policy not adopted
738	10/5/2020	Lampe to Jackson	12:58 PM	Personal Privacy KRS 61.878(1)(a) - Private donor
740	10/5/2020	Jackson to Lampe	1:07 PM	Personal Privacy KRS 61.878(1)(a) - Private donor

742	10/14/2022	Qualls to Burnett	10:50 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
758	11/11/2022	Qualls to multiple	10:08 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
761	10/31/2022	Qualls to Eaton	9:48 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023. Also personal privacy outweighs public interest regarding faculty promotion status. KRS 61.878(1)(a).
761	10/31/2022	Eaton to Qualls	8:55 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023. Also personal privacy outweighs public interest regarding faculty promotion status. KRS 61.878(1)(a).
780	11/2/2022	Qualls to multiple	10:13 AM	Preliminary Draft KRS 61.878(1)(j) accreditation not final until April 2023.
w/held		Report for America/Ground Truth Project		Preliminary Draft KRS 61.878(1)(j) Draft contract with revisions. Contract not finalized with Report for America/Ground Truth Project.

Note: redaction information may be listed once even though the same email appears multiple times.

Exhibit 9

5/2/2023 Letter



Michael Abate
(502) 2540-8280
mabate@kaplanjohnsonlaw.com

VIA EMAIL

2 May 2023

Mss. Alina Klimkina and Suzanne Marino
Dinsmore & Shohl, LLP
101 South Fifth Street, Suite 2500
Louisville, Kentucky 40202
alina.klimkina@dinsmore.com
suzanne.marino@dinsmore.com

RE: WPSD-TV, LLC v. Murray State University, 23-CI-00052 (Calloway Circuit Court)

Alina & Suzanne:

As you know, we represent WPSD-TV, LLC ("WPSD") in the above captioned matter. I write on behalf of my client to suggest two ways that we might streamline and expedite the conduct of this important Open Records Act ("ORA") litigation, which is in both of our clients' interests.

First, I am enclosing with this letter a proposed scheduling order for your consideration. If you concur with this proposed order, we can submit it to the Court. Alternatively, we are happy to have a call to discuss alterations to the proposal.

Second, I request that you provide us certain information that will assist all parties in briefing whether your client properly invoked particular exceptions to the ORA. As you know, your client is required by the ORA to disclose all records in its possession responsive to an open records request, unless one of the Act's specifically enumerated exemptions applies. See KRS 61.880(1). Moreover, the Act provides that if "any public record contains material which is not excepted under this section, the public agency shall separate the excepted and makes the nonexcepted material available for examination." KRS 61.878(4). Throughout this litigation, your client retains the burden of demonstrating the applicability of one or more exemptions for every record, or portion thereof, that it claims to be exempt from the ORA's mandate of disclosure. See, e.g., KRS 61.880(2)(c); KRS 61.882(3); *Courier-Journal, Inc. v. Shively Police Dep't*, No. 2021-CA-1120-MR, 2022 WL 16842295 (Ky. Ct. App. Nov. 10, 2022) ("We conclude there is an ongoing duty to disclose records, at least while ORA litigation regarding these records is pending.").

To allow the parties and the Court to determine whether your client's denial of the open records requests at issue in this case complied with the ORA, you have a further duty to "provide the requesting party and the court with sufficient information about the nature of the withheld record (or the categories of withheld records) and the harm that would result from its release to permit the requester to dispute the claim and the court to assess it." *City of Fort Thomas v.*

Cincinnati Enquirer, 406 S.W.3d 842, 852 (Ky. 2013). Typically, that information is provided in the form of a “Vaughn Index” named after the seminal case *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), which is a “routine device through which the agency describes the documents responsive to [an Open Records] request and indicates the reasons for redactions or withholdings in sufficient detail to allow a court to make an independent assessment of the claims for exemptions from disclosure under the Act.” *Rugiero v. U.S. Dep’t of Justice*, 257 F.3d 534, 544 (6th Cir. 2001).¹

In order to expedite this litigation, we ask you to provide us with a *Vaughn* Index that would, at a minimum:

1. Identify each document responsive to the records requests at issue in this litigation that you believe is exempt from the Open Records Act’s disclosure mandate by date, title, author, recipient, and any other relevant identifiers; and
2. For each such document (or portion thereof), provide (a) a detailed description of which specific exemption(s) you believe applies and (b) explain why the exemption(s) applies.

We ask that you provide this information as soon as possible, and in any event no later than 20 days from the date of today’s letter. We trust that we can reach agreement on this necessary first step in the litigation without needing to ask the Court to compel production of a *Vaughn* Index. I look forward to hearing back from you at your earliest convenience after you have had a chance to consider our request and the enclosed scheduling order.

Best Regards,

s/ Michael P. Abate

Jon L. Fleischaker

Michael P. Abate

Wm. R. (Rick) Adams

KAPLAN JOHNSON ABATE & BIRD LLP

710 W. Main St., 4th Floor

Louisville, KY 40202

Counsel for WPSD-TV, LLC

¹ Kentucky Courts have frequently required agencies to submit such indices to allow the court and the parties to adjudicate whether an agency properly withheld documents. See e.g., *Univ. of Kentucky v. Kernel Press, Inc.*, 620 S.W.3d 43 (Ky. 2021); *City of Fort Thomas v. Cincinnati Enquirer*, 406 S.W.3d 842, 852 (Ky. 2013); *Cabinet for Health & Family Servs. v. Courier Journal, Inc.*, 493 S.W.3d 375 (Ky. Ct. App. 2016).

Exhibit 10

WPSD Summary Judgment Redaction Index

Disputed Records and Redactions
10/20/2022 Open Records Request Part A

Page Number	Description	Exemption	MSU's Explanation
1	Attorney-Client Privilege	KRS 61.878(1)(k) & KRE 503	Attorney client communications have been redacted.
2	Personal Information	KRS 61.878(1)(a)	Personal information regarding Judge Jameson's family has been redacted because such information is of a personal nature and the public interest in it does not outweigh the implicated personal privacy interests.
2	Notes and Personal Information	KRS 61.878(1)(i) and KRS 61.878(1)(a)	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, personal privacy interests outweigh the public interest in an individual's cell phone number.
16-17	Notes and Personal Information	KRS 61.878(1)(i) and KRS 61.878(1)(a)	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, personal privacy interests outweigh the public interest in an individual's cell phone number.
30	Attorney-Client Privilege and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i)	Attorney client communications have been redacted. In addition, these documents contain preliminary drafts that were redacted in accordance with 23-ORD-024.
31-32	Non-responsive, Attorney-Client Privilege, and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i)	Non-responsive emails were redacted. In addition, in accordance with 23-ORD-024, the information on these pages constitutes preliminary drafts, and the communications are protected by the attorney-client privilege.
33-34	Attorney client privilege and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i) and (j)	Attorney client communications have been redacted. In addition, these documents contain preliminary drafts that were redacted in accordance with 23-ORD-024.
36-37	Attorney client privilege and preliminary drafts	KRS 61.878(1)(k) & KRE 503 and KRS 61.878(1)(i) and (j)	Attorney client communications have been redacted. In addition, these documents contain preliminary drafts that were redacted in accordance with 23-ORD-024.
38-39	Notes and personal information	KRS 61.878(1)(i) and KRS 61.878(1)(a)	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, personal privacy interests outweigh the public interest in an individual's cell phone number.
52	Non-responsive		Non-responsive emails were redacted.
52	Notes and preliminary recommendations	KRS 61.878(1)(i) and (j)	"Notes," or short "for your information" emails, have been redacted in accordance with 23-ORD-024. In addition, internal communications containing preliminary recommendations wherein opinions are expressed have been redacted.

Disputed Records and Redactions
10/20/2022 Open Records Request Part B

Page Number	Description	Exemption	MSU's Explanation
79	responsive	KRS 61.878(1)(a)	Discussion of personal issues between White and Lampe
124	Attorney client privileged information	KRS 61.878(1)(k)	
159	Personal email addresses	KRS 61.878(1)(a)	Exposure of a person's private or non-university email address
159	Attorney client privileged information	KRS 61.878(1)(k)	legal consultation report

Disputed Records and Redactions
11/16/2022 Open Records Request

Page Number	Description	Exemption	MSU's Explanation
151	Attorney Client Privilege	KRS 61.878(1)(k) & KRE 503	Attorney Client KRS 61.878(1)(k) contract advice
161	Attorney Client Privilege	KRS 61.878(1)(k) & KRE 503	Attorney Client KRS 61.878(1)(k) contract advice
withheld	Attorney Client Privilege and Preliminary	KRS 61.878(1)(k) & KRE 503	Attorney Client. Also, preliminary draft. Policy not adopted.
withheld	Attorney Client Privilege and Preliminary	KRS 61.878(1)(k) & KRE 503	Attorney Client. Also, preliminary draft. Policy not adopted.
withheld	Attorney Client Privilege and Preliminary	KRS 61.878(1)(k) & KRE 503	Attorney Client. Also, preliminary draft. Policy not adopted.
withheld	Preliminary		

Exhibit 11

23-ORD-024



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

DANIEL CAMERON
ATTORNEY GENERAL

CAPITOL BUILDING, SUITE 118
700 CAPITAL AVENUE
FRANKFORT, KENTUCKY 40601
(502) 696-5300
FAX: (502) 564-2894

23-ORD-024

February 2, 2023

In re: Perry Boxx/Murray State University

Summary: Murray State University (“the University”) violated the Open Records Act (“the Act”) when it withheld an email containing a statement describing past events because none of its claimed exceptions apply to that email. The University also violated the Act when it denied as unreasonably burdensome a request that sufficiently described the records sought. However, the University did not violate the Act when it withheld other emails, some of which were exempt under KRS 61.878(1)(i) as preliminary drafts and notes, while others were exempt under KRS 61.878(1)(j) as records containing preliminary opinions.

Open Records Decision

On October 20, 2022, Perry Boxx submitted to the University a request to inspect two categories of records. First, he sought “[c]orrespondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications” exchanged between five¹ individuals, “the content of which regards a Kentucky Open Records Request filed by the news department of WKMS Radio News seeking courthouse security video showing” a former circuit court judge “walking in the Marshall County Courthouse in his underwear.” Second, he sought “[c]orrespondence, including but not limited to emails and attachments, responses and threads, letters and other forms of communications regarding WKMS News” sent

¹ Specifically, the President, the Provost and Vice President for Academic Affairs, the Dean of the Arthur J. Bauernfeind College of Business, the former circuit court judge, and the former WKMS Station Manager.

to or from nine individuals.² The Appellant sought by his request only correspondence that was exchanged from March 1, 2022, to the date of the request.

In a timely response, the University fully denied the second part of the request because it claimed the Appellant failed to precisely describe the records he sought. The University also claimed it would be an unreasonable burden to search for, review, and produce the requested records. The University similarly claimed the first part of the request did not precisely describe the records the Appellant sought, but instead of denying the request on this basis, it invoked KRS 61.872(5) and claimed it needed additional time to search for and review responsive records. The University committed to providing responsive records by November 4, 2022.³ However, the University also stated, “WKMS, as a member of the press, is entitled by the First Amendment to the U.S. Constitution to the free exercise of the press protections contained therein.” It therefore denied the Appellant’s request “to the extent” the disclosure of the documents “would impinge or inhibit the freedom of the press,” claiming the First Amendment right is incorporated into the Act’s exemptions under KRS 61.878(1)(k).

On November 4, 2022, the University provided 52 pages of records containing 31 emails responsive to the first part of the Appellant’s request. The University’s supplemental response itemized each of the 31 emails, many of which were redacted, and cited various exemptions in support of the redactions. But the University did not describe the content of those emails or explain how the cited exemptions applied to the redactions. The exemptions on which the University relied were the “preliminary exemptions” under KRS 61.878(1)(i) and (j), the attorney-client privilege under KRE 503, and the First Amendment, which it claimed is incorporated into the Act under KRS 61.878(1)(k).⁴ This appeal followed.

On appeal, the University provided the Office with unredacted copies of the emails responsive to the first part of the request. *See* KRS 61.880(2)(c). The Office

² Specifically, the former Chair of the Department of Journalism and Mass Communication, a former WKMS News Director, the current WKMS News Director, the Chair of the Department of Journalism and Mass Communications, the previous WKMS interim Station Manager, a WKMS reporter, the Executive Director of Governmental and Institutional Relations, the Senior Executive Coordinator for the President and Coordinator for Board Relations, and the Executive Director, Marketing and Communication.

³ The Appellant has not challenged the University’s invocation of KRS 61.872(5) to delay his access to the records.

⁴ The University also redacted a few personal telephone numbers under KRS 61.878(1)(a). The Appellant has not challenged the University’s redaction of telephone numbers.

cannot disclose the contents of these emails, but it is necessary to generally describe them to explain why some are exempt and others are not.

The University claims many of the emails are exempt under KRS 61.878(1)(i) or (j). “Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency” are exempt from inspection under KRS 61.878(1)(i). And “[p]reliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended” are exempt from inspection under KRS 61.878(1)(j). These two exemptions are separate and distinct from one another. The distinction is important because Kentucky courts have held “investigative materials that were once preliminary in nature lose their exempt status once they are adopted by the agency as part of its action.” *Univ. of Ky. v. Courier-Journal & Louisville Times Co.*, 830 S.W.2d 373, 378 (Ky. 1992). But neither KRS 61.878(1)(i) nor (j) discusses preliminary “investigative materials.” Rather, KRS 61.878(1)(i) relates to preliminary drafts and notes, which by their very nature are rejected when a final report is approved. In other words, a first draft is not “adopted” when a second draft is written, and the first draft is always exempt under KRS 61.878(1)(i). *See, e.g.*, 21-ORD-089 (agency properly relied on KRS 61.878(1)(i) to deny inspection of the “first draft” of a report that was later adopted).

The same is true of “notes,” which constitute the majority of interoffice emails and chat messages. *See, e.g.*, 22-ORD-176 n.6; OAG 78-626. To the extent specific thoughts or beliefs contained within drafts and notes are “adopted,” they are adopted into whatever final document the agency produces from those drafts and notes. That final document represents the agency’s official action and is subject to inspection. But the initial and preliminary thoughts on what the final product should contain, which are expressed during the drafting process through emails, do not lose their preliminary status once a final end-product is produced. To do so would destroy the “full and frank discussion[s] between and among public employees and officials” as they “hammer[] out official action,” which is the very purpose of KRS 61.878(1)(i). 14-ORD-014.

Here, the University properly relied on KRS 61.878(1)(i) to redact the emails on pages 30–34 and 36–37. Those emails contain preliminary drafts of a proposed response to the media inquiry appearing on page 35.⁵ It is not clear whether the University issued a formal response to the media inquiry. If it did, that formal response would have contained the portions of the proposed draft responses that were

⁵ Page 35 was provided to the Appellant without redaction.

ultimately adopted. Any variation between the proposed responses and the official response to the media inquiry would necessarily constitute a rejection of the proposed language that did not make it into the University's final response. And if the University did not issue an official response to the inquiry, then by implication, no version of these proposed drafts were adopted, and they retain their preliminary status. The University did not violate the Act by redacting these drafts under KRS 61.878(1)(i).⁶

The University also properly relied on KRS 61.878(1)(i) to redact the emails on page 1, the duplicate copies of an email dated April 14, 2022 at 10:49 p.m. appearing on pages 2 and 16, and the email on page 52 because all of these emails constitute "notes."⁷ These emails can be generally described as short, "for your information" types of emails, which are not substantive communications in themselves, but merely direct the recipient to other attached emails. They are the equivalent of a digital post-it note, such as a note affixed to a paper file instructing the recipient to read the file, and they are the types of notes that would be thrown in a wastebasket if they existed in physical form. *See* 22-ORD-176 n.6.

However, the duplicate copies of the other email appearing on pages 2 and 16 are not exempt under KRS 61.878(1)(i) or (j). Unlike the emails containing proposed drafts of a potential response, or the emails containing merely "for your information" types of notes, this email is a substantive statement describing the author's past decision and the factual basis for that decision. On its face, the email does not refer to a proposed course of conduct to be taken in the future, express the author's opinions about potential options to be taken, or contain any type of disclaimer that it is a working draft. The email is more analogous to a written statement by a witness to a specific event. *See, e.g.,* 21-ORD-052 (distinguishing drafts, notes, and investigatory materials containing opinions, which are exempt under KRS 61.878(1)(i) and (j), from "evidence of a past event [that] is not subject to change," which is not). Because the email is not a preliminary statement subject to future change, but instead is a statement describing past events and the justification for taking past action, it is not exempt under KRS 61.878(1)(i) or (j).

⁶ The author of the draft response also specifically directed the draft to the University's legal counsel, seeking advice about the legal implications of the draft. Thus, even if the author's initial draft was not exempt under KRS 61.878(1)(i), it would also qualify as a communication from a client to an attorney seeking legal advice about the implications of the proposed statement. Such a communication from an employee or representative of a client to the client's lawyer is protected by the attorney-client privilege. *See* KRE 503(b)(1).

⁷ Moreover, the email on page 52 expresses the author's opinions about acting in the future and is exempt under KRS 61.878(1)(j).

Alternatively, the University claims this email is exempt under the First Amendment's prohibitions against government "abridging the freedom of . . . the press." U.S. Const. amend. I. The University claims the First Amendment's protection of the freedom of the press is incorporated into the Act under KRS 61.878(1)(k), which exempts from inspection "public records or information the disclosure of which is prohibited by federal law." Although the First Amendment is "federal law," it does not, on its face, "prohibit" the disclosure of any public records. Rather, the University argues the First Amendment is indirectly implicated because insight into the editorial processes of journalists would have a "chilling effect" on the press. Even if disclosure would create such a "chilling effect," the University cites no binding or persuasive legal authority holding that the First Amendment shields a government-funded news organization's records from its state's open records law.⁸

To the contrary, Kentucky law presupposes that the First Amendment does not shield press records. Perhaps because of the First Amendment's limitations, the General Assembly has enacted a *statutory* privilege preventing any member of the press from being compelled to divulge "the *source* of any information procured or obtained by him, and published in a newspaper or by a radio or television broadcasting station by which he is engaged or employed, or with which he is connected." KRS 421.100 (emphasis added). There may indeed be a "chilling effect" on the press if journalists were compelled to identify anonymous sources, because sources would be less forthcoming with information. To the extent its records may contain the name of a source for a published news story, a public agency acting as a news organization could potentially argue KRS 421.100 permits redaction of that person's name from records provided in response to a request under the Act. *See* KRS 61.878(1)(l). But the First Amendment does not grant the press a constitutional privilege to refuse to name its sources, and KRS 421.100 does not prevent the press from being compelled to provide the *information* a source provides. *See Branzburg v. Hayes*, 408 U.S. 665, 703 (1972) ("The administration of a constitutional newsman's privilege would present practical and conceptual difficulties of a high order."); *Lexington Herald-Leader Co. v. Beard*, 690 S.W.2d 374, 379 (Ky. 1984) (holding the

⁸ The University cites only *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969), in support of its novel First Amendment claim. In that case, the United Supreme Court found the First Amendment prohibited school officials from punishing students for silently protesting the Vietnam War by wearing black armbands. *See id.* at 513. The *Tinker* case is a decision about the First Amendment's free *speech* clause. *Id.* at 506 ("It can hardly be argued that either students or teachers shed their constitutional rights to freedom of *speech* or expression at the schoolhouse gate" (emphasis added)). It does not touch on the First Amendment's free *press* clause. The burden is on the University to sustain its actions, KRS 61.880(2)(c), and it has not done so here.

press could not rely on the First Amendment or KRS 421.100 to prevent discovery of its records in a libel action). Accordingly, the Office is unpersuaded that the First Amendment exempts inspection of the email, and the University's reliance on the First Amendment as a basis for redacting the requested records was in error. The University therefore violated the Act by withholding this email.⁹

The University also violated the Act when it fully denied the second part of the Appellant's request. The Appellant requested emails and correspondence exchanged between nine individuals "regarding WKMS news." He specified that he only sought correspondence exchanged between March 1, 2022 and the date of the request, which was October 20, 2022. The University denied this request because it claimed the request did not "precisely describe" the records sought and the request was unreasonably burdensome.

Under KRS 61.872(3)(b), "[t]he public agency shall mail copies of the public records to a person . . . after he or she precisely describes the public records which are readily available within the public agency." A description is precise "if it describes the records in definite, specific, and unequivocal terms." 98-ORD-17 (internal quotation marks omitted). This standard is not met when a request does not "describe records by type, origin, county, or any identifier other than relation to a subject." 20-ORD-017 (quoting 13-ORD-077). In particular, requests for any and all records "related to a broad and ill-defined topic" generally fail to precisely describe the records. 22-ORD-182; *see also* 21-ORD-034 (finding a request for any and all records relating to "change of duties," "freedom of speech," or "usage of signs" did not precisely describe the records); *but see Univ. of Ky. v. Kernel Press, Inc.*, 620 S.W.3d 43, 48 n.2 (Ky. 2021) (holding a request was proper when it sought "all records detailing [the] resignation" of a specific employee).

Here, the University claimed it could not determine the scope of the Appellant's request because it did "not identify a specific or approximate date, nor [did] it identify a University record or correspondence between a specific sender and a recipient." But that is not true.¹⁰ The Appellant requested "correspondence," including "emails" and

⁹ The University does not claim this specific email is exempt under the attorney-client privilege. To the extent the University makes that claim, the privilege does not apply. The email was not sent to or by a lawyer, and it does not seek the rendition of legal services. It is simply a statement memorializing the author's editorial decision and the reasons therefor.

¹⁰ The University also stated it should not be required to "guess" whether a record discusses WKMS News. But the Supreme Court of Kentucky has recently noted the opposite. *See Kernel Press, Inc.*, 620 S.W.3d at 48 n.2 (Open Records "requests routinely seek 'all documents pertaining to [subject matter].'

“letters,” which is a specific type of record. He also identified the nine people whose correspondence he sought, and he sought only their correspondence that took place during a specific eight-month period. He further narrowed the scope of his request by subject matter, requesting just those records relating to WKMS News. Thus, the Appellant complied with KRS 61.872(3)(b) by limiting his request by persons, time frame, subject matter, and type of records. *See, e.g.*, 23-ORD-006; 22-ORD-182.

In addition to claiming the request failed to precisely describe the records sought, the University claimed the request was unreasonably burdensome. Under KRS 61.872(6), “[i]f the application places an unreasonable burden in producing public records[,] the official custodian may refuse to permit inspection of the public records or mail copies thereof. However, refusal under this section shall be sustained by clear and convincing evidence.” Here, the University claims the Appellant’s request is unreasonably burdensome because it could “*potentially* result in thousands of individual emails and attachments which would each require individual review.” (emphasis added). The University stated it would have to review the records for “confidential information, information protected by the attorney-client privilege, and information that may require redaction as may be permitted under” the Act.

When determining whether a particular request places an unreasonable burden on an agency, the Office considers the number of records implicated, whether the records are in a physical or electronic format, and whether the records contain exempt material requiring redaction. *See, e.g.*, 97-ORD-088 (finding that a request implicating thousands of physical files pertaining to nursing facilities was unreasonably burdensome, where the files were maintained in physical form in several locations throughout the state, and each file was subject to confidentiality provisions under state and federal law). In addition to these factors, the Office has found that a public agency may demonstrate an unreasonable burden if it does not catalogue its records in a manner that will permit it to query keywords mentioned in the request. *See, e.g.*, 96-ORD-042 (finding that it would place an unreasonable burden on the agency to manually review thousands of files for the requested keyword to determine whether such records were responsive).

Neither the number of records at issue nor the fact they must be redacted, in isolation, is dispositive of whether a request is unreasonably burdensome. But the combination of these factors, as well as the other factors discussed above, are what *makes* “any-and-all records” types of requests relating to broad and ill-defined topics

The responsibility for identifying responsive records and any applicable exception lies with the receiving public agency, not the requester” (brackets in original)).

unreasonably burdensome under KRS 61.872(6). An agency will not carry its burden (that of “clear and convincing evidence”) merely by citing the Office’s prior decisions finding that “any-and-all records” types of requests were unreasonably burdensome. Rather, an agency’s response must provide sufficient information about the potential number of responsive records, whether such records are in electronic or physical format, whether such records require redaction to comply with law, and whether the agency is capable of searching for records based on the request as framed.

Here, the University estimated the number of potential records implicated by the Appellant’s request to be in the “thousands.”¹¹ But even if that were true, it is not clear that responsive records would be required by law to remain confidential. The University merely asserted that it would have to review the records for “confidential information” and “information that may require redaction as may be permitted under” the Act. The University does not explain what it means by “confidential information,” or which exemptions to the Act may be implicated. The University also claims the records may be protected by the attorney-client privilege, but none of the nine people the Appellant identified in the request are attorneys. It may be possible that an attorney communicated with one of the nine individuals about WKMS News while providing professional legal services, but the University does not claim “thousands” of these privileged communications exist.¹² At bottom, the University did not search for records responsive to the Appellant’s second request. Thus, the University’s estimate that “thousands” of records exist and that many or all of them are required to be kept confidential remains wholly speculative at this point. The University’s burden is to provide “clear and convincing *evidence*” that the request is unreasonably burdensome. KRS 61.872(6) (emphasis added). Speculation is not evidence, nor is it clear and convincing. Accordingly, the University violated the Act when it denied the second part of the Appellant’s request.

¹¹ It is not clear how the University has derived this estimate because it is not clear the University actually searched for responsive records. It is one thing to estimate that a request implicates “thousands” of records if an initial search indicates many records exist, even though many may not ultimately be produced because further review reveals they are not responsive to the request. It is another matter to assume, without conducting a search at all, that a request will implicate “thousands” of records. Regardless, the Office has previously rejected claims that it would be unreasonably burdensome to review 5,000 potentially responsive emails when it is not clear the records are required to be kept confidential. *See, e.g.*, 22-ORD-255.

¹² In fact, as stated in note 6, *supra*, some of the redacted emails provided in response to the first request do contain privileged attorney/client communications, even though none of the five individuals identified in that request were attorneys (other than the former judge who clearly was not the University’s attorney).

In sum, the University violated the Act when it wholly denied the second part of the Appellant's request. The University also violated the Act when it redacted an email not exempt under KRS 61.878(1)(i) or (j) because that email described a past event and the author's justification for his past actions without any indicia the statement was preliminary to future action contemplated by the University or otherwise exempt under the Act. Moreover, the First Amendment does not permit the University to redact that email. However, the University did not violate the Act when it redacted other emails that were preliminary drafts, and discussions of those drafts, regarding a proposed response to a media inquiry or emails constituting nothing more than "for your information" types of notes.

A party aggrieved by this decision may appeal it by initiating action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

Daniel Cameron
Attorney General

s/ Marc Manley
Marc Manley
Assistant Attorney General

#436

Distributed to:

Michael Abate
Robert Miller

Exhibit 12

MSU Second Post-OAG
Production Oct ORR Part A

Fwd: WKMS Public Radio - Open Records Request

1 message

Wed, Oct 26, 2022 at 8:58 AM**Dr. Robert L (Bob) Jackson**

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

Learn more about the [Road Scholars program](#)
Apply today at murraystate.edu/apply



From: **Timothy Todd** <ttodd@murraystate.edu>
Date: Thu, Apr 14, 2022 at 5:15 PM
Subject: Fwd: [REDACTED]
To: [REDACTED]

From: Chad Lampe <clampe@murraystate.edu>
Date: April 14, 2022 at 10:52:42 AM CDT
To: Timothy Todd <ttodd@murraystate.edu>, David Eaton <deaton@murraystate.edu>

Subject: Fwd: WKMS Public Radio - Open Records Request

Good Morning,

See attached and below all correspondence related to the open records request for the Marshall County Judicial Building.

There are no other emails related to this correspondence between Derek and Liam.

Here's a summary of what occurred. WKMS received a tip that Judge Jameson was seen in his underwear around 4 or 5 a.m. in the judicial building on the date indicated on the request. WKMS requested to view the footage via the FOIA request with the Administrative Office of the Courts, the request was denied. There has been no appeal by WKMS. Judge Jameson emailed me on Monday evening asking me to call him. I did, first thing Tuesday. We discussed the request. He confirmed that he likely was in the courthouse in his underwear. He said that he works late and overnight sometimes. He was up early that morning to retrieve one of his children from his wife to take, later, to speech therapy. His wife has to travel early to get to school in Murray with their other child. I explained this all made sense and there isn't a story here. He said he called Bob Jackson about the request, before he called me. I asked that he call Dr. Jackson back to explain that there would be no story. He wanted me to confirm that there would be no story, and I called our News Director to confirm that there would be no story, then I called Jamie back and informed him there would be no story. I also informed him that if we receive any tips again we would call him first for an explanation before filing an open records request. I also informed the newsroom that they should call the subject first.

If Jamie has heard there is an appeal, it isn't from us. If this tip was politically motivated, I would assume the person contacted multiple media outlets. But this isn't a story for us, and it was solved on Tuesday of this week and would have been solved without a call to Dr. Jackson.

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

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

From: **Liam Niemeyer** <lniemeyer1@murraystate.edu>
Date: Thu, Apr 14, 2022 at 10:29 AM
Subject: Fwd: WKMS Public Radio - Open Records Request
To: Chad Lampe <clampe@murraystate.edu>

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio
<https://ohiovalleyresource.org>
Work: 270-809-4744
Cell: [REDACTED]

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

From: **Craig, Danielle** <DanielleCraig@kycourts.net>
Date: Mon, Apr 4, 2022 at 9:01 AM

Subject: RE: WKMS Public Radio - Open Records Request
To: Liam Niemeyer <lniemeyer1@murraystate.edu>, OpenRecords <openrecords@kycourts.net>

Mr. Niemeyer,

Attached is the response of the Administrative Office of the Courts to your request dated March 30, 2022 wherein you requested “[v]ideo recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST”.

I hope you find this information helpful.

Thank you,

Danielle M. Craig

Program Project Coordinator

Office of Finance and Administration

Administrative Office of the Courts

[1001 Vandalay Drive](#)

[Frankfort, Kentucky 40601](#)

502-573-2350 ext. 50723

DanielleCraig@kycourts.net

Website: kycourts.gov

From: Liam Niemeyer <lniemeyer1@murraystate.edu>
Sent: Wednesday, March 30, 2022 2:50 PM
To: OpenRecords <openrecords@kycourts.net>
Subject: WKMS Public Radio - Open Records Request

Note: This email originated from outside the Kentucky Courts. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

Attached is a PDF detailing an open records request. Please let me know if you have any questions, and thank you for the prompt consideration with this request.

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio

<https://ohiovalleyresource.org>

Work: 270-809-4744

Cell:

3 attachments



Niemeyer, Liam Response 4.4.22.pdf

117K



AP Part XVII- Open Records Policy (2017-09).pdf

126K



3-30 AOC ORA Request, WKMS Public Radio (1).pdf

95K



Administrative Office of the Courts

John D. Minton, Jr.
Chief Justice of Kentucky

1001 Vandalay Drive
Frankfort, Kentucky 40601
502-573-2350 or 800-928-2350
www.courts.ky.gov

Laurie K. Givens
Director

April 4, 2022

Liam Niemeyer, WKMS News
2018 University Station
Murray, KY 42071

VIA EMAIL TO: lniemeyer1@murraystate.edu

Mr. Niemeyer,

This is the response of the Administrative Office of the Courts to your request dated March 30, 2022 wherein you requested “[v]ideo recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST.”

Pursuant to KRS 26A.200, all records which are made by, generated for, or received by any agency of the Kentucky Court of Justice (KCOJ) are the property of the KCOJ and are subject to the control of the Kentucky Supreme Court. They are not subject to the statutory regulation, including the Kentucky Open Records Act. Ex Parte Farley, 570 S.W.2d 617 (Ky.1978). Even though court records are not subject to the Kentucky Open Records Act, the KCOJ endeavors to accommodate all requests for records unless the request is overly burdensome or disruptive to court business.

Access to AOC administrative records is governed by Supreme Court Order 2017-09, which constitutes the Open Records Policy of the Administrative Office of the Courts (“AOC Open Records Policy”), attached. The AOC Open Records Policy, with exceptions, makes the administrative records of the AOC open for public access. “‘Administrative Record’ means documents, papers, discs, recordings, or other documentation, regardless of physical form or characteristics, created, received, or maintained by the AOC pertaining to the administration of the Court of Justice and not associated with any particular court case or cases.

For its response, the AOC states the following:

Your request is denied in accordance with Section 4(1)(p) of the AOC Open Records Policy which exempts from disclosure “documents, records, or information including, but not limited to, security plans or security recordings, the disclosure of which could jeopardize the safety of judges, court staff, jurors, or the public, or could jeopardize the integrity of the court’s facilities, records or the court’s administration or justice and its operations.”

A request for reconsideration of a decision denying public access to administrative records may be made to the Chief Justice of Kentucky, in the form of a detailed letter, within 30 days from the date of the decision.

Sincerely,

A handwritten signature in black ink that reads "Laurie K. Givens". The signature is written in a cursive, flowing style.

Laurie K. Givens
Director, Administrative Office of the Courts

Supreme Court of Kentucky

2017-09

**IN RE: ADMINISTRATIVE PROCEDURES OF THE COURT OF JUSTICE,
PART XVII, OPEN RECORDS POLICY OF THE
ADMINISTRATIVE OFFICE OF THE COURTS**

Pursuant to Sections 110(5)(b) and 116 of the Constitution of Kentucky and KRS 26A.200, it is HEREBY ORDERED that the Administrative Procedures of the Court of Justice are amended by the addition of the following Part XVII, Open Records Policy of the Administrative Office of the Courts:

Section 1. Statement of Purpose

This administrative procedure constitutes the Open Records Policy of the Administrative Office of the Courts (AOC) and governs access by the public to the administrative records of the AOC.

Section 2. Definitions

For purposes of this administrative procedure, unless the context or subject matter otherwise requires:

- (1) “Administrative Record” means documents, papers, discs, recordings, or other documentation, regardless of physical form or characteristics, created, received, or maintained by the AOC pertaining to the administration of the Court of Justice and not associated with any particular court case or cases. “Administrative records” do not include case records or compiled information.
- (2) “AOC” means the Administrative Office of the Courts. This definition does not include the Supreme Court, Court of Appeals, Circuit Court, District Court, the Kentucky Office of Bar Admissions, the Judicial Conduct Commission, the Judicial Ethics Commission, or the Kentucky Bar Association and any of its affiliated entities.
- (3) “Commercial purpose” means the direct or indirect use of any part of an administrative record or records, in any form, for sale, resale, solicitation, rent or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee.

- (a) “Commercial purpose” shall not include:
 - (i) Publication or related use of an administrative record by a newspaper, periodical, radio station, television station, or other media entity engaged in the aggregation, generation, and dissemination of reports on issues of public interest; or
 - (ii) Use of an administrative record in the preparation for prosecution or defense of litigation, or claims settled by the parties to such action, or the attorneys representing the parties.
- (4) “Case Record” means documents, papers, discs, recordings, or other documentation created, received, or maintained by a court, court agency, or court clerk in connection with a particular court case or cases.
- (5) “Compiled information” means statistical information that is derived from the selection, aggregation, or re-formation of some or all or a subset of all the information from more than one individual case record in electronic form. Statistical reports are available from the Division of Research and Statistics and can be requested on the Court of Justice website at www.courts.ky.gov.
- (6) “Court of Justice” means the Kentucky Court of Justice as defined in Section 109 of the Kentucky Constitution.
- (7) “Court” means the Kentucky Supreme Court, Court of Appeals, Circuit Court, Family Court, and District Court.
- (8) “Custodian” means the Director of AOC or designee.
- (9) “Public access” means the process whereby a person may inspect and/or obtain copies of an administrative record.
- (10) “Terrorist act” means a criminal act intended to:
 - (a) Intimidate or coerce a government entity or all or part of the civilian population;
 - (b) Disrupt a system identified in Section 4(1)(f); or
 - (c) Cause massive destruction to a building or facility owned, occupied, leased, or maintained by a government entity.

Section 3. Retention Schedule

The retention of records shall be governed by the AOC and the Court of Justice Records Retention Schedules. The KCOJ Records Retention Schedules are available on the Supreme Court's Rules & Procedures page of the Court of Justice website at www.courts.ky.gov.

Section 4. General Public Access to Administrative Records of the AOC

- (1) Administrative records. Administrative records of the AOC are open for public access except the following:
 - (a) Records and information the disclosure of which is prohibited by federal law or regulation;
 - (b) Records and information the disclosure of which is prohibited or restricted or otherwise made confidential by Kentucky law or court order;
 - (c) Records which constitute the following:
 - (i) Preliminary and draft reports, documents, records, evaluations, investigations, and audits or compliance reviews, including materials prepared by a consultant;
 - (ii) Advisory opinions, recommendations, notes, drafts, work product, and deliberations relied upon to make decisions, take official actions, or formulate policy and procedure;
 - (iii) Notes, outlines, memoranda, and similar preliminary materials;
 - (iv) Any correspondence transmitted by any means, including electronic, that is not a formal declaration of policy or procedures, or is not intended to give notice of a final official action, or is not a formal record of a transaction or a receipt;
 - (v) The work product of any attorney employed by or representing the Court of Justice generated in the regular course of business or representation of the Court of Justice;

- (d) Legal research and analysis;
- (e) Records containing information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (f) Records, the disclosure of which would have a reasonable likelihood of threatening the public safety by exposing vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to:
 - (i) Criticality lists resulting from consequence assessments;
 - (ii) Vulnerability assessments;
 - (iii) Antiterrorism protective measures and plans;
 - (iv) Counterterrorism measures and plans;
 - (v) Security and response needs assessments;
 - (vi) Infrastructure records that expose a vulnerability referred to in this subsection through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems;
- (g) The following records when their disclosure will expose a vulnerability referred to in subsection (f) of this section: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a government entity;
- (h) Records when their disclosure will expose a vulnerability referred to in subsection (f) and that describe the exact physical location of hazardous chemical, radiological, or biological materials;
- (i) Test questions, scoring keys, and other examination data used in administering examinations for employment or elected office;

- (j) Test scores of a person if the person is identified by name and has not consented to the release of his or her scores;
- (k) With respect to the Circuit Court Clerk's examination administered pursuant to Section 100 of the Kentucky Constitution and SCR 1.060, the following information will not be disclosed: Names of examination registrants, names of unsuccessful examinees, examination scores, examination questions, scoring keys, and any materials used in the development and preparation of the examination;
- (l) The contents of real estate appraisals, engineering or feasibility estimates, and evaluations made by or for the Court of Justice or other government entity relative to acquisition of property, until such time as all of the property has been acquired;
- (m) Any information or files the disclosure of which is prohibited by the Personnel Policies for the Kentucky Court of Justice (Administrative Procedures of the Court of Justice Part III);
- (n) Any document or record protected by attorney/client privilege;
- (o) Email addresses of justices, judges, and their staff;
- (p) Documents, records, or information including, but not limited to, security plans or security recordings, the disclosure of which could jeopardize the safety of judges, court staff, jurors, or the public, or could jeopardize the integrity of the court's facilities, records, or the court's administration of justice and its operations;
- (q) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal;
- (r) Administrative or technical information the disclosure of which would jeopardize a record-keeping or security system;
- (s) Computer programs, computer codes, computer filing systems, or other software that are developed or owned by or licensed to the Court of Justice or entrusted to it;
- (t) Lists of employees of the Court of Justice, if requested for a commercial purpose;

- (u) Records confidentially disclosed to the AOC or required by the AOC to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.
- (2) Personal identifying information, including social security numbers, drivers' license numbers, dates of birth, home addresses, personal email addresses, personal phone numbers, passwords, and financial account numbers, should be redacted from administrative records prior to complying with a request for public access.
- (3) Case records. Requests for case records or case-related information must be made to the clerk of the applicable court.

Section 5. Denial of Public Access for Cause.

The custodian may deny access, in whole or in part, to administrative records:

- (1) When the request to inspect places an unreasonable burden in producing administrative records or otherwise disrupts or compromises the business of the court, or when the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the Court of Justice. However, refusal under this paragraph must be sustained by clear and convincing evidence;
- (2) When the request to inspect is advanced primarily for a commercial purpose of the requesting entity and the request does not advance primarily a public interest or a legitimate private interest; or
- (3) To any individual who has previously been convicted of stealing, destroying, defacing, or tampering with records or has refused to comply with statutes or court rules, policies, or orders concerning records.

Section 6. Procedure for Public Access to Administrative Records

- (1) All requests for public access to administrative records must be in writing, must specifically describe the record(s) to be inspected, and must be signed by the requestor. The requestor's name must also be printed legibly on the request. The request must be hand-delivered, mailed, emailed, or delivered via other means approved by the AOC to the custodian of the records. The AOC may develop and make available a form for requests for public access to administrative records.

- (2) The written request must include identifiers to assist the custodian in locating the records. If a specific record cannot be located due to lack of adequate identifiers, the requestor must be advised by the custodian as to what identifiers are needed.
- (3) If the custodian does not have custody or control of the record(s) requested, he or she will notify the requestor and furnish the name and location of the person or agency having custody of the records, if known. The response time will not begin to run until the custodian of records receives the written inspection request.
- (4) The custodian, upon a request for public access to administrative records under this Open Records Policy, must determine within three days, excepting Saturdays, Sundays, and legal holidays, after the receipt of any such request whether to comply with the request and must notify in writing the person making the request, within the three day period, of his or her decision. A response complying with the request for administrative records will include an estimate of the copy fee and the cost of mailing. A response denying, in whole or in part, inspection of any record must include a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld.
 - (a) A requestor may receive copies of administrative records from the AOC through the mail or in person. The AOC may charge a reasonable fee for making copies of administrative records, which should represent the actual cost of reproduction incurred by the AOC, not including the cost of staff required, but in any event not less than \$0.10 per page. The cost for copies of administrative records other than documents shall be in accordance with court rule.
 - i. All copy fees, including mailing costs if applicable, must be paid prior to a requestor receiving copies of administrative records.
 - ii. If the custodian believes that the costs may exceed \$100, the custodian may prepare an estimate of the costs and notify the requestor to determine whether the requestor wishes to proceed.
 - (b) A requestor may inspect administrative records in the presence of an AOC employee upon providing photo identification.

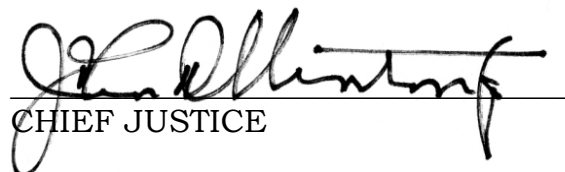
- (5) If the administrative record is in active use, in storage, or not otherwise available, the custodian must immediately notify the requestor of the earliest date on which the administrative record will be available for public access.
- (6) The custodian will not be required to compile information or create lists.

Section 7. Reconsideration of Denial of Public Access to Administrative Records

- (1) A request for reconsideration of a decision denying public access to administrative records may be made to the Chief Justice of Kentucky, in the form of a detailed letter, within 30 days from the date of the decision.
- (2) If the Chief Justice sustains the decision denying public access, a request for reconsideration may be made to the full Supreme Court, in the form of a letter, within 10 days from the date of decision.

This Order shall be effective August 15, 2017, and until further Order of this Court.

Entered: August 10, 2017.


CHIEF JUSTICE

All sitting; all concur.

Liam Niemeyer, WKMS News
2018 University Station
Murray, KY 42071

March, 30, 2022

Kentucky Administrative Office of the Courts
1001 Vandalay Drive
Frankfort, KY 40601



To Whom It May Concern,

Under the Kentucky Open Records Act (KRS 61.870 to KRS 61.884), I am requesting an opportunity to obtain copies of public records of:

- Video recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST.

I would prefer the request filed electronically, by e-mail attachment if available or CD-ROM if not. If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is of public interest and will contribute significantly to the public's understanding of publicly-funded institutions and newsworthy events. WKMS is a nonprofit, public radio service, and our request is related to journalistic purposes.

This information is not being sought for commercial purposes.

The Kentucky Open Records Act requires a response to this request be made within **five business days**, though any effort to provide a response before that time limit would be appreciated. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies of the requested records and the reasoning for the delay.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.

Sincerely,
Liam Niemeyer
WKMS Public Radio Assistant News Director

lniemeyer1@murraystate.edu

270-809-4744



email | calendar | drive

Timothy Todd <ttodd@murraystate.edu>

Fwd: WKMS Public Radio - Open Records Request

Chad Lampe <clampe@murraystate.edu>

Thu, Apr 14, 2022 at 10:52 AM

To: Timothy Todd <ttodd@murraystate.edu>, David Eaton <deaton@murraystate.edu>

Good Morning,

See attached and below all correspondence related to the open records request for the Marshall County Judicial Building.

There are no other emails related to this correspondence between Derek and Liam.

Here's a summary of what occurred. WKMS received a tip that Judge Jameson was seen in his underwear around 4 or 5 a.m. in the judicial building on the date indicated on the request. WKMS requested to view the footage via the FOIA request with the Administrative Office of the Courts, the request was denied. There has been no appeal by WKMS. Judge Jameson emailed me on Monday evening asking me to call him. I did, first thing Tuesday. We discussed the request. He confirmed that he likely was in the courthouse in his underwear. He said that he works late and overnight sometimes. He was up early that morning to retrieve one of his children from his wife to take, later, to speech therapy. His wife has to travel early to get to school in Murray with their other child. I explained this all made sense and there isn't a story here. He said he called Bob Jackson about the request, before he called me. I asked that he call Dr. Jackson back to explain that there would be no story. He wanted me to confirm that there would be no story, and I called our News Director to confirm that there would be no story, then I called Jamie back and informed him there would be no story. I also informed him that if we receive any tips again we would call him first for an explanation before filing an open records request. I also informed the newsroom that they should call the subject first.

If Jamie has heard there is an appeal, it isn't from us. If this tip was politically motivated, I would assume the person contacted multiple media outlets. But this isn't a story for us, and it was solved on Tuesday of this week and would have been solved without a call to Dr. Jackson.

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

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

From: **Liam Niemeyer** <lniemeyer1@murraystate.edu>
Date: Thu, Apr 14, 2022 at 10:29 AM
Subject: Fwd: WKMS Public Radio - Open Records Request
To: Chad Lampe <clampe@murraystate.edu>

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio
<https://ohiovalleyresource.org>

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000156 of 000356

Work: 270-809-4744
Cell: [REDACTED]

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

From: **Craig, Danielle** <DanielleCraig@kycourts.net>
Date: Mon, Apr 4, 2022 at 9:01 AM
Subject: RE: WKMS Public Radio - Open Records Request
To: Liam Niemeyer <lniemeyer1@murraystate.edu>, OpenRecords <openrecords@kycourts.net>

Mr. Niemeyer,

Attached is the response of the Administrative Office of the Courts to your request dated March 30, 2022 wherein you requested “[v]ideo recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST”.

I hope you find this information helpful.

Thank you,

Danielle M. Craig
Program Project Coordinator
Office of Finance and Administration
Administrative Office of the Courts
1001 Vandalay Drive
Frankfort, Kentucky 40601
502-573-2350 ext. 50723
DanielleCraig@kycourts.net
Website: kycourts.gov

From: Liam Niemeyer <lniemeyer1@murraystate.edu>
Sent: Wednesday, March 30, 2022 2:50 PM
To: OpenRecords <openrecords@kycourts.net>
Subject: WKMS Public Radio - Open Records Request

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000157 of 000356

Note: This email originated from outside the Kentucky Courts. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

Attached is a PDF detailing an open records request. Please let me know if you have any questions, and thank you for the prompt consideration with this request.

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio

<https://ohiovalleyresource.org>

Work: 270-809-4744

Cell:

3 attachments



Niemeyer, Liam Response 4.4.22.pdf
117K



AP Part XVII- Open Records Policy (2017-09).pdf
126K



3-30 AOC ORA Request, WKMS Public Radio (1).pdf
95K

Liam Niemeyer, WKMS News
2018 University Station
Murray, KY 42071

March, 30, 2022

Kentucky Administrative Office of the Courts
1001 Vandalay Drive
Frankfort, KY 40601



To Whom It May Concern,

Under the Kentucky Open Records Act (KRS 61.870 to KRS 61.884), I am requesting an opportunity to obtain copies of public records of:

- Video recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST.

I would prefer the request filed electronically, by e-mail attachment if available or CD-ROM if not. If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is of public interest and will contribute significantly to the public's understanding of publicly-funded institutions and newsworthy events. WKMS is a nonprofit, public radio service, and our request is related to journalistic purposes.

This information is not being sought for commercial purposes.

The Kentucky Open Records Act requires a response to this request be made within **five business days**, though any effort to provide a response before that time limit would be appreciated. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies of the requested records and the reasoning for the delay.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.

Sincerely,
Liam Niemeyer
WKMS Public Radio Assistant News Director

lniemeyer1@murraystate.edu

270-809-4744



Administrative Office of the Courts

John D. Minton, Jr.
Chief Justice of Kentucky

1001 Vandalay Drive
Frankfort, Kentucky 40601
502-573-2350 or 800-928-2350
www.courts.ky.gov

Laurie K. Givens
Director

April 4, 2022

Liam Niemeyer, WKMS News
2018 University Station
Murray, KY 42071

VIA EMAIL TO: lniemeyer1@murraystate.edu

Mr. Niemeyer,

This is the response of the Administrative Office of the Courts to your request dated March 30, 2022 wherein you requested “[v]ideo recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST.”

Pursuant to KRS 26A.200, all records which are made by, generated for, or received by any agency of the Kentucky Court of Justice (KCOJ) are the property of the KCOJ and are subject to the control of the Kentucky Supreme Court. They are not subject to the statutory regulation, including the Kentucky Open Records Act. Ex Parte Farley, 570 S.W.2d 617 (Ky.1978). Even though court records are not subject to the Kentucky Open Records Act, the KCOJ endeavors to accommodate all requests for records unless the request is overly burdensome or disruptive to court business.

Access to AOC administrative records is governed by Supreme Court Order 2017-09, which constitutes the Open Records Policy of the Administrative Office of the Courts (“AOC Open Records Policy”), attached. The AOC Open Records Policy, with exceptions, makes the administrative records of the AOC open for public access. “‘Administrative Record’ means documents, papers, discs, recordings, or other documentation, regardless of physical form or characteristics, created, received, or maintained by the AOC pertaining to the administration of the Court of Justice and not associated with any particular court case or cases.

For its response, the AOC states the following:

Your request is denied in accordance with Section 4(1)(p) of the AOC Open Records Policy which exempts from disclosure “documents, records, or information including, but not limited to, security plans or security recordings, the disclosure of which could jeopardize the safety of judges, court staff, jurors, or the public, or could jeopardize the integrity of the court’s facilities, records or the court’s administration or justice and its operations.”

A request for reconsideration of a decision denying public access to administrative records may be made to the Chief Justice of Kentucky, in the form of a detailed letter, within 30 days from the date of the decision.

Sincerely,

A handwritten signature in cursive script that reads "Laurie K. Givens". The signature is written in dark ink and is positioned below the word "Sincerely,".

Laurie K. Givens
Director, Administrative Office of the Courts

Supreme Court of Kentucky

2017-09

**IN RE: ADMINISTRATIVE PROCEDURES OF THE COURT OF JUSTICE,
PART XVII, OPEN RECORDS POLICY OF THE
ADMINISTRATIVE OFFICE OF THE COURTS**

Pursuant to Sections 110(5)(b) and 116 of the Constitution of Kentucky and KRS 26A.200, it is HEREBY ORDERED that the Administrative Procedures of the Court of Justice are amended by the addition of the following Part XVII, Open Records Policy of the Administrative Office of the Courts:

Section 1. Statement of Purpose

This administrative procedure constitutes the Open Records Policy of the Administrative Office of the Courts (AOC) and governs access by the public to the administrative records of the AOC.

Section 2. Definitions

For purposes of this administrative procedure, unless the context or subject matter otherwise requires:

- (1) “Administrative Record” means documents, papers, discs, recordings, or other documentation, regardless of physical form or characteristics, created, received, or maintained by the AOC pertaining to the administration of the Court of Justice and not associated with any particular court case or cases. “Administrative records” do not include case records or compiled information.
- (2) “AOC” means the Administrative Office of the Courts. This definition does not include the Supreme Court, Court of Appeals, Circuit Court, District Court, the Kentucky Office of Bar Admissions, the Judicial Conduct Commission, the Judicial Ethics Commission, or the Kentucky Bar Association and any of its affiliated entities.
- (3) “Commercial purpose” means the direct or indirect use of any part of an administrative record or records, in any form, for sale, resale, solicitation, rent or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee.

- (a) “Commercial purpose” shall not include:
- (i) Publication or related use of an administrative record by a newspaper, periodical, radio station, television station, or other media entity engaged in the aggregation, generation, and dissemination of reports on issues of public interest; or
 - (ii) Use of an administrative record in the preparation for prosecution or defense of litigation, or claims settled by the parties to such action, or the attorneys representing the parties.
- (4) “Case Record” means documents, papers, discs, recordings, or other documentation created, received, or maintained by a court, court agency, or court clerk in connection with a particular court case or cases.
- (5) “Compiled information” means statistical information that is derived from the selection, aggregation, or re-formation of some or all or a subset of all the information from more than one individual case record in electronic form. Statistical reports are available from the Division of Research and Statistics and can be requested on the Court of Justice website at www.courts.ky.gov.
- (6) “Court of Justice” means the Kentucky Court of Justice as defined in Section 109 of the Kentucky Constitution.
- (7) “Court” means the Kentucky Supreme Court, Court of Appeals, Circuit Court, Family Court, and District Court.
- (8) “Custodian” means the Director of AOC or designee.
- (9) “Public access” means the process whereby a person may inspect and/or obtain copies of an administrative record.
- (10) “Terrorist act” means a criminal act intended to:
- (a) Intimidate or coerce a government entity or all or part of the civilian population;
 - (b) Disrupt a system identified in Section 4(1)(f); or
 - (c) Cause massive destruction to a building or facility owned, occupied, leased, or maintained by a government entity.

Section 3. Retention Schedule

The retention of records shall be governed by the AOC and the Court of Justice Records Retention Schedules. The KCOJ Records Retention Schedules are available on the Supreme Court's Rules & Procedures page of the Court of Justice website at www.courts.ky.gov.

Section 4. General Public Access to Administrative Records of the AOC

- (1) Administrative records. Administrative records of the AOC are open for public access except the following:
 - (a) Records and information the disclosure of which is prohibited by federal law or regulation;
 - (b) Records and information the disclosure of which is prohibited or restricted or otherwise made confidential by Kentucky law or court order;
 - (c) Records which constitute the following:
 - (i) Preliminary and draft reports, documents, records, evaluations, investigations, and audits or compliance reviews, including materials prepared by a consultant;
 - (ii) Advisory opinions, recommendations, notes, drafts, work product, and deliberations relied upon to make decisions, take official actions, or formulate policy and procedure;
 - (iii) Notes, outlines, memoranda, and similar preliminary materials;
 - (iv) Any correspondence transmitted by any means, including electronic, that is not a formal declaration of policy or procedures, or is not intended to give notice of a final official action, or is not a formal record of a transaction or a receipt;
 - (v) The work product of any attorney employed by or representing the Court of Justice generated in the regular course of business or representation of the Court of Justice;

- (2) The written request must include identifiers to assist the custodian in locating the records. If a specific record cannot be located due to lack of adequate identifiers, the requestor must be advised by the custodian as to what identifiers are needed.
- (3) If the custodian does not have custody or control of the record(s) requested, he or she will notify the requestor and furnish the name and location of the person or agency having custody of the records, if known. The response time will not begin to run until the custodian of records receives the written inspection request.
- (4) The custodian, upon a request for public access to administrative records under this Open Records Policy, must determine within three days, excepting Saturdays, Sundays, and legal holidays, after the receipt of any such request whether to comply with the request and must notify in writing the person making the request, within the three day period, of his or her decision. A response complying with the request for administrative records will include an estimate of the copy fee and the cost of mailing. A response denying, in whole or in part, inspection of any record must include a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld.
 - (a) A requestor may receive copies of administrative records from the AOC through the mail or in person. The AOC may charge a reasonable fee for making copies of administrative records, which should represent the actual cost of reproduction incurred by the AOC, not including the cost of staff required, but in any event not less than \$0.10 per page. The cost for copies of administrative records other than documents shall be in accordance with court rule.
 - i. All copy fees, including mailing costs if applicable, must be paid prior to a requestor receiving copies of administrative records.
 - ii. If the custodian believes that the costs may exceed \$100, the custodian may prepare an estimate of the costs and notify the requestor to determine whether the requestor wishes to proceed.
 - (b) A requestor may inspect administrative records in the presence of an AOC employee upon providing photo identification.

- (d) Legal research and analysis;
- (e) Records containing information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (f) Records, the disclosure of which would have a reasonable likelihood of threatening the public safety by exposing vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to:
 - (i) Criticality lists resulting from consequence assessments;
 - (ii) Vulnerability assessments;
 - (iii) Antiterrorism protective measures and plans;
 - (iv) Counterterrorism measures and plans;
 - (v) Security and response needs assessments;
 - (vi) Infrastructure records that expose a vulnerability referred to in this subsection through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems;
- (g) The following records when their disclosure will expose a vulnerability referred to in subsection (f) of this section: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a government entity;
- (h) Records when their disclosure will expose a vulnerability referred to in subsection (f) and that describe the exact physical location of hazardous chemical, radiological, or biological materials;
- (i) Test questions, scoring keys, and other examination data used in administering examinations for employment or elected office;

- (j) Test scores of a person if the person is identified by name and has not consented to the release of his or her scores;
- (k) With respect to the Circuit Court Clerk's examination administered pursuant to Section 100 of the Kentucky Constitution and SCR 1.060, the following information will not be disclosed: Names of examination registrants, names of unsuccessful examinees, examination scores, examination questions, scoring keys, and any materials used in the development and preparation of the examination;
- (l) The contents of real estate appraisals, engineering or feasibility estimates, and evaluations made by or for the Court of Justice or other government entity relative to acquisition of property, until such time as all of the property has been acquired;
- (m) Any information or files the disclosure of which is prohibited by the Personnel Policies for the Kentucky Court of Justice (Administrative Procedures of the Court of Justice Part III);
- (n) Any document or record protected by attorney/client privilege;
- (o) Email addresses of justices, judges, and their staff;
- (p) Documents, records, or information including, but not limited to, security plans or security recordings, the disclosure of which could jeopardize the safety of judges, court staff, jurors, or the public, or could jeopardize the integrity of the court's facilities, records, or the court's administration of justice and its operations;
- (q) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal;
- (r) Administrative or technical information the disclosure of which would jeopardize a record-keeping or security system;
- (s) Computer programs, computer codes, computer filing systems, or other software that are developed or owned by or licensed to the Court of Justice or entrusted to it;
- (t) Lists of employees of the Court of Justice, if requested for a commercial purpose;

- (u) Records confidentially disclosed to the AOC or required by the AOC to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.
- (2) Personal identifying information, including social security numbers, drivers' license numbers, dates of birth, home addresses, personal email addresses, personal phone numbers, passwords, and financial account numbers, should be redacted from administrative records prior to complying with a request for public access.
- (3) Case records. Requests for case records or case-related information must be made to the clerk of the applicable court.

Section 5. Denial of Public Access for Cause.

The custodian may deny access, in whole or in part, to administrative records:

- (1) When the request to inspect places an unreasonable burden in producing administrative records or otherwise disrupts or compromises the business of the court, or when the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the Court of Justice. However, refusal under this paragraph must be sustained by clear and convincing evidence;
- (2) When the request to inspect is advanced primarily for a commercial purpose of the requesting entity and the request does not advance primarily a public interest or a legitimate private interest; or
- (3) To any individual who has previously been convicted of stealing, destroying, defacing, or tampering with records or has refused to comply with statutes or court rules, policies, or orders concerning records.

Section 6. Procedure for Public Access to Administrative Records

- (1) All requests for public access to administrative records must be in writing, must specifically describe the record(s) to be inspected, and must be signed by the requestor. The requestor's name must also be printed legibly on the request. The request must be hand-delivered, mailed, emailed, or delivered via other means approved by the AOC to the custodian of the records. The AOC may develop and make available a form for requests for public access to administrative records.

- (5) If the administrative record is in active use, in storage, or not otherwise available, the custodian must immediately notify the requestor of the earliest date on which the administrative record will be available for public access.
- (6) The custodian will not be required to compile information or create lists.

Section 7. Reconsideration of Denial of Public Access to Administrative Records

- (1) A request for reconsideration of a decision denying public access to administrative records may be made to the Chief Justice of Kentucky, in the form of a detailed letter, within 30 days from the date of the decision.
- (2) If the Chief Justice sustains the decision denying public access, a request for reconsideration may be made to the full Supreme Court, in the form of a letter, within 10 days from the date of decision.

This Order shall be effective August 15, 2017, and until further Order of this Court.

Entered: August 10, 2017.


CHIEF JUSTICE

All sitting; all concur.



email | calendar | drive

Timothy Todd <ttodd@murraystate.edu>

[Redacted]

Timothy Todd <ttodd@murraystate.edu> Thu, Apr 14, 2022 at 5:10 PM
To: [Redacted]
Bcc: ttodd@murraystate.edu

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Chad Lampe <clampe@murraystate.edu>
Date: April 14, 2022 at 10:52:42 AM CDT
To: Timothy Todd <ttodd@murraystate.edu>, David Eaton <deaton@murraystate.edu>
Subject: Fwd: WKMS Public Radio - Open Records Request

[Quoted text hidden]

3 attachments

- Niemeyer, Liam Response 4.4.22.pdf**
117K
- AP Part XVII- Open Records Policy (2017-09).pdf**
126K
- 3-30 AOC ORA Request, WKMS Public Radio (1).pdf**
95K

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000170 of 000356

 **RacerMail**

email | calendar | drive

Timothy Todd <ttodd@murraystate.edu>

[redacted]

[redacted] murraystate.edu>

To: Timothy Todd <ttodd@murraystate.edu>

Fri, Oct 7, 2022 at 1:16 PM

[redacted]

[redacted]

[redacted]

From: [redacted]

Date: October 7, 2022 at 12:57:34 PM CDT

To: [redacted] murraystate.edu>

Subject: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000171 of 000356

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000172 of 000356

Timothy Todd <ttodd@murraystate.edu>

[redacted]

Timothy Todd <ttodd@murraystate.edu> Mon, Oct 10, 2022 at 11:22 AM

To: [redacted]
Cc: [redacted]

[redacted]

[redacted]

[redacted]

On Mon, Oct 10, 2022 at 10:48 AM [redacted] <[redacted]@murraystate.edu> wrote:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

On Mon, Oct 10, 2022 at 9:57 AM Timothy Todd <ttodd@murraystate.edu> wrote:

[redacted]

[redacted]

[redacted]

[redacted]

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

From: [redacted]
Date: Mon, Oct 10, 2022 at 9:47 AM

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000173 of 000356

Subject: [redacted]
To: Timothy Todd <ttodd@murraystate.edu>

[redacted]
[redacted]

[redacted]

[redacted]

[redacted]

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[redacted]

[redacted]

3

[redacted]

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000174 of 000356

[email](#) | [calendar](#) | [drive](#)

Timothy Todd <ttodd@murraystate.edu>

media inquiry on deadline

Jess Clark <jclark@lpm.org>

Mon, Oct 10, 2022 at 11:30 AM

To: ttodd@murraystate.edu, thunt2@murraystate.edu

Hello Dr. Todd and Jill,

I'm a reporter with WFPL and the Kentucky Public Radio, reporting on the judicial Conduct commission's latest sanctions against Judge Jameson.

According to the complaint, Judge Jameson contacted President Jackson who was allegedly "not happy" that WKMS had filed a records request for footage showing Judge Jameson in his underwear at the courthouse.

The provost also reached out to WKMS seeking information about the records request, according to the complaint.

We're running a story this afternoon on the judge's attempt to use his pull with Murray State administration to quash the story. If you would like to provide any context as to why administration sought information from WKMS staff about the records request, please respond by 3 pm today.

Thank you,

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000175 of 000356



Timothy Todd <ttodd@murraystate.edu>

email | calendar | drive

[redacted]

[redacted]

Mon, Oct 10, 2022 at 2:58 PM

To: Timothy Todd <ttodd@murraystate.edu>
Cc: [redacted], Shawn Touney <stouney@murraystate.edu>, David Eaton <deaton@murraystate.edu>

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

On Mon, Oct 10, 2022 at 2:26 PM Timothy Todd <ttodd@murraystate.edu> wrote:

[redacted]

[redacted]

On Mon, Oct 10, 2022 at 1:54 PM [redacted] wrote:

[redacted]

[redacted]

On Mon, Oct 10, 2022 at 12:07 PM [redacted] wrote:

[redacted]

[redacted]

[redacted]

On Mon, Oct 10, 2022 at 11:46 AM [redacted] wrote:

[redacted]

[redacted]

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000176 of 000356

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

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[Redacted]

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[Redacted]

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000177 of 000356

Fwd: WKMS Public Radio - Open Records Request

1 message

Tue, Oct 25, 2022 at 11:40 AM

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

From: **Chad Lampe** <clampe@murraystate.edu>

Date: Thu, Apr 14, 2022 at 10:52 AM

Subject: Fwd: WKMS Public Radio - Open Records Request

To: Timothy Todd <ttodd@murraystate.edu>, David Eaton <deaton@murraystate.edu>

Good Morning,

See attached and below all correspondence related to the open records request for the Marshall County Judicial Building.

There are no other emails related to this correspondence between Derek and Liam.

Here's a summary of what occurred. WKMS received a tip that Judge Jameson was seen in his underwear around 4 or 5 a.m. in the judicial building on the date indicated on the request. WKMS requested to view the footage via the FOIA request with the Administrative Office of the Courts, the request was denied. There has been no appeal by WKMS. Judge Jameson emailed me on Monday evening asking me to call him. I did, first thing Tuesday. We discussed the request. He confirmed that he likely was in the courthouse in his underwear. He said that he works late and overnight sometimes. He was up early that morning to retrieve one of his children from his wife to take, later, to speech therapy. His wife has to travel early to get to school in Murray with their other child. I explained this all made sense and there isn't a story here. He said he called Bob Jackson about the request, before he called me. I asked that he call Dr. Jackson back to explain that there would be no story. He wanted me to confirm that there would be no story, and I called our News Director to confirm that there would be no story, then I called Jamie back and informed him there would be no story. I also informed him that if we receive any tips again we would call him first for an explanation before filing an open records request. I also informed the newsroom that they should call the subject first.

If Jamie has heard there is an appeal, it isn't from us. If this tip was politically motivated, I would assume the person contacted multiple media outlets. But this isn't a story for us, and it was solved on Tuesday of this week and would have been solved without a call to Dr. Jackson.

Chad Lampe (he/him)

Station Manager & Sustaining Member



O: (270)809-4745

F: (270) 809-4667

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

From: **Liam Niemeyer** <lniemeyer1@murraystate.edu>

Date: Thu, Apr 14, 2022 at 10:29 AM

Subject: Fwd: WKMS Public Radio - Open Records Request

To: Chad Lampe <clampe@murraystate.edu>

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio

<https://ohiovalleyresource.org>

Work: 270-809-4744

Cell: [REDACTED]

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

From: **Craig, Danielle** <DanielleCraig@kycourts.net>

Date: Mon, Apr 4, 2022 at 9:01 AM

Subject: RE: WKMS Public Radio - Open Records Request

To: Liam Niemeyer <lniemeyer1@murraystate.edu>, OpenRecords <openrecords@kycourts.net>

Mr. Niemeyer,

Attached is the response of the Administrative Office of the Courts to your request dated March 30, 2022 wherein you requested “[v]ideo recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST”.

I hope you find this information helpful.

Thank you,

Danielle M. Craig

Program Project Coordinator

Office of Finance and Administration

Administrative Office of the Courts

[1001 Vandalay Drive](#)

[Frankfort, Kentucky 40601](#)

502-573-2350 ext. 50723

DanielleCraig@kycourts.net

Website: kycourts.gov

From: Liam Niemeyer <lniemeyer1@murraystate.edu>

Sent: Wednesday, March 30, 2022 2:50 PM

To: OpenRecords <openrecords@kycourts.net>
Subject: WKMS Public Radio - Open Records Request

Note: This email originated from outside the Kentucky Courts. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

Attached is a PDF detailing an open records request. Please let me know if you have any questions, and thank you for the prompt consideration with this request.

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio

<https://ohiovalleyresource.org>

Work: 270-809-4744

Cell:

--

David Eaton
Dean, Arthur J. Bauernfeind College of Business
270-809-4183

3 attachments



Niemeyer, Liam Response 4.4.22.pdf

117K



AP Part XVII- Open Records Policy (2017-09).pdf

126K



3-30 AOC ORA Request, WKMS Public Radio (1).pdf

95K



Administrative Office of the Courts

John D. Minton, Jr.
Chief Justice of Kentucky

1001 Vandalay Drive
Frankfort, Kentucky 40601
502-573-2350 or 800-928-2350
www.courts.ky.gov

Laurie K. Givens
Director

April 4, 2022

Liam Niemeyer, WKMS News
2018 University Station
Murray, KY 42071

VIA EMAIL TO: lniemeyer1@murraystate.edu

Mr. Niemeyer,

This is the response of the Administrative Office of the Courts to your request dated March 30, 2022 wherein you requested “[v]ideo recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST.”

Pursuant to KRS 26A.200, all records which are made by, generated for, or received by any agency of the Kentucky Court of Justice (KCOJ) are the property of the KCOJ and are subject to the control of the Kentucky Supreme Court. They are not subject to the statutory regulation, including the Kentucky Open Records Act. Ex Parte Farley, 570 S.W.2d 617 (Ky.1978). Even though court records are not subject to the Kentucky Open Records Act, the KCOJ endeavors to accommodate all requests for records unless the request is overly burdensome or disruptive to court business.

Access to AOC administrative records is governed by Supreme Court Order 2017-09, which constitutes the Open Records Policy of the Administrative Office of the Courts (“AOC Open Records Policy”), attached. The AOC Open Records Policy, with exceptions, makes the administrative records of the AOC open for public access. “‘Administrative Record’ means documents, papers, discs, recordings, or other documentation, regardless of physical form or characteristics, created, received, or maintained by the AOC pertaining to the administration of the Court of Justice and not associated with any particular court case or cases.

For its response, the AOC states the following:

Your request is denied in accordance with Section 4(1)(p) of the AOC Open Records Policy which exempts from disclosure “documents, records, or information including, but not limited to, security plans or security recordings, the disclosure of which could jeopardize the safety of judges, court staff, jurors, or the public, or could jeopardize the integrity of the court’s facilities, records or the court’s administration or justice and its operations.”

A request for reconsideration of a decision denying public access to administrative records may be made to the Chief Justice of Kentucky, in the form of a detailed letter, within 30 days from the date of the decision.

Sincerely,

A handwritten signature in black ink that reads "Laurie K. Givens". The signature is written in a cursive, flowing style.

Laurie K. Givens
Director, Administrative Office of the Courts

Supreme Court of Kentucky

2017-09

**IN RE: ADMINISTRATIVE PROCEDURES OF THE COURT OF JUSTICE,
PART XVII, OPEN RECORDS POLICY OF THE
ADMINISTRATIVE OFFICE OF THE COURTS**

Pursuant to Sections 110(5)(b) and 116 of the Constitution of Kentucky and KRS 26A.200, it is HEREBY ORDERED that the Administrative Procedures of the Court of Justice are amended by the addition of the following Part XVII, Open Records Policy of the Administrative Office of the Courts:

Section 1. Statement of Purpose

This administrative procedure constitutes the Open Records Policy of the Administrative Office of the Courts (AOC) and governs access by the public to the administrative records of the AOC.

Section 2. Definitions

For purposes of this administrative procedure, unless the context or subject matter otherwise requires:

- (1) “Administrative Record” means documents, papers, discs, recordings, or other documentation, regardless of physical form or characteristics, created, received, or maintained by the AOC pertaining to the administration of the Court of Justice and not associated with any particular court case or cases. “Administrative records” do not include case records or compiled information.
- (2) “AOC” means the Administrative Office of the Courts. This definition does not include the Supreme Court, Court of Appeals, Circuit Court, District Court, the Kentucky Office of Bar Admissions, the Judicial Conduct Commission, the Judicial Ethics Commission, or the Kentucky Bar Association and any of its affiliated entities.
- (3) “Commercial purpose” means the direct or indirect use of any part of an administrative record or records, in any form, for sale, resale, solicitation, rent or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee.

- (a) “Commercial purpose” shall not include:
- (i) Publication or related use of an administrative record by a newspaper, periodical, radio station, television station, or other media entity engaged in the aggregation, generation, and dissemination of reports on issues of public interest; or
 - (ii) Use of an administrative record in the preparation for prosecution or defense of litigation, or claims settled by the parties to such action, or the attorneys representing the parties.
- (4) “Case Record” means documents, papers, discs, recordings, or other documentation created, received, or maintained by a court, court agency, or court clerk in connection with a particular court case or cases.
- (5) “Compiled information” means statistical information that is derived from the selection, aggregation, or re-formation of some or all or a subset of all the information from more than one individual case record in electronic form. Statistical reports are available from the Division of Research and Statistics and can be requested on the Court of Justice website at www.courts.ky.gov.
- (6) “Court of Justice” means the Kentucky Court of Justice as defined in Section 109 of the Kentucky Constitution.
- (7) “Court” means the Kentucky Supreme Court, Court of Appeals, Circuit Court, Family Court, and District Court.
- (8) “Custodian” means the Director of AOC or designee.
- (9) “Public access” means the process whereby a person may inspect and/or obtain copies of an administrative record.
- (10) “Terrorist act” means a criminal act intended to:
- (a) Intimidate or coerce a government entity or all or part of the civilian population;
 - (b) Disrupt a system identified in Section 4(1)(f); or
 - (c) Cause massive destruction to a building or facility owned, occupied, leased, or maintained by a government entity.

Section 3. Retention Schedule

The retention of records shall be governed by the AOC and the Court of Justice Records Retention Schedules. The KCOJ Records Retention Schedules are available on the Supreme Court's Rules & Procedures page of the Court of Justice website at www.courts.ky.gov.

Section 4. General Public Access to Administrative Records of the AOC

- (1) Administrative records. Administrative records of the AOC are open for public access except the following:
 - (a) Records and information the disclosure of which is prohibited by federal law or regulation;
 - (b) Records and information the disclosure of which is prohibited or restricted or otherwise made confidential by Kentucky law or court order;
 - (c) Records which constitute the following:
 - (i) Preliminary and draft reports, documents, records, evaluations, investigations, and audits or compliance reviews, including materials prepared by a consultant;
 - (ii) Advisory opinions, recommendations, notes, drafts, work product, and deliberations relied upon to make decisions, take official actions, or formulate policy and procedure;
 - (iii) Notes, outlines, memoranda, and similar preliminary materials;
 - (iv) Any correspondence transmitted by any means, including electronic, that is not a formal declaration of policy or procedures, or is not intended to give notice of a final official action, or is not a formal record of a transaction or a receipt;
 - (v) The work product of any attorney employed by or representing the Court of Justice generated in the regular course of business or representation of the Court of Justice;

- (d) Legal research and analysis;
- (e) Records containing information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (f) Records, the disclosure of which would have a reasonable likelihood of threatening the public safety by exposing vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to:
 - (i) Criticality lists resulting from consequence assessments;
 - (ii) Vulnerability assessments;
 - (iii) Antiterrorism protective measures and plans;
 - (iv) Counterterrorism measures and plans;
 - (v) Security and response needs assessments;
 - (vi) Infrastructure records that expose a vulnerability referred to in this subsection through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems;
- (g) The following records when their disclosure will expose a vulnerability referred to in subsection (f) of this section: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a government entity;
- (h) Records when their disclosure will expose a vulnerability referred to in subsection (f) and that describe the exact physical location of hazardous chemical, radiological, or biological materials;
- (i) Test questions, scoring keys, and other examination data used in administering examinations for employment or elected office;

- (j) Test scores of a person if the person is identified by name and has not consented to the release of his or her scores;
- (k) With respect to the Circuit Court Clerk's examination administered pursuant to Section 100 of the Kentucky Constitution and SCR 1.060, the following information will not be disclosed: Names of examination registrants, names of unsuccessful examinees, examination scores, examination questions, scoring keys, and any materials used in the development and preparation of the examination;
- (l) The contents of real estate appraisals, engineering or feasibility estimates, and evaluations made by or for the Court of Justice or other government entity relative to acquisition of property, until such time as all of the property has been acquired;
- (m) Any information or files the disclosure of which is prohibited by the Personnel Policies for the Kentucky Court of Justice (Administrative Procedures of the Court of Justice Part III);
- (n) Any document or record protected by attorney/client privilege;
- (o) Email addresses of justices, judges, and their staff;
- (p) Documents, records, or information including, but not limited to, security plans or security recordings, the disclosure of which could jeopardize the safety of judges, court staff, jurors, or the public, or could jeopardize the integrity of the court's facilities, records, or the court's administration of justice and its operations;
- (q) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal;
- (r) Administrative or technical information the disclosure of which would jeopardize a record-keeping or security system;
- (s) Computer programs, computer codes, computer filing systems, or other software that are developed or owned by or licensed to the Court of Justice or entrusted to it;
- (t) Lists of employees of the Court of Justice, if requested for a commercial purpose;

- (u) Records confidentially disclosed to the AOC or required by the AOC to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.
- (2) Personal identifying information, including social security numbers, drivers' license numbers, dates of birth, home addresses, personal email addresses, personal phone numbers, passwords, and financial account numbers, should be redacted from administrative records prior to complying with a request for public access.
- (3) Case records. Requests for case records or case-related information must be made to the clerk of the applicable court.

Section 5. Denial of Public Access for Cause.

The custodian may deny access, in whole or in part, to administrative records:

- (1) When the request to inspect places an unreasonable burden in producing administrative records or otherwise disrupts or compromises the business of the court, or when the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the Court of Justice. However, refusal under this paragraph must be sustained by clear and convincing evidence;
- (2) When the request to inspect is advanced primarily for a commercial purpose of the requesting entity and the request does not advance primarily a public interest or a legitimate private interest; or
- (3) To any individual who has previously been convicted of stealing, destroying, defacing, or tampering with records or has refused to comply with statutes or court rules, policies, or orders concerning records.

Section 6. Procedure for Public Access to Administrative Records

- (1) All requests for public access to administrative records must be in writing, must specifically describe the record(s) to be inspected, and must be signed by the requestor. The requestor's name must also be printed legibly on the request. The request must be hand-delivered, mailed, emailed, or delivered via other means approved by the AOC to the custodian of the records. The AOC may develop and make available a form for requests for public access to administrative records.

- (2) The written request must include identifiers to assist the custodian in locating the records. If a specific record cannot be located due to lack of adequate identifiers, the requestor must be advised by the custodian as to what identifiers are needed.
- (3) If the custodian does not have custody or control of the record(s) requested, he or she will notify the requestor and furnish the name and location of the person or agency having custody of the records, if known. The response time will not begin to run until the custodian of records receives the written inspection request.
- (4) The custodian, upon a request for public access to administrative records under this Open Records Policy, must determine within three days, excepting Saturdays, Sundays, and legal holidays, after the receipt of any such request whether to comply with the request and must notify in writing the person making the request, within the three day period, of his or her decision. A response complying with the request for administrative records will include an estimate of the copy fee and the cost of mailing. A response denying, in whole or in part, inspection of any record must include a statement of the specific exception authorizing the withholding of the record and a brief explanation of how the exception applies to the record withheld.
 - (a) A requestor may receive copies of administrative records from the AOC through the mail or in person. The AOC may charge a reasonable fee for making copies of administrative records, which should represent the actual cost of reproduction incurred by the AOC, not including the cost of staff required, but in any event not less than \$0.10 per page. The cost for copies of administrative records other than documents shall be in accordance with court rule.
 - i. All copy fees, including mailing costs if applicable, must be paid prior to a requestor receiving copies of administrative records.
 - ii. If the custodian believes that the costs may exceed \$100, the custodian may prepare an estimate of the costs and notify the requestor to determine whether the requestor wishes to proceed.
 - (b) A requestor may inspect administrative records in the presence of an AOC employee upon providing photo identification.

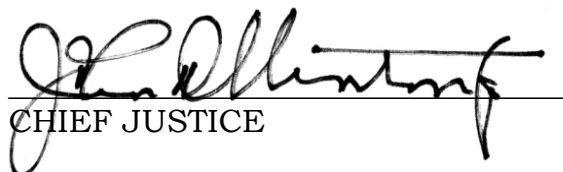
- (5) If the administrative record is in active use, in storage, or not otherwise available, the custodian must immediately notify the requestor of the earliest date on which the administrative record will be available for public access.
- (6) The custodian will not be required to compile information or create lists.

Section 7. Reconsideration of Denial of Public Access to Administrative Records

- (1) A request for reconsideration of a decision denying public access to administrative records may be made to the Chief Justice of Kentucky, in the form of a detailed letter, within 30 days from the date of the decision.
- (2) If the Chief Justice sustains the decision denying public access, a request for reconsideration may be made to the full Supreme Court, in the form of a letter, within 10 days from the date of decision.

This Order shall be effective August 15, 2017, and until further Order of this Court.

Entered: August 10, 2017.


CHIEF JUSTICE

All sitting; all concur.

Liam Niemeyer, WKMS News
2018 University Station
Murray, KY 42071

March, 30, 2022

Kentucky Administrative Office of the Courts
1001 Vandalay Drive
Frankfort, KY 40601



To Whom It May Concern,

Under the Kentucky Open Records Act (KRS 61.870 to KRS 61.884), I am requesting an opportunity to obtain copies of public records of:

- Video recordings from all security cameras inside the Marshall County Judicial Building on February 11, 2022 between 4 a.m. CST to 8 a.m. CST.

I would prefer the request filed electronically, by e-mail attachment if available or CD-ROM if not. If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is of public interest and will contribute significantly to the public's understanding of publicly-funded institutions and newsworthy events. WKMS is a nonprofit, public radio service, and our request is related to journalistic purposes.

This information is not being sought for commercial purposes.

The Kentucky Open Records Act requires a response to this request be made within **five business days**, though any effort to provide a response before that time limit would be appreciated. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies of the requested records and the reasoning for the delay.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.

Sincerely,
Liam Niemeyer
WKMS Public Radio Assistant News Director

lniemeyer1@murraystate.edu

270-809-4744



email | calendar | drive

Tue, Oct 25, 2022 at 11:40 AM

To:

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

From: **David Eaton** <deaton@murraystate.edu>

Date: Thu, Apr 14, 2022 at 8:48 AM

Subject: Circuit judge records request

To: Chad Lampe <clampe@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Tim's request is for any communication (emails, letters, etc) pertaining to open records requests on the circuit judge situation.

I imagine that would include copies of any open records requests submitted, any another other emails related to decisions on how to proceed.

Copy me on what you send.

Thanks.

Sent from my iPhone

--

David Eaton

Dean, Arthur J. Bauernfeind College of Business

270-809-4183

Exhibit 13

MSU Second Post-OAG
Production Oct ORR Part B
page 159

WKMS Updates & A Special Centennial MSU week

54 messages

Asia Burnett <aburnett2@murraystate.edu> Tue, Mar 8, 2022 at 11:52 AM

Bcc: "Abanathy Photography, LLC" <aburnett2@murraystate.edu>, CONSTANCE ALEXANDER <calexander9@murraystate.edu>, Kala Dunn <kallendunn@murraystate.edu>, mumen <mumen@murraystate.edu>, 3danderson <3danderson@murraystate.edu>, andsherri <andsherri@murraystate.edu>, marv <marv@murraystate.edu>, John Baker <jbaker41@murraystate.edu>, tdjn <tdjn@murraystate.edu>, lbarrett <lbarrett@murraystate.edu>, Dorothy Barrow <dbarrow@murraystate.edu>, beano <beano@murraystate.edu>, jensch <jensch@murraystate.edu>, lbartnik <lbartnik@murraystate.edu>, Jonathan Baskin <jbaskin@murraystate.edu>, Charlotte Beahan <cbeahan@murraystate.edu>, bpbell <bpbell@murraystate.edu>, Ted Belue <tblue@murraystate.edu>, abhawk <abhawk@murraystate.edu>, dbennett <dbennett@murraystate.edu>, rbenton <rbenton@murraystate.edu>, annemidwell <annemidwell@murraystate.edu>, biggs <biggs@murraystate.edu>, C T Birdsong <ctbirdsong@murraystate.edu>, fsblack <fsblack@murraystate.edu>, Randall Black <rblack@murraystate.edu>, linda.blankenship <lblankenship@murraystate.edu>, blumrick <blumrick@murraystate.edu>, stefanie.boer <stefanie.boer@murraystate.edu>, twangtone <twangtone@murraystate.edu>, J Bolin <jbolin@murraystate.edu>, Whitney Jones <whitneyjones@murraystate.edu>, lbonds <lbonds@murraystate.edu>, rbowmar <rbowmar@murraystate.edu>, twinzday <twinzday@murraystate.edu>, matt <matt@murraystate.edu>, necee <necee@murraystate.edu>, juliebrzell <juliebrzell@murraystate.edu>, serena.brittain <serena.brittain@murraystate.edu>, brownfarr <brownfarr@murraystate.edu>, cedbenz <cedbenz@murraystate.edu>, brandon.bunch <brandon.bunch@murraystate.edu>, garydodgers <garydodgers@murraystate.edu>, Asia Burnett <aburnett2@murraystate.edu>, Jim Burress <jimburress@murraystate.edu>, Blaire Bushart <bbushart@murraystate.edu>, Jessica Byassee <jbyassee@murraystate.edu>, kbyrd <kbyrd@murraystate.edu>, Bill Call <wcall@murraystate.edu>, calebwalkercampbell <calebwalkercampbell@murraystate.edu>, kecanavar <kecanavar@murraystate.edu>, Smith <smith@murraystate.edu>, Canning <scanning@murraystate.edu>, raymond <raymond@murraystate.edu>, timothy.carroll <timothy.carroll@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, "SG Carthell, EdD" <scarthell@murraystate.edu>, stephanie <stephanie@murraystate.edu>, jchiarello <jchiarello@murraystate.edu>, Brian Clardy <bclardy@murraystate.edu>, Ebony Clark <eclark16@murraystate.edu>, lynnelle.claypool <lynnelle.claypool@murraystate.edu>, Kevin Colbert <kcolbert@murraystate.edu>, janet.coleman <janet.coleman@murraystate.edu>, lizcolumbia0 <lizcolumbia0@murraystate.edu>, tevloc <tevloc@murraystate.edu>, d.cook03 <d.cook03@murraystate.edu>, kristilu <kristilu@murraystate.edu>, ron <ron@murraystate.edu>, corbin <corbin@murraystate.edu>, jenniferday <jenniferday@murraystate.edu>, janetwcorun <janetwcorun@murraystate.edu>, sancov <sancov@murraystate.edu>, cracraft <cracraft@murraystate.edu>, ccrecelius <ccrecelius@murraystate.edu>, krisrichrton <krisrichrton@murraystate.edu>, bmwjeep <bmwjeep@murraystate.edu>, lclisacrites <lclisacrites@murraystate.edu>, george <george@murraystate.edu>, Christina D'Ambrosio <cdambrosio@murraystate.edu>, tenliving <tenliving@murraystate.edu>, Melanie Davis <mdavis53@murraystate.edu>, roydavis <roydavis@murraystate.edu>, jrevolver <jrevolver@murraystate.edu>, johnnadehaver <johnnadehaver@murraystate.edu>, sldennee <sldennee@murraystate.edu>, helenediamond <helenediamond@murraystate.edu>, David Dowdy <ddowdy4@murraystate.edu>, a.drechsel <a.drechsel@murraystate.edu>, John Dressler <jdressler@murraystate.edu>, amd <amd@murraystate.edu>, jdunman <jdunman@murraystate.edu>, susan.dunman@ky.gov <susan.dunman@ky.gov>, otisaeads <otisaeads@murraystate.edu>, keickholz <keickholz@murraystate.edu>, George Eldred <geldred@murraystate.edu>, richardaemerson <richardaemerson@murraystate.edu>, emig.2 <emig.2@murraystate.edu>, Elizabeth Erwin <eerwin@murraystate.edu>, taunya.eyre <taunya.eyre@murraystate.edu>, Rebecca Feldhaus Adams <rfeldhausadams@murraystate.edu>, svdg <svdg@murraystate.edu>, james.foreman <james.foreman@murraystate.edu>, Allen <allen@murraystate.edu>, rfweller <rfweller@murraystate.edu>, bojfowler <bojfowler@murraystate.edu>, parkerfranklin007 <parkerfranklin007@murraystate.edu>, William Franklin <wfranklin@murraystate.edu>, samanthafutrell <samanthafutrell@murraystate.edu>, warren_gardner <warren_gardner@murraystate.edu>, jgarland@murraystate.edu <jgarland@murraystate.edu>, john.gibson <john.gibson@murraystate.edu>, Ronda Gibson <rondagibson@murraystate.edu>, gilgilbert <gilgilbert@murraystate.edu>, glenn <glenn@murraystate.edu>, kentonglass <kentonglass@murraystate.edu>, clintgo <clintgo@murraystate.edu>, carol.ky <carol.ky@murraystate.edu>, Molly Goodman <mgoodman5@murraystate.edu>, nggorrell <nggorrell@murraystate.edu>, Glenn Gowen <ggowen@murraystate.edu>, cooperscrystal <cooperscrystal@murraystate.edu>, spiritravels <spiritravels@murraystate.edu>, pskinner <pskinner@murraystate.edu>, John Griffin <jgriffin@murraystate.edu>, news@wkyx.com <news@wkyx.com>, bepresentwithsarah <bepresentwithsarah@murraystate.edu>, garyworld <garyworld@murraystate.edu>, markhagan <markhagan@murraystate.edu>, dawnhall <dawnhall@murraystate.edu>, wharle <wharle@murraystate.edu>, gilwellgal <gilwellgal@murraystate.edu>, aubryharris <aubryharris@murraystate.edu>, fyboking <fyboking@murraystate.edu>, Angela Hatton <ahatton@murraystate.edu>, Daniel Haulk <danielhaulk@murraystate.edu>, racerjacket <racerjacket@murraystate.edu>, Joseph Haynes <jhaynes1@murraystate.edu>, bryan <bryan@murraystate.edu>, Laurenheins <laurenheins@murraystate.edu>, Seth Helton <sethelton@murraystate.edu>, johnhenryphoto <johnhenryphoto@murraystate.edu>, kent.henry <kent.henry@murraystate.edu>, randyherndon <randyherndon@murraystate.edu>, dhickman <dhickman@murraystate.edu>, jhigh <jhigh@murraystate.edu>, Todd Hill <thill@murraystate.edu>, SuzyHillebrand <suzyhillebrand@murraystate.edu>, Gabe Hobbs <gabe@murraystate.edu>, kmhodge <kmhodge@murraystate.edu>, George Hopkins <georgehopkins@murraystate.edu>, christopher.hopper <christopher.hopper@murraystate.edu>, gil <gil@murraystate.edu>, benjaminshuffmar <benjaminshuffmar@murraystate.edu>, Glenn Hughes <ghughe1950@gmail.com>, Taylor Inman <tinman1@murraystate.edu>, i_samantha@hotmail.com <i_samantha@hotmail.com>, pastorkentj <pastorkentj@murraystate.edu>, sjenkins@fullerton.edu <sjenkins@fullerton.edu>, Asa Jessup <ajessup1@murraystate.edu>, arista <arista@murraystate.edu>, bobbypjones <bobbypjones@murraystate.edu>, blairjoseph <blairjoseph@murraystate.edu>, Kevin King <kevin@murraystate.edu>, Richard King <rking13@murraystate.edu>, kirk <kirk@murraystate.edu>, emdashkleir <emdashkleir@murraystate.edu>, pecmars <pecmars@murraystate.edu>, kentamaraknight <kentamaraknight@murraystate.edu>, lauraaknowles <lauraaknowles@murraystate.edu>, natalie.krupansk <natalie.krupansk@murraystate.edu>, Rose Krzton-Presson <rkztonpresson@murraystate.edu>, Chad Lampe <clampe@murraystate.edu>, jay landers <jaylanders@murraystate.edu>, dgleath <dgleath@murraystate.edu>, lewis971 <lewis971@murraystate.edu>, coolprofessor85 <coolprofessor85@murraystate.edu>, Robert Long-Mendez <rlongmendez@murraystate.edu>, annelough <annelough@murraystate.edu>, momlucker <momlucker@murraystate.edu>, zlynn <zlynn@murraystate.edu>, Dixie Lynn <dixie.lynn@murraystate.edu>, singingk <singingk@murraystate.edu>, slukac <slukac@murraystate.edu>, j.manners <j.manners@murraystate.edu>, Immantle <immantle@murraystate.edu>, metalsculpt <metalsculpt@murraystate.edu>, Matt McG <mattmcg@murraystate.edu>, erinbox <erinbox@murraystate.edu>, mattmartini <mattmartini@murraystate.edu>, marianhmasor <marianhmasor@murraystate.edu>, rob-mason <rob-mason@murraystate.edu>, nariaolimpio <nariaolimpio@murraystate.edu>, Paige Hoffmeister <phoffmeister@murraystate.edu>, tmaytor <tmaytor@murraystate.edu>, mccarthyvictoria <mccarthyvictoria@murraystate.edu>, John McMillen <johndmcmiller@murraystate.edu>, Vince Medlock <vince.medlock@murraystate.edu>, jmillerstl <jmillerstl@murraystate.edu>

dmims samitchell adsam Nick Morris
mmuehleman Shauna Mullins <smullins@murraystate.edu>, mandybrooke
mjpsmurphy Alexandra Nance <anance5@murraystate.edu>, nancy.nerney laleeda1
Liam Niemeyer <normynull@murraystate.edu>, John Null <jnull@murraystate.edu>
overjay jamesparham parisforge lori.rowlett
richardparker Stuart Parkinson dpascoe jpawlak10
tweetyenick shawnwperry michaelperry billphillipsaustin
esheap Gary Pitts <wpitts1@murraystate.edu>, polkd carrie.pond
videomar thepurcellf vass kaleigh.ray michael-
redden asildeer Jason Reeves clmar Patience Renzulli
<pcrenzulli jerry videoservices aroake
robertsg "Dr. Brad Robertson DMD" justin_anderson
mrobbville gate Molly Rogers <mrogers@murraystate.edu>, croop Tracy Ross
<tross1@murraystate.edu>, srue avrrussell tcsagan steves
laura.cash@live.com, Marty Scarbrough <thescarbroughs@yahoo.com>, Rebecca Schimmel
<rschimmel@murraystate.edu>, david.schmoll gschr1@uky.edu, Annalee Schuette
<aschuette@murraystate.edu>, garciaandscott Heather.Scott@calloway.kyschools.us, rogerseay
Hanna Shelton <hshelton1@murraystate.edu>, Eddie Sheridan David Shinall
<dshinall@murraystate.edu>, tmshown@murray-ky.net, galesken julieskaggs
ekskees pat.slattery@vanderbilt.edu, duffyshannon jazzman
brucesmith kirkandrho smith matthew
psouthetal garyspeer kspurgeon Leeman Stevens <lstevens6@murraystate.edu>
jstone1@murraystate.edu, dflaky harvisor bigphatdawg Kristen Swisher
<kswisher@murraystate.edu>, davoe jtamney Chris Taylor
edt Georgena Taylor john.taylor@eku.edu, Troy Taylor
<rtaylor nachel.pinson jbtcardfar stacy.thomas@mccracken.kyschools.us,
lecorvette Kaylan Thompson <kthompson29@murraystate.edu>, "Thornton, Jerry Sue"
Katherine Thweatt <kthweatt@murraystate.edu>, cherietimberlake oldtvgod Kathryn
Timmons <kathy.timmons@murraystate.edu>, Jenni Todd <jtodd14@murraystate.edu>, ktodd
gabbybell BEN TREVATHAN jim.trimble nicolt25
mrtucker@murrayhospital.org, eurties tturner subfuneralhome brutley
hughv travelbuddy tamsyn.vertrees Katie Villanueva
patvincent walkerd scottwalk fourwards D H WARN
<blurunrvrat caseyleighnorthcutt rrwatters DavidW
welches@murrav-kv.net, Mark Welch Grecia White <gwhite4@murraystate.edu>
mwies jwilhamky JD Williams threed4d
sjw059201 coachdon jackiewise mark.woodring
kwright@mansfield.edu, Keri Wright <kwright12@murraystate.edu>, gswurth katie.deciello
pcyambert dcyoung Tom Morgan
bethedwards "Curtis W Hart (curthart)" <curthart@memphis.edu>, Charliese King
National Coalition Tim Buckley Kenneth Kerkhoff
Cindy Klose Hull Mompi laurayork smithbruce
Tim Carroll "Janet R. Kenney" <j.kenney@moreheadstate.edu>, Monte
Carroll Greg Aplin Anita Bugg Carrie McGinnis
<cmcginnis2@murraystate.edu>, Christian Barnes <cbarnes12@murraystate.edu>

Hi WKMS Alums!

Did you know that it was 100 years ago this year that Murray State was founded? This year, the University will have lots of Centennial events (so be on the lookout for reunion invites from us come Homecoming!). And maybe some station history trivia too!

This week, they're celebrating with a special week of giving: Give **Bold!** You can give to any area of the University that's dear to your heart - including WKMS. Not that we're competitive or anything... but it'd be great to have a good showing since WKMS alums are the best!

This year, it's especially impactful since we were chosen as a Report for America newsroom - they'll match up to half the salary of a new full-time reporter (up to \$25,000). A chance to grow local and regional journalism in a time like this is huge - so we hope you'll take part. Here's the [Give Bold link](#).

Or the direct link to the WKMS donate page here (it still gets added as Give Bold): <https://donate.nprstations.org/wkms/wkms-give-now>

Can't wait to get together this fall! Hope you're doing well and will keep in touch during this historic year for MSU.

--

Asia Burnett
Assistant Station Manager & Development Director



Murray State's NPR Station

Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

WKMS 2021 Timeline - Things You Did!

Asia Burnett <aburnett2@murraystate.edu>
To: Jennifer Todd <jtodd14@murraystate.edu>

Thu, Mar 17, 2022 at 11:20 AM

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

From: Asia Burnett <aburnett2@murraystate.edu>

Date: Wed, Feb 9, 2022 at 5:37 PM

Subject: WKMS 2021 Timeline - Things You Did!

To: Chad Lampe <clampe@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Dixie Lynn <dlynn2@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, R Fowler <allen.fowler@murraystate.edu>, George Eldred <geldred@murraystate.edu>, Melanie Davis <mdavis53@murraystate.edu>, Erica Benedict <ebenedict@murraystate.edu>

Maybe I got carried away, but when I was pulling stuff for the CPB survey, there were SO MANY things the station did in 2021, despite feeling like we couldn't do anything event-wise (we still did!).

This doesn't even include all the amazing stories from the newsroom, countless interviews on Sounds Good, daily work or a fraction of the intense tornado recovery reporting the newsroom worked all hours on the last weeks of December.

I'm sure I'm missing a ton things - so feel free to add. But here are some of the things we did as a station in 2021. Thank you so much. I hope everyone is very proud of the work they've accomplished in spite of the challenges we faced in 2021. What an amazing team!

--

Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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--

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Assistant Station Manager & Development Director



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WKMS 2021 Timeline - What you did!.docx

16K

WKMS 2021 Timeline

Middle of Everywhere Podcast! Amazing, award-winning episodes.

Spring Semester: Investigative Reporting Fellowship with KyCir

January 5 -7: American Rehab Series Airs

January 18: MLK Day programming

January 19: VoteWorthy Special

OVR: Black Lives in Red States

January 27: Virtual Book Club: Midnight Library

Calloway County Jail COVID Investigative Reporting

Mondays in February: Black History Month Specials

Back to School Series from WKMS News: What Learning in 2021 Looks Like

Feb 3: Virtual Community Advisory Board Meeting

Feb 15: Listening Survey (292 Responses)

Feb 18: Partnership with Hopkinsville Big Read: Aired Circe Documentary

Feb 23 & 24: Aired The Reckoning: Facing the Legacy of Slavery

Feb 23: Virtual Event/Presentation with The Reckoning creator Dan Gediman

Feb 24: Virtual Book Club: Caste: The Origins of Our Discontents

Mondays in March: Women's History Month Specials

Special Women's History packages for underwriting businesses

March 8: New Transmitter Ribbon Cutting!

March 24: Virtual Book Club: Appalachian Fall

Mondays in April: National Poetry Month Specials

Every weekday in April: Poetry Minutes on theme of "Hope" from local community members

April 12: \$100,000 Student Reporter Endowment created!

April 13: Non-Profit Day of Spring Fundraiser: Callers highlight their favorite non-profits in the community. 5 local non-profits when underwriting packages on the station.

April 14: Small Business Day of Spring Fundraiser: Let callers share their love for local small businesses on the air. Two small businesses win underwriting packages.

WKMS Helper Series airs last week of April: making a concerted effort to seek out the stories that highlight the hearts, the recovery, and the hope of the region.

April 26: Super sweet "Simply the Best" Fundraiser Thank you video!

First two Mondays in May: Mental Health Awareness specials

April 27: Virtual Book Club: Hannah Coulter (in partnership with Kentucky Humanities, McCracken County Public Library & Paducah Life Magazine)

May 6: Liam wins a Regional Murrow Award!

May 11: WKMS Birthday! Fifty and Forward NPR special airs

May 18: Virtual Event: Wait Wait Comedy Club on the Internet

Think History (in partnership with Kentucky Humanities Council) begins airing

May 24: Bob Dylan 80th Birthday Sounds Good special

May 31: Memorial Day Specials

June 7: Judicial Independence specials

June 9: Virtual McLib Event: Paducah Radio History: The Formative Years (partnered and provided drawing items)

June 10: New Grove Website launches

June 10: WKMS Student Reporters led the pack of award winners for the IBA college competition, sponsored by the Kentucky Broadcasters Association.

June 12: Hopkinsville Pops in the Park concert – media partner and emcee
 June 15: FYE drive: Over 1500 members met this year! (1550)
 June 29: PMJA awards for Liam & Sydni. And first place in podcast category: Middle of Everywhere!
 July 5: 4th of July specials
 July 12: Virtual CAB Meeting
 Volunteer Appreciation Spotlights
 July 29: Listener Appreciation Party: Casey Jones Distillery, Hopkinsville
 Donor Appreciation Week!
 Aug 2: A Way With Words and Hidden Brain added to Monday lineup
 Aug 27: Lew Jetton Live Lunch: John Prine covers
 Aug 30: Think replaces The Takeaway
 Sept 14: Virtual Event Partnership (Kentucky Humanities Council): Democracy and the Informed Citizen: Chad Lampe on Panel
 Sept 21: WKMS Fundraiser Begins! Sustainer Match raises an extra \$3,872 from current sustainers.
 Sept 25: Event Partner: Local Licks Festival
 Sept 28: Fundraiser Goal Met!
 Sept 30 – Oct 2: Event Partner: emcee work and tent at YACtoberfest (last day rained out)
 Oct – March: Hopkinsville transit panel ad and call for story ideas
 Oct 13: Virtual Book Club: “Susan, Linda, Nina & Cokie”
 Oct 23: WKMS Table at Murray State Homecoming: Tent City
 Oct 28: WKMS wins Al Smith Award for public service through community journalism by Kentuckians. This is the first year the award has been presented to a broadcaster!
 Oct 29: Partnership with MSU Theatre: Aired Vintage Hitchcock: A Live Radio Play
 Oct 29 – 31: Halloween specials on local music shows!
 Nov: Know Your Neighbor segments start airing. From welders to servers to teachers, these sixty-second stories provide a glimpse into the passions of people in our region.
 Nov 15: News Director Derek Operle joins the team!
 Nov 16: Ornament making event with WKMS volunteers at the Murray Art Guild!
 Nov 24 – 26: Thanksgiving & Hanukkah specials
 Dec 7 – 9: Holiday Fund Drive. Partnership to benefit Merryman House Domestic Crisis Center (highlighting their mission and donating \$2500 from business partner)
 Dec 7: Hosted Leadership Murray group for session on WKMS
 Dec 7: Dalton York named Outstanding Senior at MSU!
 Dec 10: TORNADOS – Coverage over the next week is intense. Liam and Derek are on multiple national and international outlets, as well as providing local coverage. The students, reporters from across the station and NPR are big helps. Chad is on the air the next morning with updates on power and damage.
 Dec 16: Ben Sollee Happy Hollerdays concert at the Alhambra: media partner
 Dec 17: In Conversation on tornado damage
 Holiday programming
 WKMS Selected for Report for America!



Murray State's NPR Station

2018 University Station

Murray, KY 42071

1-800-599-4737

msu.wkms@murraystate.edu

March 28, 2022

Name

Address

City, State Zip

Dear Name,

Every day in my job, I get the chance to be amazed by the kindness of our neighbors. Getting your gift in the mail today at the start of this spring fundraising season meant so much to us here at WKMS.

Because not only do your dollars help support the programming you love; the national, global and local news coverage; or even the 20,000 hours of arts and music programming across three channels. Your gift also says something about your belief in public media and its place in our community.

I know you probably have personal reasons that you give: certain shows you like, conversations that made you think or just a generally generous spirit. But this spring, we're glad to say that you've not only helped support WKMS, you're helping the station grow.

Thanks to you and match of up to \$25K from Report for America, we'll be able to add a full-time reporter to our local newsroom this summer, covering issues related to income inequality and social access for the next two years. This is such a huge blessing for a small local newsroom and will increase the local and regional reporting you'll be able to find on your radio.

We're so glad you responded to the call for donations to keep WKMS going for another season. You really are the PUBLIC in public radio.

Sincerely,

Jenni Todd
Membership Director

P.S. You will receive a tax receipt for your gift(s) from WKMS MSU/Foundation via the email we have on file after the end of the calendar year, unless otherwise requested.

Document shared with you: "Local News/Journalism Bullets for Fundraiser"

1 message

Chad Lampe (via Google Docs) <drive-shares-dm-noreply@google.com>

Wed, Apr 6, 2022 at 10:44 AM

Reply-To: Chad Lampe <clampe@murraystate.edu>

To: aburnett2@murraystate.edu

Cc: jtodd14@murraystate.edu

Chad Lampe shared a document

Chad Lampe has invited you to **edit** the following document:

A few news cases. More as the inspiration hits.



Local News/Journalism Bullets for Fundraiser

[Open](#)

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because clampe@murraystate.edu shared a document with you from Google Docs.

Google Workspace

- Kentucky Lawmakers appropriated billions of dollars during this legislative session. You are the single largest investor in the state's budget. Local journalism from WKMS and Kentucky public radio keep you informed for free, but it takes voluntary listener support to stay in the know. Consider a \$5-per month gift to keep the news coming from Frankfort to Fulton, give at wkms-dot-org or call 1-800-599-4737,
- The local news ecosystem needs your help. Kentucky lost 130 journalists from the industry between 2019 and 2021, [according to the bureau of labor statistics](#). WKMS wants to help reverse the trend. That's why we're hoping to add a Report for America corps member this summer to cover income disparity and social access for some of our poorest citizens. Can you help? Contribute \$10 per month now and know that you are doing your part to keep our region connected, informed and educated. Give at wkms-dot-org or call 1-800-599-4737,
- This spring and fall more than 256 candidates are seeking statewide office for some 119 legislative seats. These candidates and incumbents will be your voice in Frankfort. They'll propose and approve legislation and they will appropriate your tax dollars. You deserve to know what's happening in Frankfort and thanks to WKMS and it's collaborative partner, Kentucky Public Radio you can expect thoughtful and in--depth reporting on the air and online, for free. But you know there is a cost for this work and in the spirit of public media this is your chance to support it with a monthly gift of \$10 per month. Give now to ensure that the work of your lawmakers receives the attention and coverage it deserves.
- Here are a few quick things to think about when consuming information... like food. News rooted in naturally occurring facts (think of it as the organic section in the supermarket) The information is designed to present information to you, from which you can form your own opinion to help you make informed decisions. There are no flavor enhancers to keep you coming back for more. Social media is just the opposite. Many companies literally pay people to create content just to keep you engaged longer on their platform. It's like those foods designed to trigger something in your brain to get to eat more and more. We all have our vices but we know the value of a good salad. In most cases those healthier meals cost a little more. Journalism is expensive but so important to a healthy democracy. Donate \$5 per month today to feed this region with fact-based news at wkms-dot-org.

Derek's story on Weekend Edition

4 messages

Dixie Lynn <dlynn2@murraystate.edu>

Mon, Apr 11, 2022 at 10:52 AM

To: Asia Burnett <aburnett2@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lburris24@gmail.com>, Jenni Todd <jtodd14@murraystate.edu>, Dixie Lynn <dlynn2@murraystate.edu>, Chad Lampe <clampe@murraystate.edu>, Erica Benedict <ebenedict@murraystate.edu>

Hey all!

Some bright news/ in case you missed it:

Derek's Pearl Harbor sailor story was featured on NPR's Weekend Edition yesterday.

Give a listen here:

<https://www.npr.org/2022/04/10/1091927695/a-pearl-harbor-sailor-has-finally-been-laid-to-rest-with-honors-after-8-decades>

Dixie Lynn

Corporate Support Manager

Proud Sustaining Member

cell: 270-933-8083

email: dlynn2@murraystate.edu



Learn more about the impact of business sponsorships here.

Asia Burnett <aburnett2@murraystate.edu>

Mon, Apr 11, 2022 at 11:36 AM

To: Dixie Lynn <dlynn2@murraystate.edu>

Cc: Tracy Ross <tross1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lburris24@gmail.com>, Jenni Todd <jtodd14@murraystate.edu>, Chad Lampe <clampe@murraystate.edu>, Erica Benedict <ebenedict@murraystate.edu>

Amazing job, Derek! We have such a great newsroom. :)

[Quoted text hidden]

--

Asia Burnett

Assistant Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Erica Benedict <ebenedict@murraystate.edu>

Mon, Apr 11, 2022 at 11:39 AM

To: Dixie Lynn <dlynn2@murraystate.edu>

Cc: Asia Burnett <aburnett2@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lburris24@gmail.com>, Jenni Todd <jtodd14@murraystate.edu>, Chad Lampe <clampe@murraystate.edu>

Thanks for sharing! Great work, Derek!

On Mon, Apr 11, 2022 at 10:52 AM Dixie Lynn <dlynn2@murraystate.edu> wrote:

[Quoted text hidden]

--

Respectfully,
Erica Benedict
Administrative Assistant
WKMS

Tracy Ross <tross1@murraystate.edu>

Mon, Apr 11, 2022 at 11:40 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Cc: Dixie Lynn <dlynn2@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Derek Operle

<doperle@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lbarris@murraystate.edu>, Jenni

Todd <jtodd14@murraystate.edu>, Chad Lampe <clampe@murraystate.edu>, Erica Benedict <ebenedict@murraystate.edu>

Excellent!

[Quoted text hidden]

--

Tracy M. Ross
Program Director
WKMS FM
2018 University Station
Murray, KY 42071
270.809.6590

First day of fundraising letter

1 message

Asia Burnett <aburnett2@murraystate.edu>
To: Chad Lampe <clampe@murraystate.edu>

Mon, Apr 11, 2022 at 1:51 PM

As a station manager, you never want to begin a fundraising week with bad news. Especially at a time when we've had so much hope for growth in local news. But **transparency** and **truth** are the cornerstones of public radio, so I have to let you know that this week, the University and Report for America were unable to come to a contractual agreement when it came to the terms of our new reporting hire. That means we will not be able to receive the grant for up to \$25,000 we've been counting on, nor hire the new income disparity and social access reporter who was supposed to start this June. Furthermore, due to budget cuts at Murray State, the WKMS budget will be cut an additional \$50,000.

When you plan for growth and instead are faced with adversity, it can be easy to become disheartened. But I have to tell you that our commitment to you and to telling the stories of the underserved and voiceless in our community will not change. While some plans may not get to be as grand as they could have been, we will still continue to shed light on poverty and social mobility in our region and work to help all boats rise. We will still build reporting on this issue.

For those who have already given this spring, I'm sorry this is not the growth you hoped for. If you'd like any of your donation returned, we are absolutely willing to do so. But I hope you consider that every dollar of your gift will be even more vital now in investing in local reporting and community service. Public radio is no less essential in our lives.

In fact, quite the opposite. No matter what comes at us – I have absolute faith that our newsroom will tell **your** stories. That quality will not be abandoned. That our communities will never be allowed to become news deserts. And that public radio in your region will come out all the brighter. Because as we say every pledge drive, **YOU** are the most important part of WKMS. It is because you stand with us, that I know WKMS will continue to stand tall. And will never waver in our commitment to truth and our commitment to you, first and foremost.

Spring fundraiser begins today and I hope you'll be part of it. The need may be a little greater, but the spirit you'll hear over the next few days and the journalism you'll find in the many years to come will, I hope, give you optimism about the public media landscape in your community and the many hundreds of gracious and generous members who invest in the things they believe in.

Thank you,

Chad Lampe

—
Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743
Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Apologies

1 message

Chad Lampe <clampe@murraystate.edu>

Tue, Apr 12, 2022 at 8:28 AM

To: R Fowler <rfowler@murraystate.edu>, Erica Benedict <ebenedict@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Dixie Lynn <dlynn2@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Asia Burnett <aburnett2@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Lily Burris <lbarris3@murraystate.edu>

Hi All,

I'd like to apologize for my reaction yesterday. Here's a little background. In my six years in this position I've had four different bosses and I've tried with all that I have to retain our core services and provide hope and inspiration for growth despite the university continuing to reduce our annual support. With the upcoming cut it will be nearly \$300K in total funding support from Murray State. Some of the cuts have been warranted, when the university has been in a tough financial situation. Other times those cuts have been, what appear to me as, spiteful as our journalistic mission sometimes clashes with the needs of the university.

Rest assured I am committed to you, our listeners and members. We serve the public, first and foremost. Given the mission of public media it is our job to do the best we can with what we have and always look for ways to better serve our communities. The worst part about the news yesterday is that it appeared to be a direct swipe at us growing in the journalism space, as the budget shortfall that I'm aware of is for this fiscal year. So what good does a cut for next fiscal year do? Also, the state legislature is touting funding increases for higher education institutions. Therefore, it is hard to stomach this impending cut from the perspective of tough financial times, and the timing with the "disagreement" regarding the RFA grant all seem suspect. But, again I've pushed and advocated as much as I possibly can. I'm so sorry that we couldn't get it done for us. Now, we need to focus on a successful pledge drive and I'll work to find ways to mitigate the impending cut.

Thank you all for being such wonderful colleagues. You all and our audience are what give me the energy to come in each day to find ways to best serve our region.

-Chad

Chad Lampe (he/him)

Station Manager & Sustaining Member



O: (270)809-4745

F: (270) 809-4667

Letter for review

3 messages

Asia Burnett <aburnett2@murraystate.edu>

Tue, Apr 12, 2022 at 1:54 PM

To: "John A. Williams Jr." [REDACTED]

Hi John,

Here's the letter we have so far. I think the last line in the first paragraph should probably be cut (I don't want it to vilify Murray State at all), but let me know how everything reads to you. Thanks so much.

As a station manager, you never want to begin a fundraising week with bad news. Especially at a time when we've had so much hope for growth in local news. But **transparency** and **truth** are the cornerstones of public radio, so I have to let you know that this week, the University and Report for America were unable to come to a contractual agreement to hire a reporter to cover income disparity and social access. That means, unfortunately, that we will not have a new reporter begin this June or receive the grant that would have provided up to \$25,000 for costs related to the position. The university administration has also indicated that budgetary cuts will result in an additional cut of \$50,000 of its direct support to WKMS. This number has decreased by nearly \$300,000 in the past 6 years.

When you plan for growth and instead are faced with adversity, it can be easy to become disheartened. But there is some good news, it appears that Report for America will be working with another newsroom in Kentucky to place a reporter to cover rural issues that matter to you and the entire Commonwealth.

I must tell you that our commitment to you and to telling the stories of the underserved and voiceless in our community will not change. While some plans may not get to be as grand as they could have been, we will still continue to shed light on poverty and social mobility in our region and work to help all boats rise. We will still build reporting on this issue.

For those who have already given this spring, I'm sorry this is not the growth you hoped for. If you'd like any portion of your donation returned, we are absolutely willing to do so. But I hope you consider that every dollar of your gift will be even more vital now in investing in local reporting and community service. Public radio is no less essential in our lives.

In fact, quite the opposite. No matter what comes at us – I have absolute faith that our resilient newsroom will tell **your** stories. That quality will not be abandoned. That our communities will never be allowed to become news deserts. And that public radio in your region will come out all the brighter. Because as we say every pledge drive, **YOU** are the most important part of WKMS. It is because you stand with us, that I know WKMS will continue to stand tall. And will never waver in our commitment to truth and our commitment to you, first and foremost.

Spring fundraiser begins today and I hope you'll be part of it. The need may be a little greater, but the spirit you'll hear over the next few days and the journalism you'll find in the many years to come will, I hope, give you optimism about the public media landscape in your community and the many hundreds of gracious and generous members who invest in the things they believe in.

Thank you,

Chad Lampe

--

Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743
Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

John Williams [redacted]
To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Apr 12, 2022 at 3:35 PM

[Large redacted block]

--
John Williams, Jr.
[redacted]

Asia Burnett <aburnett2@murraystate.edu>
To: John Williams [redacted]

Tue, Apr 12, 2022 at 3:53 PM

Thanks, John. Let me see what I can do. Appreciate your feedback.
[Quoted text hidden]

CAB email

2 messages

Asia Burnett <aburnett2@murraystate.edu>
To: Chad Lampe <clampe@murraystate.edu>

Tue, Apr 12, 2022 at 3:52 PM

Hi WKMS Community Advisors,

We'll send out a membership-wide email tomorrow, but I wanted you to know first that the Report for America reporter on income disparity and social access that we were hoping for, will not be a possibility this spring.

The University was not able to come to a contractual agreement with RFA, so we cannot move forward with the grant or the position which was to start this June. In other news, we've received word that Murray State will have to cut the WKMS budget again by another \$50,000.

I know this is very disheartening after all of the effort that was put into supporting this growth in reporting. But, in a small silver lining, it appears that Report for America may be able to work with another newsroom in Kentucky to place a reporter to cover rural issues that matter to you and the entire Commonwealth.

As we have been fundraising toward this position, we will be fully transparent and allow listeners to take funds back if they wish, of course. But I hope that everyone will know that our commitment to journalism and telling the stories of the underserved will not waiver. We're already making plans to continue to shed light on poverty in our region and help work to raise all boats.

As our advisors, I thank you for all your support and hope you know that WKMS is still the newsroom you know and trust. While we may have not been able to make this opportunity for growth possible, I am confident there will be more opportunities in the future to grow coverage for you and this community.

Please let Chad or I know if you have any questions. On-air fundraiser begins tomorrow.

Thanks so much for your support,

--

Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Chad Lampe <clampe@murraystate.edu>
To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Apr 12, 2022 at 3:55 PM

Yep, looks good.

Chad Lampe
WKMS Station Manager
Sent from mobile device

On Apr 12, 2022, at 3:52 PM, Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Some sad news to share

18 messages

Asia Burnett <aburnett2@murraystate.edu> Tue, Apr 12, 2022 at 3:59 PM
To: Ashley Ireland <aireland@murraystate.edu>, "Allan Rhodes Jr." <ayasgur@murraystate.edu>, Aviva Yasgur <caroline.ideus@murraystate.edu>, CONSTANCE ALEXANDER <calexander9@murraystate.edu>, Caroline Ideus <cundiffarms@murraystate.edu>, Chris Riley <clampe@murraystate.edu>, Ben Cundiff <dhowe2@murraystate.edu>, Darlene Mazzone <david.bryson@murraystate.edu>, Dave Howe <dhows2@murraystate.edu>, Geneva Parris <ginny.harbison@murraystate.edu>, Ginny Harbison <gayleandjohnruffi@murraystate.edu>, Gregory Waldrop <jenn.blair@murraystate.edu>, Jenn Blair <jennifer.brown@murraystate.edu>, Jessica Evans <jevans15@murraystate.edu>, John Pollpeter <joe.leberman@murraystate.edu>, "John Williams Jr." <john.williamsjr@murraystate.edu>, James Gould <john.ruffi@murraystate.edu>, John Rufli <jennifer.todd@murraystate.edu>, Marcy Downes <mark.welch@murraystate.edu>, Mark Welch <"waldrop,nan"@murraystate.edu>, Bonnie Koblitiz <pmunke@murraystate.edu>, Randy Teague <tom.pyron@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Aviva Yasgur <wesley.bolin@murraystate.edu>, David Denton <wdenton@murraystate.edu>, Howell Hopson <patrick.withrow@murraystate.edu>, Patrick Withrow <patrickjwithrow@murraystate.edu>, louconsnowsports <derek.operle@murraystate.edu>

Hi WKMS Community Advisors,

We'll send out a membership-wide email tomorrow, but I wanted you to know first that the Report for America reporter on income disparity and social access that we were hoping for, will not be a possibility this spring.

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As our advisors, I thank you for all your support and hope you know that WKMS is still the newsroom you know and trust. While we may have not been able to make this opportunity for growth possible, I am confident there will be more opportunities in the future to grow coverage for you and this community.

Please let Chad or I know if you have any questions. On-air fundraiser begins tomorrow.

Thanks so much for your support,

--

Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Tue, Apr 12, 2022 at 4:43 PM

Reply-To: [REDACTED]
To: Asia Burnett <aburnett2@murraystate.edu>

Asia,

Very sorry to hear this, on all fronts.

[REDACTED]

From: Asia Burnett <aburnett2@murraystate.edu>
Sent: Tuesday, April 12, 2022 3:59 PM
To: Ashley Ireland <aireland@murraystate.edu>; Allan Rhodes Jr. [REDACTED]; Aviva Yasgur <ayasgur@murraystate.edu>; CONSTANCE ALEXANDER <calexander9@murraystate.edu>; Caroline Ideus [REDACTED]; Chris Riley [REDACTED]; Chad Lampe <clampe@murraystate.edu>; Ben Cundiff [REDACTED]; Darlene Mazzone [REDACTED]; david bryson [REDACTED]; Dave Howe <dhowe2@murraystate.edu>; Geneva Parris [REDACTED]; Ginny Harbison [REDACTED]; Gayle and John Ruffi [REDACTED]; Gregory Waldrop [REDACTED]; Jenn Blair [REDACTED]; Jennifer Brown [REDACTED]; Jessica Evans <jevans15@murraystate.edu>; John Pollpeter [REDACTED]; Joe Leberman [REDACTED]; John Williams Jr. [REDACTED]; James Gould [REDACTED]; John Ruffi [REDACTED]; Jennifer Todd <jtodd14@murraystate.edu>; Marcy Downes [REDACTED]; Mark Welch [REDACTED]; waldrop, nan [REDACTED]; Bonnie Koblitz [REDACTED]; I <pmunke [REDACTED]; Randy Teague [REDACTED]; Tom Pyron [REDACTED]; Tracy Ross <tross1@murraystate.edu>; Aviva Yasgur [REDACTED]; Wesley Bolin <wbolin@murraystate.edu>; David Denton [REDACTED]; Howell Hopson [REDACTED]; Patrick Withrow [REDACTED]; loucons [REDACTED]; Derek Operle <doperle@murraystate.edu>
Subject: Some sad news to share

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We'll send out a membership-wide email tomorrow, but I wanted you to know first that the Report for America reporter on income disparity and social access that we were hoping for, will not be a possibility this spring.

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Please let Chad or I know if you have any questions. On-air fundraiser begins tomorrow.

Thanks so much for your support,

--

Asia Burnett

Assistant Station Manager & Development Director

[Redacted]

[Quoted text hidden]

Tue, Apr 12, 2022 at 4:47 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Asia, thanks for the email. Im sorry to hear this news. And the cuts! Yikes. Im out of town right now back the 21st. Maybe after that if you have time we could do lunch. [Redacted]

Get [Outlook for iOS](#)

From: Asia Burnett <aburnett2@murraystate.edu>

Sent: Tuesday, April 12, 2022 4:59:29 PM

To: Ashley Ireland <aireland@murraystate.edu>; Allan Rhodes Jr. [Redacted]; Aviva Yasgur <avasgur@murraystate.edu>; CONSTANCE ALEXANDER <calexander9@murraystate.edu>; Caroline Ideus [Redacted]; Chris Riley [Redacted]; Chad Lampe <clampe@murraystate.edu>; Ben Cundiff [Redacted]; Darlene Mazzone [Redacted]; david bryson [Redacted]; Dave Howe <dhowe2@murraystate.edu>; Geneva Parris [Redacted]; Ginny Harbison [Redacted]; Gayle and John Rufli [Redacted]; Gregory Waldrop [Redacted]; Jenn Blair <jennablair79@gmail.com>; Jennifer Brown [Redacted]; Jessica Evans <jevans15@murraystate.edu>; John Pollpeter [Redacted]; Joe Leberman [Redacted]; John Williams Jr. [Redacted]; James Gould [Redacted]; John Rufli [Redacted]; Jennifer Todd <jtodd14@murraystate.edu>; Marcy Downes [Redacted]; Mark Welch [Redacted]; valdrop, nan [Redacted]; Bonnie Koblitz [Redacted]; I <pmunke>; Randy Teaque [Redacted]; Tom Pyron [Redacted]; Tracy Ross <tross1@murraystate.edu>; Aviva Yasgur [Redacted]; Wesley Bolin <wbolin@murraystate.edu>; David Denton [Redacted]; Howell Hopson [Redacted]; Patrick Withrow [Redacted]; loucons [Redacted]; Derek Operle <doperle@murraystate.edu>

Subject: Some sad news to share

[Quoted text hidden]

Tue, Apr 12, 2022 at 5:25 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Asia,

That is too bad about the RFA and the 50k cut. There will be a door somewhere that will open, so chin up.

[Quoted text hidden]

Tue, Apr 12, 2022 at 6:34 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Thanks for letting us know Asia. The Report for America Reporter was a very forward thinking idea and [redacted] and I applaud you and the staff for it. Please keep our extra money and just apply it toward more quality radio. Thanks for all you and the staff do.

Sent from my iPhone

On Apr 12, 2022, at 3:59 PM, Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Tue, Apr 12, 2022 at 7:57 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Hi Asia,

I'm very sorry to hear about that news as well as the budget cut. That's a big hit. I wish I had \$50k to make up for the loss.

Good luck with the drive and I enjoy hearing your voice on the radio.

On Tue, Apr 12, 2022 at 3:59 PM Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Tue, Apr 12, 2022 at 8:05 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Kentucky is flush with cash but I'm guessing that the windfall is not making it's way to HIED. Too bad for MSU generally and WKMS in particular!

On Tue, Apr 12, 2022 at 3:59 PM Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Tue, Apr 12, 2022 at 8:48 PM

To: Asia Burnett <aburnett2@murraystate.edu>

I am so sorry to hear this. The rural/urban divide is such an important dynamic in our current reality. Help us know how to pursue this perspective in other ways.

Sent from my iPhone

Blessings

On Apr 12, 2022, at 3:59 PM, Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Apr 13, 2022 at 5:32 AM

To: marie koblitz [REDACTED]

Would love to, Bonnie. Just let me know when you're back in town. I know this news isn't great, but I do have some really good other things to share. We did testimonials with the student reporters for pledge drive and some of them are so good. They really are learning a lot. ❤️

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Apr 13, 2022 at 5:33 AM

To: "Allan Rhodes, Jr." [REDACTED]

Thanks, Allan. I have faith! No one can keep WKMS down for long. Appreciate your support!

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Apr 13, 2022 at 5:34 AM

To: Tom and Cherry Pyron [REDACTED]

Thanks so much, Tom. The good news is that Report for America said they'd love to work with us again in the future. So maybe if we can finesse some things with the university before next time? The door isn't completely shut there. Really appreciate all your support and faith in us. Promise we'll do our best!

Asia

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Apr 13, 2022 at 5:36 AM

To: Caroline Ideus [REDACTED]

You are so sweet, Caroline. Thank you!

I know it's not great news, but other than that things are going well at the station. I hope this fundraiser still sounds optimistic because our newsroom has been doing some awesome things and I know we'll have another opportunity in the future to grow (just have to figure out how to get the university on board first).

Hope things are going well,

Asia

[Quoted text hidden]

Wed, Apr 13, 2022 at 8:05 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Crap!

We will persevere!

On Apr 12, 2022, at 3:59 PM, Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Wed, Apr 13, 2022 at 9:50 AM

To: Asia Burnett <aburnett2@murraystate.edu>

You are so good at coming up with things to put on the fundraising Drive shows you guys do such a wonderful job of public relations work keep it up! keep your courage! [REDACTED]

Get Outlook for iOS

From: Asia Burnett <aburnett2@murraystate.edu>
Sent: Wednesday, April 13, 2022 6:32:04 AM
To: marie koblitiz <[REDACTED]>
Subject: Re: Some sad news to share

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>
To: marie koblitiz <[REDACTED]>

Thu, Apr 14, 2022 at 9:43 AM

That makes my day, [REDACTED] It's been a tough week. Thanks for always bringing such light with you!

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>
To: Gregory Waldrop <[REDACTED]>

Thu, Apr 14, 2022 at 9:45 AM

We will, Greg. I'll keep you posted for sure. We'll be covering some stories and the good news (which isn't public yet) is that the KY Center for Investigative Reporting may be the ones taking over our grant on this, meaning we'll still be able to air the content and they'll still be able to cover these issues in our stead. I'll definitely keep you updated.

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>
To: Mark Welch <[REDACTED]>

Thu, Apr 14, 2022 at 9:47 AM

Thanks, Mark> It's been a weird week. I think that Higher Ed is getting a lot of cash this time around. Apparently MSU has changed its mind/clarified that they want to take \$50,000 from us this year, but not recurring next year? So that's something.

[Quoted text hidden]

[REDACTED]
To: Asia Burnett <aburnett2@murraystate.edu>

Thu, Apr 14, 2022 at 12:10 PM

Wow, frustrating I'm sure

[Quoted text hidden]

Fwd: An upcoming staffing change at WKMS

1 message

Chad Lampe <clampe@murraystate.edu>
To: Asia Burnett <aburnett2@murraystate.edu>

Mon, Jun 6, 2022 at 7:32 PM

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

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

From: **Chad Lampe** <clampe@murraystate.edu>

Date: Mon, Jun 6, 2022 at 7:24 PM

Subject: An upcoming staffing change at WKMS

To: Ashley Ireland <aireland@murraystate.edu>, Allan Rhodes Jr. [REDACTED], Aviva Yasgur <ayasgur@murraystate.edu>, CONSTANCE ALEXANDER <calexander9@murraystate.edu>, Caroline Ideus [REDACTED], Chris Riley [REDACTED], Chad Lampe <clampe@murraystate.edu>, Ben Cundiff [REDACTED], Darlene Mazzone <[REDACTED]>, david bryson [REDACTED], Dave Howe <dhowe2@murraystate.edu>, Geneva Parris [REDACTED], Ginny Harbison [REDACTED], Gayle and John Ruffi [REDACTED], Gregory Waldrop [REDACTED], Jenn Blair <[REDACTED]>, Jennifer Brown <[REDACTED]>, Jessica Evans <jevans15@murraystate.edu>, John Pollpeter <jmpollpeter@hotmail.com>, Joe Leberman [REDACTED], John Williams Jr. [REDACTED], James Gould [REDACTED], John Ruffi <[REDACTED]>, Jennifer Todd <jtodd14@murraystate.edu>, Marcy Downes [REDACTED], Mark Welch [REDACTED], waldrop, nan <[REDACTED]>, Bonnie Koblit [REDACTED], I <pmunke [REDACTED]>, Randy Teague <[REDACTED]>, Tom Pyron [REDACTED], Tracy Ross <tross1@murraystate.edu>, Aviva Yasgur [REDACTED], Wesley Bolin <wbolin@murraystate.edu>, David Denton [REDACTED], Howell Hopson <[REDACTED]>, Patrick Withrow <patrickjwithrow@gmail.com>, <loucons [REDACTED]>, Derek Operle <doperle@murraystate.edu>, David Eaton <deaton@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Dear Community Advisory Board Members,

I wanted to alert you to an email that I will send to our general email list of donors and listeners tomorrow (see below). I would greatly appreciate it if you could refrain from any public discourse related to this announcement until after we send the email to the large list of email subscribers tomorrow morning. Also, in light of this news and some upcoming programming changes ahead in July, we'll host a CAB meeting on Monday evening, June 13th at 6:00p. (Zoom details forthcoming.)

Thanks for your continued dedication and support of WKMS.

Hi Friends,

The WKMS staff is strong, determined and resilient. The news team plows headfirst into around the clock coverage during a breaking news event. The programming team churns out some of the most thoughtfully curated music programs

that entertain and intrigue you. And the team of fundraisers work tirelessly to ensure steady funding to keep all of the services WKMS provides delivered to you wherever you expect it.

In the last six years the news team has earned dozens of state, regional and national awards from the Associated Press, the Public Media Journalists Association and the Radio Television News Directors Association, shining light on issues important to you. The fundraising team has moved the needle dramatically to ensure listener support is the single largest source of direct funding for WKMS. The programming and engineering team have navigated studio renovations, transmitter replacements and operating a network of stations remotely during a pandemic while pivoting over and over again to serve you when you needed WKMS the most. And, a small, but mighty, podcast team has developed "Middle of Everywhere" to tell rich stories showcasing the people of rural America to a national audience.

In the last six years WKMS has said goodbye to some beloved staff only to welcome new team members with diverse and fresh perspectives, all of whom are mission driven and service focused.

The last six years have provided me moments of elation and joy while also testing my will and fortitude. Your support and passion for WKMS has kept me going through it all. Thank you.

But, this month with WKMS is my last as the Station Manager. I've accepted a position with PRX, which may sound familiar to you. PRX provides content and technology services to public radio stations across the country. I'm incredibly excited for the opportunity and equally sad to leave WKMS, but after 17 consecutive years, from a student reporter to News Director to Station Manager, it is time to move on.

On a personal note, my family and I are staying right here in Murray as this new position is remote with some travel required. So, I'm hopeful the team at WKMS will call on me to volunteer in any capacity in which I could be helpful. And if you'd like to connect, please feel free to email me at [chad.lampe](mailto:chad.lampe@prx.org)

I love the team at WKMS and I believe in them. Keep encouraging them, and let them know how proud you are of their work. I certainly will.

Sincerely,

Chad

One additional note to you, our CAB Members. I have been so thankful and impressed by your dedication to WKMS and the insight you've provided. Maybe, in the future, if the WKMS team will have me, I'll get to be among the ranks of the CAB members too :).

Best,

Chad

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

Story ideas from CAB

3 messages

Asia Burnett <aburnett2@murraystate.edu>

Tue, Jun 14, 2022 at 11:05 AM

To: Derek Operle <doperle@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris

<lburris3@murraystate.edu>

Hi News Team!

First, just wanted to say there were lots of positive comments about the quality of the news from the CAB members last night. Very impressed with your work! Tom Pyron talked about how folks in Cayce have come to trust and rely on Lily. They had some house dedication the other day and everyone was like "Where's that Lily from WKMS?" He had to explain that you have lots of other things to cover, lol. They really appreciate you!

Some story ideas mentioned (I thought the first two seemed pretty interesting!):

- Heat affect on crops - some are failing in other parts of the country, will our crops here fail and how does that affect farmers/shortages/etc.
- Gas Prices affect on tourism - the Lakes are a huge driver for tourism in the summer - are gas prices affecting the amount of people coming to visit, etc.
- Roe V. Wade impact locally (what medical care will be available)
- The ProPublica article on Calvert City plants

Hope this is helpful in any way. Thanks for what you do!

--

Asia Burnett

Assistant Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Lily Burris <lburris3@murraystate.edu>

Tue, Jun 14, 2022 at 11:09 AM

To: Asia Burnett <aburnett2@murraystate.edu>

I felt so bad not being able to make it out to Cayce!! They're so nice and I wanted to be out there for that, but I just couldn't swing it :(I'm really glad they appreciate the work though!

Lily Burris (she/her)

Tornado Recovery Reporter

WKMS

O: 270-809-4790

C: 270-935-7645

[Quoted text hidden]

Liam Niemeyer <lniemeyer1@murraystate.edu>

Tue, Jun 14, 2022 at 11:15 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Thanks, Asia! Good ideas.

As always,

Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio

<https://ohiovalleyresource.org>

Work: 270-809-4744

Cell: [REDACTED]

On Tue, Jun 14, 2022 at 11:05 AM Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

DTP Leadership Workshop: ★, takeaways and coaching sign-up

4 messages

Sitara Nieves <snieves@poynter.org>

Mon, Jun 13, 2022 at 7:02 AM

To: "McBride, RC" <rcmbri@ilstu.edu>, Tim Russo <russo@kgnu.org>, Anthony Hunt <ahunt@wvpe.org>, Sherece Lamke <slamke@pioneer.org>, splater@whur.com, Tom New <tnew@wqln.org>, Michael Bruce <mdbruce@ua.edu>, Mollie Kabler <mollie@coastalaska.org>, "Walker, Ernest" <ernest.walker@tsu.edu>, "Duvall, Roger" <rdduvall@vt.edu>, Darren LaShelle <darren_lashelle@norcalpublicmedia.org>, David M Riek <dave.riek@azwestern.edu>, Robin Cooper <rcooper@wyec.org>, Bill McColgan <bmccolgan@mlpbs.org>, Kermit Poling <kpoling@lsus.edu>, rachel@kosu.org, Bob Culkeen <bculkeen@wtcitv.org>, randy.eccles@nprillinois.org, Asia Burnett <aburnett2@murraystate.edu>

All —

Thank you so much for all you brought into the workshop last week. You are an inspiring group! I included that star in the subject line in the spirit of your leadership "north star" — and to encourage you to create a visual reminder somewhere in your workspace of that new action you want to start taking.

On that new action: we'll do some share-back on what worked (and what didn't go as well too) in our next one-hour leadership session on June 24 (1pm ET). Feel free to share earlier as an email or in our CEO/GM Slack channel if you'd like - would love to hear how it's going.

A few other notes:

- Many of you noted the value of getting to know each other last week in our feedback survey, so I'm cc'ing this group today (instead of my usual bcc) so everyone has each other's **email** addresses. I'll quote one of the comments from the feedback: "I am leaving this week feeling like I have peers I can reach out to for advice."
- If you haven't yet signed up for **executive coaching**, [you can do so here](#). Feel free to reach out if you have questions about the 1:1 coaching sessions, or who might be the best match for you. We'll follow up as soon as this week to connect you with your coach.
- As promised, I'm including some **takeaway slides** from the workshop.

I'm grateful for those of you who completed that survey - your feedback was incredibly valuable to read. (If you haven't completed it, you are welcome to [here](#)).

Please let me know if there's anything else that might be helpful. Look forward to hearing more about what the next two weeks bring.

Best,

Sitara

Sitara Nieves
The Poynter Institute
[Calendly](#)



Takeaways - DTP Leadership Workshop (June 8-10 2022).pdf
3046K

To: Sitara Nieves <snieves@poynter.org>

Hi Sitara!

Before I sign up, I'd love your insight on who might be best for us. I am worried a little bit about not having a journalism background, and we're also looking for someone (unrelated to this) who might be able to help re-think the mission statement of our newsroom and impact on the community. I'm interested in Deborah, Sushil, and Kate. But open to any ideas of you think might best work with a (very new!) manager.

All the Best,
Asia

[Quoted text hidden]

[Quoted text hidden]

Sitara Nieves
The Poynter Institute
[Calendly](#)

—
Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Sitara Nieves <snieves@poynter.org>
To: Asia Burnett <aburnett2@murraystate.edu>

Fri, Jun 17, 2022 at 7:52 AM

Hi Asia -

It sounds like you're most interested in working with someone who can help you as a new manager leading the station — if that's accurate, I'd recommend Deb or Marcy. Both are journalists and have strong leadership experience running organizations & news operations.

Let me know if that's helpful or if there's something else you might be interested in focusing on that I missed.

Also, curious: will your work on re-thinking your mission statement happen this year?

Sitara

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>
To: Sitara Nieves <snieves@poynter.org>

Fri, Jun 17, 2022 at 8:27 AM

Thanks, Sitara. I'll request them.

And, yes, ideally we can work on the newsroom mission statement this year. I feel like with DTP, I'm really inspired to look more thoughtfully at what we're doing now and its impact. Obviously, we'll have to find a few things to let go of if we're going to make more of an effort in the digital space. Plus, we have a new (less than a year) News Director and have had issues with our university not understanding journalistic integrity/firewall stuff. I just think it'd be great all-around to cement some things and also think about what the next phase of journalism looks like for us.

As an aside, at our Ohio Valley Resource collaborative meeting this week, Gabrielle Jones from Louisville Public Media did a really great presentation on digital stories and how you think about them differently from audio stories - with some really concrete/tangible suggestions (she is amazing, btw). I learned so much and just feel like (if we could only make the time!) there's a lot we can think about differently in general as a station. Sorry for the word vomit/excitement - I just really think there's a next phase of public media and we want to be part of it.

[Quoted text hidden]

News mission training

6 messages

Asia Burnett <aburnett2@murraystate.edu>
To: bec@louisvillepublicmedia.org

Wed, Jul 6, 2022 at 6:52 PM

Hi Bec!

I know at the OVR summit, Gabrielle mentioned that you all were about to go through a news mission planning/retreat kind of thing. Did you ever do that? Just wondering if you would have a few minutes free to talk about that this week.

We've been wanting to do the same kind of thing for our newsroom and I'd love any feedback on what you think worked.

All the Best,
Asia

Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>
To: Asia Burnett <aburnett2@murraystate.edu>

Thu, Jul 7, 2022 at 6:20 AM

Hey, Asia!

I presented at PMJA about news mission statements and I'd be happy to chat with you about it. We haven't done it at WFPL yet but we'll be doing it within the next few months.

Let me know a few windows that work for you and we'll set it up.

Thanks,
Bec
[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>
To: Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Thu, Jul 7, 2022 at 6:55 AM

Hey Bec,
Wow, that's perfect!

Would you have any time from 10a/9c to 12/11c today or after 3p/2c? Time zone math!

Or I'm free anytime tomorrow.

I also had just some general questions about what News Directors expect/need from station management.

Thanks so much!
Asia

On Jul 7, 2022, at 6:20 AM, Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org> wrote:

[Quoted text hidden]

Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>
To: Asia Burnett <aburnett2@murraystate.edu>

Thu, Jul 7, 2022 at 3:49 PM

Hi! The day has gotten away from me.

1:30 ET tomorrow work?

[Quoted text hidden]

--
Rebecca Feldhaus Adams (she/her)

News Director | WFPL

bec@wfpl.org | [@rfeldhausadams](https://www.instagram.com/rfeldhausadams) | 502-814-6558

Asia Burnett <aburnett2@murraystate.edu>

Thu, Jul 7, 2022 at 4:46 PM

To: Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

No worries, Bec! Yes, I could make that work. Want me to give you a call?
My cell is [REDACTED] if you need it!.

--
Asia Burnett
Interim Station Manager



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

[Quoted text hidden]

Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Fri, Jul 8, 2022 at 9:10 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Awesome. I'll call you then.

[Quoted text hidden]

7-8 Morning News

5 messages

Derek Operle <doperle@murraystate.edu>

Thu, Jul 7, 2022 at 7:31 PM

To: Mason Galemore <mgalemore@murraystate.edu>, Zacharie Lamb <zlamb1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Dixie Lynn <dlynn2@murraystate.edu>, Ryland Barton <rbarton@kentuckypublicradio.org>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Dustin Wilcox <dwilcox3@murraystate.edu>, David Shinall <dshinall@murraystate.edu>, Lily Burris <lburris3@murraystate.edu>, Asia Burnett <aburnett2@murraystate.edu>, R Fowler <allen.fowler@murraystate.edu>

Hey gang:

Long day in news town.

Liam spent Wednesday evening and most of Thursday in Marion. He'll be assembling a feature on the ongoing water crisis there Friday...hoping to get that on air early next week. I went to see Comer in Murray and covered the charges against Judge Jameson. Friday, I'll be in the newsroom. Hoping to piece together a COVID update and maybe something else, but we'll see how the news cookie crumbles.

Local

C/C. [Comer talks inflation during Murray visit.](#)

C/C and Reader. [Marion residents asked to use bottled water for cooking, drinking amid water shortage.](#)

VOICER. [Ky. judge facing charges from state judicial conduct commission.](#)

AP/PRX

WRAP and C/C. [Beshear: Roe v. Wade was 'generally right', says some abortion restrictions necessary.](#)

WRAP and C/C. [Kentucky's restrictions on medication abortion poised to clash with FDA regulations.](#)

WRAP and C/C. [Kentucky lawmakers discuss charitable bail operations.](#)

WRAP and C/C. [Jefferson Co. judge hears further abortion arguments.](#)

WRAP and C/C. [Campbellsville Amazon workers organizing to hold a union vote.](#)

Readers. [State: 201K gallons of oil spill from pipeline in Tennessee and Kentucky Teacher Hall of Fame accepting nominations.](#)

--

Derek Operle
News Director,
WKMS

Asia Burnett <aburnett2@murraystate.edu>

Thu, Jul 7, 2022 at 8:14 PM

To: Derek Operle <doperle@murraystate.edu>

Cc: Mason Galemore <mgalemore@murraystate.edu>, Zacharie Lamb <zlamb1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Dixie Lynn <dlynn2@murraystate.edu>, Ryland Barton <rbarton@kentuckypublicradio.org>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Dustin Wilcox <dwilcox3@murraystate.edu>, David Shinall <dshinall@murraystate.edu>, Lily Burris <lburris3@murraystate.edu>, R Fowler <allen.fowler@murraystate.edu>

Thanks for your work today guys. I know it was a long day. (And a long couple of days in Marion too). We all really appreciate what you do!

PS. Hope everyone heard Derek's piece about the Red Wolf Pups on ATC today, too. 🐾 LBL represent!

News team was working hard. Take care of yourselves. ❤️

On Jul 7, 2022, at 7:31 PM, Derek Operle <doperle@murraystate.edu> wrote:

[Quoted text hidden]

Dixie Lynn <dlynn2@murraystate.edu>

Thu, Jul 7, 2022 at 11:42 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Cc: Austin Carter <acarter1@murraystate.edu>, David Shinall <dshinall@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Dustin Wilcox <dwilcox3@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lbarris3@murraystate.edu>, Mason Galemore <mgalemore@murraystate.edu>, R Fowler <allen.fowler@murraystate.edu>, Ryland Barton <rbarton@kentuckypublicradio.org>, Tracy Ross <tross1@murraystate.edu>, Zacharie Lamb <zlamb1@murraystate.edu>

I heard the Red Wolf Pups piece!!!
"Derek Operle in Cadiz, Kentucky"

So proud!

[Quoted text hidden]

--

Dixie Lynn

Corporate Support Manager

Proud Sustaining Member

cell: 270-933-8083

email: dlynn2@murraystate.edu



Learn more about the impact of business sponsorships here.

Ryland Barton <rbarton@louisvillepublicmedia.org>

Fri, Jul 8, 2022 at 9:31 AM

To: Dixie Lynn <dlynn2@murraystate.edu>

Cc: Asia Burnett <aburnett2@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, David Shinall <dshinall@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Dustin Wilcox <dwilcox3@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lbarris3@murraystate.edu>, Mason Galemore <mgalemore@murraystate.edu>, R Fowler <allen.fowler@murraystate.edu>, Ryland Barton <rbarton@kentuckypublicradio.org>, Tracy Ross <tross1@murraystate.edu>, Zacharie Lamb <zlamb1@murraystate.edu>

Proud of all the work you're doing. You're amazing!

[Quoted text hidden]

Tracy Ross <tross1@murraystate.edu>

Fri, Jul 8, 2022 at 11:39 AM

To: Dixie Lynn <dlynn2@murraystate.edu>

Cc: Asia Burnett <aburnett2@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, David Shinall <dshinall@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Dustin Wilcox <dwilcox3@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Lily Burris <lbarris3@murraystate.edu>, Mason Galemore <mgalemore@murraystate.edu>, R Fowler <allen.fowler@murraystate.edu>, Ryland Barton <rbarton@kentuckypublicradio.org>, Zacharie Lamb <zlamb1@murraystate.edu>

Yes, great piece Derek!

[Quoted text hidden]

--

Tracy M. Ross

Program Director

WKMS FM

2018 University Station

Murray, KY 42071

270.809.6590

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000228 of 000356

CAB recap notes

10 messages

Asia Burnett <aburnett2@murraystate.edu> Tue, Jun 14, 2022 at 11:27 AM
 To: James Gould <jgould@murraystate.edu>, John Rufli <jrufli@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Marcy Downes <mdownes@murraystate.edu>, Mark Welch <mwelch@murraystate.edu>, nan <nan@murraystate.edu>, Bonnie Koblit <bkoblit@murraystate.edu>, I <pmunkel@murraystate.edu>, Randy Teague <rteague@murraystate.edu>, Tom Pyron <tpyron@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Aviva Yasgur <ayasgur@murraystate.edu>, Wesley Bolin <wbolin@murraystate.edu>, David Denton <ddenton@murraystate.edu>, Howell Hopson <hhopson@murraystate.edu>, Patrick Withrow <pwithrow@murraystate.edu>, loucons <loucons@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, David Eaton <deaton@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>, "To: Ashley Ireland" <aireland@murraystate.edu>, "Allan Rhodes Jr." <arhodes@murraystate.edu>, Aviva Yasgur <ayasgur@murraystate.edu>, CONSTANCE ALEXANDER <calexander9@murraystate.edu>, Caroline Ideus <cidheus@murraystate.edu>, Chris Riley <criley@murraystate.edu>, Chad Lampe <clampe@murraystate.edu>, Ben Cundiff <bcundiff@murraystate.edu>, Darlene Mazzone <dmazzone@murraystate.edu>, david bryson <dbryson@murraystate.edu>, Dave Howe <dhowe2@murraystate.edu>, Geneva Parris <gparris@murraystate.edu>, Ginny Harbison <gharbison@murraystate.edu>, Gayle and John Rufli <jrufli@murraystate.edu>, Gregory Waldrop <gwaldrop@murraystate.edu>, Jenn Blair <jblair@murraystate.edu>, Jennifer Brown <jennbrown@murraystate.edu>, Jessica Evans <jevans15@murraystate.edu>, John Pollpeter <jpollpeter@murraystate.edu>, Joe Leberman <jleberman@murraystate.edu>, "John Williams Jr." <john.williamsjr@murraystate.edu>

Thanks so much to those of you who were able to make the meeting last night - I know it was a quick turnaround!

We had the chance to say thank you and goodbye to Chad. But not for too long (we're hoping for him to join the CAB with you later this year!). We should be able to provide some info on what's next in terms of leadership in the coming weeks.

Tracy gave an update on the Sunday programming lineup. On Being (currently at 10am on Sundays) is going away (they've stopped making the show). And we'll be replacing it with a great history show [Throughline](#). We hope you'll really enjoy it! Also WKMS classic, Stateline Blues is returning - this time hosted by Lew Jetton. It will air Sundays at 7pm, taking the place of Reveal. Travel with Rick Steves will move from 8pm to 9pm. If you have any questions/comments about the weekend lineup - please let us know!

We're working on getting an NPR host visit this August. **So if you have suggestions, please let me know this week!** Some suggestions from the meeting were: Nina Totenburg, Scott Simon, Robert Krulwich, or topics of economy, rural issues, women's health (Roe), Energy & Climate, or science. I have to submit a list of names to NPR and then they'll let me know who's travelling/available.

Some updates:

- We're 150 members away from 1500 members this fiscal year. The drive planned for this week had to be moved for the congressional hearings, but we'll try to have a short two-day catch up June 28 & 29 if you know anyone who's not yet a member!
- Our news team just put out some extensive 6-month tornado recovery coverage that's airing all this week. You can see the stories and map [here](#). They cover 9 affected communities and we're really proud of their hard work. If you have other ideas for continued coverage, please let us know.
- We're starting work on a digital initiative that would help introduce more under-35 listeners to public radio (or at least streaming content from WKMS). We'll have more in the coming months, but we'll keep you posted!

Some news ideas that were mentioned:

- Heat affect on crops - some are failing in other parts of the country, will our crops here fail and how does that affect farmers/shortages/etc.
- Gas Prices affect on tourism - the Lakes are a huge driver for tourism in the summer - are gas prices affecting the amount of people coming to visit, etc.
- Roe V. Wade impact locally (what medical care will be available)
- The ProPublica article on Calvert City plants

As always, if you hear or see anything that you think we might need to look into or have comments about what you hear on the air - we'd love to hear from you any time. Thank you for taking the time to invest in making WKMS a better station!

We really appreciate you!

Asia Burnett
Assistant Station Manager & Development Director



Office: (270) 809-4743
Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Tue, Jun 14, 2022 at 3:39 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Hi Asia,

I would like to see Ayesha Rascoe! I would love to hear her talk about being a white house correspondent during the Obama then Trump administration as well as being one of the few black correspondents, which she has talked about on other programs.

A topic that I think needs more attention that goes along with the inflation and high price of things is the ending of the universal school meals at the end of June. <https://www.politico.com/news/2022/06/08/school-meal-pandemic-program-00038310> Weakley County alone will lose \$800k from its school meal budget, which will impact staffing and food choice i.e. more cheap, processed foods.

Thanks,

[Quoted text hidden]

Jenni Todd <jtodd14@murraystate.edu>
To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Jun 14, 2022 at 3:55 PM

Thanks for the update.

On Tue, Jun 14, 2022 at 11:27 AM Asia Burnett <aburnett2@murraystate.edu> wrote:
[Quoted text hidden]

Jenni Todd (*she/her*)
Membership Director
WKMS-FM
270-809-4748
jtodd14@murraystate.edu
wkms.org

Turn your old car into great radio programming! Donate your vehicle, running or not, to WKMS today when you visit wkms.org!

Tue, Jun 14, 2022 at 5:47 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Hello Asia,

Nice to "see" you again! Thanks for continuing to include us in the CAB; we appreciate the opportunity to listen and to offer input.

I offered no preferences on programming last evening because I realize that your programming list is a balance of cost, content, and convenience. I hate to tip a balanced load...

A thought on topics for a visiting speaker: Experience with bitcoin as a business development in the rural setting. (If the speaker matches the topic)

Good luck as acting manager! As for each of you, we appreciate the work which you do, knowing how much each of you contributes to the larger community.

Thanks again. Be well.

On Tue, Jun 14, 2022 at 11:27 AM Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Jun 15, 2022 at 9:11 PM

To: [REDACTED]

Thanks so much, [REDACTED] I would love to see Ayesha too! I'll add her to the list.

Yes, so true. I know Liam has been covering this for sure with food benefits. I'll pass this info along to him too. Appreciate the feedback!

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Jun 15, 2022 at 9:14 PM

To: [REDACTED]

Thanks so much, [REDACTED] Appreciate you making it! And I think bitcoin is interesting in general, especially with the businesses that have popped up recently in our area. I don't know if there's an NPR speaker on that topic, but I'll suss it out. Really appreciate your support of the station and the team. We're grateful to have you on the CAB!

[Quoted text hidden]

Thu, Jun 16, 2022 at 10:21 AM

To: Asia Burnett <aburnett2@murraystate.edu>

NPR Host—Mary Louis Kelly, or Aisha (?) from weekend edition Sunday. Can't remember her last name.

[REDACTED]
[Quoted text hidden]

Sun, Jul 10, 2022 at 6:25 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Hi Asia!

Have you heard of Dr. T. R. M. Howard? He was a civil rights activist from Murray. I think it would be worth looking into.

I first heard of him watching the HBO documentary "The Janes" if you have not watched it, I highly recommend it.

Let me know your thoughts on Dr. T.R.M Howard

All the best,
[REDACTED]

On Jun 14, 2022, at 11:27 AM, Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Mon, Jul 11, 2022 at 9:04 AM

To: [REDACTED]

Hi [REDACTED]

I had not heard of him at all until earlier this year. I think one of our student reporters did a piece on him:

<https://www.wkms.org/history/2022-02-23/murray-native-played-key-role-in-emmett-till-trial-civil-rights-movement>

Would love to know more!

[Quoted text hidden]

Mon, Jul 11, 2022 at 9:39 AM

To: Asia Burnett <aburnett2@murraystate.edu>

This is a great article. Sorry I missed it. Amazing how little know about Dr. Howard in the country and in Murray. 😊

Thank you.

[Quoted text hidden]

Very Disappointed by Missing News on Net

2 messages

Wed, Jul 13, 2022 at 6:16 AM

To: Asia Burnett <aburnett2@murraystate.edu>

NPR had story on their page
Uvalde shooting surveillance video is released by Texas media outlets

Did not appear on WKLMS web page.

Do not remember reading about our "Double Dipping Mayor" at the drawing for ballot position in upcoming Murray election.

I expect to READ news at my convenience.

UNREAD is UNSAID!

Asia Burnett <aburnett2@murraystate.edu>

Wed, Jul 13, 2022 at 6:42 AM

To: [REDACTED]
Bcc: doperle@murraystate.edu

Thanks for the feedback, [REDACTED] The Uvalde surveillance post on NPR's site linked to a Texas NPR station, KERA. I don't know that it will show up on our feed from NPR until they publish something themselves. There is a listenable story on our page now about the surveillance footage.

We have an amazing and hardworking newsroom of just three (soon to be two) full time staff as well as students during the semester. They cover over 35 counties in our region. There's only so many stories we can cover in a day, so I'm sorry if we've missed something. But I do know they're working hard to provide the best coverage they can for you.

If you have other programming suggestions or comments, please feel free to reach out to me at any time.

- Asia Burnett
WKMS Interim Station Manager

> On Jul 13, 2022, at 6:16 AM, [REDACTED] wrote;

>

> NPR had story on their page

[Quoted text hidden]

SEO check in

3 messages

Asia Burnett <aburnett2@murraystate.edu>
To: Tucker Ives <tives@npr.org>, jbutler@npr.org
Cc: Derek Operle <doperle@murraystate.edu>

Tue, Jul 12, 2022 at 4:37 PM

Hi Tucker & Jonathan!

Just wondered if there are any updates on SEO in Grove? My news director pointed out today that he tried to Google a feature we just posted with a phrase from the actual headline "Praying for rain" and "WKMS" and our story does not show up anywhere on the first page of results. WFPL's repub of our story, a separate story of ours about the same topic, Newsbreak pulling our story, but not our story itself. It's really mind-boggling and I thought would be a good example to show what's happening with our site:

https://www.google.com/search?q=praying+for+rain+wkms&sxsrf=ALiCzsbeW38ebY-W0dWagNqGyJxqb0ep_g%3A1657661367884&source=hp&ei=t-fN'Yvq0MpDjptQP4YWKkAE&iflsig=AJiK0e8AAAAAYs31xxj7h62uM3FaA66P7IXxpPYw99lj&oq=praying+for+r&gs_lcp=Cgdnd3Mtd2l6EAEYADIECCMQJzINCC4QgAQQhwlQ1AIQFDIKCAAQgAQQhwlQFDIFCAAQgAQyDQguEIAEEIcCENQCEBQyBQgAEIAEMgUIABCABDIFCAAQgAQyBQgAEIAEMgUIABCABDoLCC4QgAQQxwEQ0QM6CwguEIAEEMcBEK8BOgUilhCABDoICC4QgAQQ1AI6CAgAEIAEEMkDOgUIABCSA1AAWIAMYLWuABwAHgAgAFmiAHpB5IBBDEyLjGYAQCGAQE&sclient=gws-wiz

And even worse, if you Google words like rain water Marion Kentucky shortage, WKMS doesn't show up til like page 5. We are truly buried. Almost ALL of our traffic is coming from social media.

Any ideas about how we can fix this? Or if there is anything we're specifically doing wrong? Sorry to be a broken record. It's just so frustrating to have our traffic not have moved at all since this transition.

Last month was our **one-year anniversary** on Grove....

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743
Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Tucker Ives <Tives@npr.org>
To: Asia Burnett <aburnett2@murraystate.edu>, Jonathan Butler <JButler@npr.org>
Cc: Derek Operle <doperle@murraystate.edu>

Wed, Jul 13, 2022 at 3:51 PM

Hi Asia,

Totally agree – this is really frustrating. I'm currently seeing the story when I Google "Praying for rain WKMS," but when I use those other search terms, I see how buried it is. And I see that WFPL's rebuild of your story is the top result.

As you probably saw from his auto-reply, Jonathan is out until July 25th. But I shared your message and what I found with our SEO working group. We have a consultant that the Grove team has met with (at least) twice now. As I look at your post, I don't see you doing anything wrong.

So unfortunately, I don't have any major updates or concrete answers for you. Both Jonathan and I have mentioned you as one of the stations to prioritize.

-Tucker

From: Asia Burnett <aburnett2@murraystate.edu>
Sent: Tuesday, July 12, 2022 5:38 PM
To: Tucker Ives <TIves@npr.org>; Jonathan Butler <JButler@npr.org>
Cc: Derek Operle <doperle@murraystate.edu>
Subject: SEO check in

Hi Tucker & Jonathan!

Just wondered if there are any updates on SEO in Grove? My news director pointed out today that he tried to Google a feature we just posted with a phrase from the actual headline "Praying for rain" and "WKMS" and our story does not show up anywhere on the first page of results. WFPL's repub of our story, a separate story of ours about the same topic, Newsbreak pulling our story, but not our story itself. It's really mind-boggling and I thought would be a good example to show what's happening with our site:

https://www.google.com/search?q=praying+for+rain+wkms&sxsrf=ALiCzsbeW38ebY-W0dWagNqGyJxqb0ep_g%3A1657661367884&source=hp&ei=t-fNYvq0MpDJptQP4YWKkAE&ifsig=AJiK0e8AAAAAYs31xxj7h62uM3FaA66P7IXxpPYw99lj&oq=praying+for+r&gs_lcp=Cgdnd3Mtd2l6EAEYADIECCMQJzINCC4QgAAQhwlQ1AIQFDIKCAAQgAAQhwlQFDIFCAAQgAAQyDQguEIAEEIcCENQCEBQyBQgAEIAEMgUIABCABDIFCAAQgAAQyBQgAEIAEMgUIABCABDoLCC4QgAAQxwEQ0QM6CwguEIAEEMcBEK8BOgUILhCABDoICC4QgAAQ1AI6CAgAEIAEEMkDOgUIABCsA1AAWIAMYLWwABwAHgAgAFmiAHpB5IBBDEyLjGYAQcGAE&sclient=gws-wiz

And even worse, if you Google words like rain water Marion Kentucky shortage, WKMS doesn't show up til like page 5. We are truly buried. Almost ALL of our traffic is coming from social media.

Any ideas about how we can fix this? Or if there is anything we're specifically doing wrong? Sorry to be a broken record. It's just so frustrating to have our traffic not have moved at all since this transition.

Last month was our **one-year anniversary** on Grove....

--

Asia Burnett

Interim Station Manager & Development Director



[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Jul 13, 2022 at 4:08 PM

To: Tucker Ives <TIves@npr.org>

Cc: Jonathan Butler <JButler@npr.org>, Derek Operle <doperle@murraystate.edu>

Thanks so much, Tucker. You've been great through all of this. And I really appreciate your help. Just hoping to find answers soon. Our newsroom is making some amazing content and I just want folks to be able to find it.

All the Best,
Asia

[Quoted text hidden]

[Quoted text hidden]



[Quoted text hidden]

Want to set a date for news retreat?

2 messages

Asia Burnett <aburnett2@murraystate.edu>
To: Derek Operle <doperle@murraystate.edu>

Wed, Jul 20, 2022 at 8:57 AM

Hey Derek,

Should we go ahead and try to set a date for the news retreat with Bec/LPM? What about the week of August 22 (the week after the first week of classes?).

Should we start a convo? Just want to get something on the books and also talk more about who we need to plan to invite to get it on their calendars too (any community members? Jennifer Brown? Other collaborators? Dean Eaton will probably want to come).

Plus, if there are things we need to prep in advance?

Let me know what you think!

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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Asia Burnett <aburnett2@murraystate.edu>
To: Derek Operle <doperle@murraystate.edu>

Mon, Jul 25, 2022 at 9:30 AM

Hey Derek,

Were you able to get in touch with Bec last week? Want me to follow up with her?

[Quoted text hidden]

News Audit help/ideas?

4 messages

Asia Burnett <aburnett2@murraystate.edu>

Thu, Aug 11, 2022 at 2:30 PM

To: "gjones@louisvillepublicmedia.org" <gjones@louisvillepublicmedia.org>

Hi Gabrielle!

You may know that Bec has agreed to help WKMS with a news mission retreat on August 22nd. I'm trying to prepare in advance (but very behind as per usual) and was hoping to do some kind of content audit to see what kind of stories we typically produce, what kind of traction they get, what communities they're from, etc.

I know I probably won't get very far before the 22nd, but was hoping you might have some ideas on best places to start or might even be interested in helping with one of the sessions on the 22nd? It can be via zoom, too. We're just trying to set a guide for what we should try for in news in the coming year.

Please let me know if you have any ideas you could share! Any guidance in what we should be looking for when going through content would be much appreciated!

Thanks so much,

--

Asia Burnett

Interim Station Manager & Development Director



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Fax: (270) 809-4667

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Gabrielle Jones <gjones@louisvillepublicmedia.org>

Thu, Aug 11, 2022 at 3:00 PM

To: Asia Burnett <aburnett2@murraystate.edu>

Hi Asia,

To get a little audit done quickly, I'd suggest putting together some sort of form or sheet and asking your team to self-report next week then pulling the Google Analytics data on those stories. I'd also suggest pulling your top 10 or top 5 stories from Google Analytics for the last three months and look at what types of stories are in that group. If you're not sure how to access Google Analytics and don't have another person in-house who can help, NPR should be able to help you out since you're on Grove.

I have some open time on Aug. 22, so I'd be happy to do a session if I'd be a good fit for something you're looking to highlight.

Gabrielle Jones (she/her)

Vice President of Content | Louisville Public Media

502-814-6560 (P) | @gabrielleNjones (T)

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[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>
To: Gabrielle Jones <gjones@louisvillepublicmedia.org>

Thu, Aug 11, 2022 at 3:42 PM

Thanks, Gabrielle! That's a good idea. I should be able to pull those Analytics too.
Yes! I'm asking Bec about agenda, but even what you presented at the OVR thing was really good. I'll try to get back in touch tomorrow or Monday to see if there's a good fit.

Appreciate your help/advice,
Asia

[Quoted text hidden]

Gabrielle Jones <gjones@louisvillepublicmedia.org>
To: Asia Burnett <aburnett2@murraystate.edu>

Thu, Aug 11, 2022 at 4:11 PM

Sounds good!

Gabrielle Jones (she/her)

Vice President of Content | Louisville Public Media

502-814-6560 (P) | [@gabrielleNjones](https://twitter.com/gabrielleNjones) (T)

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[Quoted text hidden]

WKMS News Mission Retreat Date?

5 messages

Asia Burnett <aburnett2@murraystate.edu>

Mon, Aug 1, 2022 at 9:41 AM

To: Rebecca Feldhaus Adams <bec@louisvillepublicmedia.org>

Hi Bec,

I know I couldn't have picked a worse week to email - so much going on with flooding, Fancy Farm, etc. Eek! And it's a Monday...

I just know you need time in advance to make plans to come out this way if we do host a WKMS News Vision/Mission Planning Retreat (thank you SO MUCH for that, btw!).

Would any day the week of August 22 work for you? We can make whatever date works for you work for us, I think.

I just also had a few questions:

- 1) Are there things we would need to prepare in advance? I can solicit some listener/community comments. Do we need to have information about other outlets in our media landscape?
- 2) Any suggestions for who needs to be in the room for all or part of it?
- 3) I was really interested in doing a kind of "news audit" of our local stories in advance - how many we produce, what types, what engagement - just to get an idea. Do you think Gabrielle might be willing to help or provide suggestions on how best to do this?

I'm sure there are other things I'm forgetting, just didn't want to forget to reach out!

--
Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Mon, Aug 1, 2022 at 10:45 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Hey, Asia.

Does a "good time" exist anymore? Oof, how sad to think about. Regardless, I'll always make time for WKMS.

Yes, I'm in for Monday. Aug. 22.

1. Getting as much feedback from your audience would be great. And I would challenge you to go beyond the CAB and regular responders. See if you can get input from folks who normally don't self-select in. What do they value about WKMS? What do they want more of/less of?
2. When we did our retreat, we had one session that had a larger group (GM, PD, development, membership, etc) and the rest was editorial only. That felt good because we got feedback and buy-in from a larger group (that was just getting to know what it meant to have a newsroom on site), while also sharing understandings more widely, then being able to drill

down into the nitty gritty with people who share a deeper understanding about journalism and who will be responsible for daily decision-making.

3. I think she would definitely be willing to share. She's on vacation this week, but will be back Monday. You might also reach out to Judith Smelser, who is now the GM at WMFE in Orlando. At the time, she was a consultant, and we paid her for all her input. She's now fully focused on her GM role, and I don't want to promise anything on her behalf, but I think an email to her, letting her know I recommended her, would be a good step, no matter what. She's very supportive and generally wants the best for the entire system.

Cheers,

Bec

[Quoted text hidden]

--

Rebecca Feldhaus Adams (she/her)

News Director | WFPL

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bec@wfpl.org | [@rfeldhausadams](https://www.instagram.com/rfeldhausadams) | 502-814-6558

Asia Burnett <aburnett2@murraystate.edu>

Mon, Aug 1, 2022 at 3:24 PM

To: Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Thanks, Bec! This is amazing. I'll get to work on some input/responses from folks. Really appreciate your advice!

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Thu, Aug 11, 2022 at 2:32 PM

To: Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Hi Bec!

I just wanted to check back in to see - do Derek or I need to help with agenda planning for the day? Or are there times of day that I can specifically let folks know to be there (all staff vs. newsroom staff)?

I'm a bit behind on gathering feedback, but will work on that next week.

Appreciate your help!

Asia

On Mon, Aug 1, 2022 at 10:45 AM Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org> wrote:

[Quoted text hidden]

[Quoted text hidden]

Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Wed, Aug 17, 2022 at 9:29 AM

To: Asia Burnett <aburnett2@murraystate.edu>

(Thought I sent this Friday, so sorry!) We can do a triage call later this morning, but wanted to send along.

Hey, Asia.

Thanks for checking in. You've been on my list of needed email updates.

I need to rely on you and Derek to set the agenda and recruit folks for any other training you need for the day. I'll be prepared to lead a 90-minute newsroom mission statement training with the newsroom. One thing we could do beforehand is have about a 30-minute chat with the entire station personnel to talk about what they value about the news product, what they think WKMS does best, what they want to do. That generates goodwill and ideas, and then allows the editorial team to make the final decision, as they will for all editorial matters.

How early is reasonable to start? 9am?

9-9:30 -- General session of WKMS News history and aspirations

9:45-11 -- (after break) Newsroom mission statement

[Quoted text hidden]

News Retreat Postponed

1 message

Asia Burnett <aburnett2@murraystate.edu>

Wed, Aug 17, 2022 at 11:34 AM

To: R Fowler <allen.fowler@murraystate.edu>, Jennifer Todd <jtodd14@murraystate.edu>, Dixie Lynn <dlynn2@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>, Austin Carter <acarter1@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>, Lily Burris <lbarris3@murraystate.edu>, Ariel Lavery <alavery@murraystate.edu>

Hi everyone,

Just wanted to send a heads up that we'll be postponing the news mission retreat for later in the semester, so you won't have to block off your morning this Monday.

We will be working on a news survey to send to listeners in the coming weeks first, and will talk about some feedback/ideas for that in staff meeting on Monday.

Thanks so much! Please let me know if you have any questions.

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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WKMS Student Reporters

1 message

Derek Operle <doperle@murraystate.edu>
To: Kevin Qualls <kqualls@murraystate.edu>
Cc: Asia Burnett <aburnett2@murraystate.edu>

Fri, Aug 19, 2022 at 2:25 PM

Hello Kevin:

Asia had mentioned that you had a few students in mind that would be good candidates for student reporters here at the station. If so, I'd love to hear about them or have them apply.

Any students are of course welcome to apply via Handshake (the job # is 3917920) but if there are students with questions you can most certainly email me via doperle@murraystate.edu or stop by the station.

Let me know if you want to chat about the kind of work students do or if a student would be a good fit. Thanks so much for looking out.

All the best,

—

Derek Operle
News Director,
WKMS

These are really good!

2 messages

Jenni Todd <jtodd14@murraystate.edu>
To: Asia Burnett <aburnett2@murraystate.edu>

Wed, Aug 31, 2022

First Name	Last Name	City	State	Comments
		Murray	KY	Access to professional unbiased news is crucial these days, plus i love wkms
		Princeton	KY	Believes in public media in these times. Likes alternative music.
		Paducah	KY	Can't live without WKMS. Can't imagine life without it!
		LaCenter	KY	Car radio stays on 91.3!
		San Antonio	TX	WKMS was my window to the world when I was at MSU and I want to support the station for the current students.
		Paducah	KY	I listen every day to WKMS
		Paris	TN	I listen to news on the way to work and back
		Fulton	KY	I love all the programs on WKMS. Vital to the community
		Martin	TN	I love the variety of programming, especially Think and A Way With Words in two time slots
		New Concord	KY	I'm here only a small part of the year but you are important for this region!
		Murray	KY	Important to support public radio in our community
		Paducah	KY	It was time to give back after listening for quite some time.
		Murray	KY	Keep independent information on the radio
		Paducah	KY	Keep news strong! We need your fair and objective reporting
		Murray	KY	Love the station- we need independent radio
		LaCenter	KY	Listen all the time and thought it was about time to give again.
		Hopkinsville	KY	Listen every morning, great counterbalance
		Kuttawa	KY	Listen while on tractor -the news is good
		Mayfield	KY	Listened for years, found things not on mainstream radio, fair news, ...and Retro Cocktail Hour!
		Paducah	KY	Long term partner, devoted member to WKMS.
		Hazel	KY	Long time listener, first time donor
		Paducah	KY	Love the classical
		Cadiz	KY	love the news coverage
		Murray	KY	Love the variety of news and music
		Clarksville	TN	Loves music programs, finds value in WKMS.
		Dover	TN	My chance to listen to what I believe is unbiased news. Awesome stories
		Cadiz	KY	It's my civic duty
		Nashville	TN	WKMS is an oasis
		Marion	KY	Sure enjoy the Front Porch. Listen all the time. I'm a public radio nerd
		Paducah	KY	Thank you for all you do in sharing trustworthy news, WKMS!
		Hopkinsville	KY	Thank you for helping us to understand what's happening in the world
		Paducah	KY	Thank you for your local news coverage. I enjoy everything on WKMS. Two favorites: BBC News and Retro Cockt
		Paducah	KY	Thank you! A loyal Science Friday listener
		Lexington	KY	Thanks for being a great public radio station. We love the programming mix
		Hoover	AL	The service WKMS provides is invaluable and I appreciate you all. Thank you for loving our community so well.
		Smithland	KY	Vital source of information and news
		Paducah	KY	We're so lucky to have MFFP here! Listener of 40 years. Love MFFP and all shows on WKMS
		Paducah	KY	WKMS has always been there. Inspires me to do things for the community
		Crofton	KY	WKMS is continuing education.
		Murray	KY	WKMS is my lifeline. If WKMS didn't exist! don't know what I'd do!

Jenni Todd (she/her)
Membership Director
WKMS-FM
270-809-4748
jtodd14@murraystate.edu
wkms.org

Turn your old car into great radio programming! Donate your vehicle, running or not, to WKMS today when you visit wkms.org!

Asia Burnett <aburnett2@murraystate.edu>
To: Dustin Wilcox <dwilcox3@murraystate.edu>

Thu, Sep 1, 2022 at 3:08 PM

[Quoted text hidden]

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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Rural Radio Report - Station Examples - available for review

Marta McLellan Ross <MRoss@npr.org>
To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Sep 13, 2022 at 9:00 PM

Hi Asia,

Here you go! We've sent the report draft over to the graphic designer, so we may be able to make slight modifications but the text is for the most part locked. This was based on the survey responses from May.

Thanks!
Marta

WKMS (Murray, Ky.) provided weather reporting of impending storms in December 2021, and when tornadoes struck western Kentucky overnight, they activated the EAS notifications, and delivered live special coverage the morning with reporters traveling to the impacted areas. In the days that followed, WKMS's programming featured live calls with first responders, representatives from utility agencies, and government officials. The station received a CPB grant to hire a full-time reporter for nine months to cover tornado recovery exclusively. The station also shared its reporting with the local and regional news outlets at no cost.

From: Asia Burnett <aburnett2@murraystate.edu>
Sent: Tuesday, September 13, 2022 3:06 PM
To: Marta McLellan Ross <MRoss@npr.org>
Subject: Re: Rural Radio Report - Station Examples - available for review

Thanks so much, Marta,
I'd love to see our mention, if not too much trouble.

Have a great week!

--

Asia Burnett

Interim Station Manager & Development Director

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Newsroom mission statement reup

4 messages

Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Fri, Sep 9, 2022 at 9:46 AM

To: Asia Burnett <aburnett2@murraystate.edu>, Derek Operle <doperle@murraystate.edu>

Hey, y'all.

I'm starting a fresh thread for us to talk about getting WKMS' mission statement moving. We just did a working session on Friday that went really well, so I'm refilled with energy about it.

What are some dates that would work for you? A Monday would be good for me.

Sincerely,
Bec

--

Rebecca Feldhaus Adams (she/her)

News Director | WFPL

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bec@wfpl.org | [@rfeldhausadams](https://twitter.com/RFeldhausAdams) | 502-814-6558

Asia Burnett <aburnett2@murraystate.edu>

Tue, Sep 13, 2022 at 1:59 PM

To: Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Cc: Derek Operle <doperle@murraystate.edu>

Thanks Bec! I'd really like to hear about what worked. I don't want to put things off, but with fundraiser, election and everything (plus a full station retreat in October and we want to get a listener survey out about news coverage before then), would January be okay? What about January 23rd or 30th? Is it crazy to plan that far ahead?

Thanks so much,

Asia

[Quoted text hidden]

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Wed, Sep 14, 2022 at 9:30 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Cc: Derek Operle <doperle@murraystate.edu>

It is not at all crazy to plan that far ahead. One thing to note is that it'll be during the general session. Not a reason not to do it, just something to be aware of.

Both of those days work for me, and I'm holding them in my calendar.

Meantime, I'm going to send you the emails that I sent to the team in preparation for our session. It has links, questions for consideration, etc. Also, here is the [slide deck](#) and [drafting doc](#) we used. Please don't share either asset outside our planning conversations.

I'm excited about it!

Cheers,
Bec

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Wed, Sep 14, 2022 at 3:03 PM

To: Rebecca Feldhaus Adams <rfeldhausadams@louisvillepublicmedia.org>

Cc: Derek Operle <doperle@murraystate.edu>

Thanks so much, Bec! I feel like this will be really helpful in helping us plan things out! We have fundraiser next week, but I'll definitely loop back around soon. Appreciate you!

[Quoted text hidden]

Fwd: In Re the Matter of: James T. Jameson, Circuit Court Judge, 42nd Judicial Circuit

3 messages

WKMS NEWS <msu.wkmsnews@murraystate.edu>
To: Asia Burnett <aburnett2@murraystate.edu>

Fri, Oct 7, 2022 at 12:57 PM

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

From: **JudicialConductCommission** <judicialconductcommission@kycourts.net>

Date: Fri, Oct 7, 2022 at 11:20 AM

Subject: In Re the Matter of: James T. Jameson, Circuit Court Judge, 42nd Judicial Circuit

To:

Judicial Conduct Commission

P.O. Box 4266, Frankfort, Kentucky 40604-4266

502-564-1231

judicialconductcommission@kycourts.net

Contact: Ms. Jimmy Shaffer, Executive Secretary

For Immediate Release

**NOTICE OF THIRD AMENDED NOTICE OF
FORMAL PROCEEDINGS AND CHARGES**

IN RE THE MATTER OF:

James t. jameson, circuit COURT JUDGE
42nd JUDICIAL CIRCUIT

FRANKFORT, KY., October 7, 2022 –

The Judicial Conduct Commission makes public the Notice of Third Amended Notice of Formal Proceedings and Charges, In Re the Matter of: James T. Jameson, Circuit Court Judge, 42nd Judicial Circuit.

To access the docket, use this link: [In Re: James T. Jameson](#)

Judicial Conduct Commission

The mission of the Kentucky Judicial Conduct Commission is to protect the public, to encourage judges, commissioners and candidates for judicial office to maintain high standards of conduct, and to promote public confidence in the integrity, independence, competence, and impartiality of the judiciary.

The Commission accomplishes this mission through its investigation of complaints of judicial misconduct, wrongdoing or disability. In cases where judges, commissioners and candidates for judicial office are found to have engaged in misconduct or to be incapacitated, the Kentucky Constitution authorizes the Commission to take appropriate disciplinary action, including issuing admonitions, reprimands, censures, suspensions, or removal from office.

Kentucky Court of Justice Confidentiality Notice

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Asia Burnett <aburnett2@murraystate.edu>
To: Timothy Todd <ttodd@murraystate.edu>

Fri, Oct 7, 2022 at 1:16 PM

Hi Tim, here's a link to the docket where this is mentioned.

Sent from my iPhone

Begin forwarded message:

From: WKMS NEWS <msu.wkmsnews@murraystate.edu>
Date: October 7, 2022 at 12:57:34 PM CDT
To: Asia Burnett <aburnett2@murraystate.edu>
Subject: Fwd: In Re the Matter of: James T. Jameson, Circuit Court Judge, 42nd Judicial Circuit

[Quoted text hidden]

Timothy Todd <ttodd@murraystate.edu>
To: Asia Burnett <aburnett2@murraystate.edu>

Fri, Oct 7, 2022 at 7:13 PM

Thanks Asia. Have a good weekend and travel safely.

Tt

Sent from my iPhone

On Oct 7, 2022, at 1:16 PM, Asia Burnett <aburnett2@murraystate.edu> wrote:

Hi Tim, here's a link to the docket where this is mentioned.
[Quoted text hidden]

WKMS statement to share with media

1 message

Asia Burnett <aburnett2@murraystate.edu>
To: Timothy Todd <ttodd@murraystate.edu>

Mon, Oct 10, 2022 at 9:46 AM

Hi Tim,

Here's what I have so far for a response for those outlets who have asked us for comment.

WKMS was named Friday in a charge by Kentucky's Judicial Conduct Commission against 42nd Judicial Circuit Court Judge James Jameson. In the complaint, it was alleged that Jameson called then WKMS station manager Chad Lampe to exert pressure regarding an Open Records Request on a potential story involving camera footage from the courthouse. While no one else from the staff was on that call, we want to clarify that the incident the station reporter was requesting footage of - when explained by Jameson to Lampe, and which Lampe then relayed to the newsroom - did not rise to the level of newsworthiness because of its personal nature. The WKMS news team does not respond to threats of pressure (perceived or otherwise) or compromise its editorial integrity for any person in any position.

From a legal standpoint, any issues here?

Thanks so much,

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743
Fax: (270) 809-4667

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Statement

2 messages

Asia Burnett <aburnett2@murraystate.edu>
To: Derek Operle <doperle@murraystate.edu>

Mon, Oct 10, 2022 at 3:07 PM

We want to clarify that the incident the station reporter requested footage of - when explained by Jameson - was not deemed newsworthy because of its personal nature. Editorial decisions are made by the News Director who works to shed light on issue-based stories that impact lives in our communities. The WKMS news team has not and would not compromise its editorial integrity for any person in any position.

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Asia Burnett <aburnett2@murraystate.edu>
To: Jennifer Todd <jtodd14@murraystate.edu>

Wed, Oct 12, 2022 at 10:31 AM

[Quoted text hidden]

**REMINDER: Public Emergency Funding: Disaster Recovery Journalism Grant
#35274 - Final Deliverables due Sept 30, 2022**

Asia Burnett <aburnett2@murraystate.edu>
To: "Lin, Joy" <jlin@cpb.org>, psakellarides@cpb.org
Cc: Heather Macha <hmacha@murraystate.edu>

Fri, Sep 30, 2022 at 5:37 PM

Hi Pat & Joy,

Thanks so much to you and everyone at the CPB for your assistance in a time when we needed it most. This is a narrative from Lily's time as a Tornado Recovery Reporter at WKMS. There is so much more I could include, but I've had to cut myself off. She has been a tremendous asset for us, these communities, our local newspapers and countless others. I'm also including a spreadsheet of her stories and those outlets that republished them for their readers. I hope you'll view this as money truly well-spent.

As Heather in the Grants Office at Murray State mentioned, we won't have the final financial report until October 31st as Lily's final pay period (ending September 30th) won't be finalized/paid out until mid-October. I've also sent a [VendorInformationForm.pdf \(murraystate.edu\)](#) for us to return any unspent funds to you through the University (there may be a small portion).

Your support means so much. And I hope you'll be happy to know that Lily will be continuing in her public media journey - joining our friends at the Kentucky Center for Investigative Reporting as a Report for America Fellow - covering income disparity and social access. She is a bright star that will impact so many lives in her future reporting.

We're so truly grateful for all you do for public media. Please let me know if there's anything else you need from me (or in a different format).

Sincerely,

--
Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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[Quoted text hidden]

2 attachments**Grant Narrative.docx**

1682K

**Tornado Recovery Reporter Stories.xlsx**

21K

Date	Story	Republications
1/27	Millions and counting: SBA loans continue for tornado survivors as first deadline draws nearer	Marshall County Daily Paducah Sun Princeton Times Leader Eddyville Herald-Ledger
1/28	First Dawson Springs families get state-provided travel trailers after December's tornado outbreak	Marshall County Daily Hoptown Chronicle Paducah Sun Princeton Times Leader West Kentucky Star Marshall County Daily Mayfield Messenger Owensboro Messenger-Inquirer West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
1/31	KY AG: Marshall Fiscal Court violated Open Meetings Act	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
2/8	FEMA, SBA disaster assistance application periods end this week	Owensboro Messenger-Inquirer West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
2/11	FEMA denials frustrate Kentucky tornado survivors (collab with Jake)	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
2/17	Kentucky state parks still figuring out next steps for tornado survivors	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
2/18	Mayfield Fraternal Order of Eagles to close distribution center at end of March	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
2/22	What's next for the \$43 million left in Kentucky's tornado relief fund	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
2/25	Humanitarian organization to provide aid to Dawson Springs tornado survivors	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger
3/2	Federal grant available to employers and employees impacted by December tornado outbreak	West Kentucky Star Eddyville Herald-Ledger Princeton Times Leader Paducah Sun Mayfield Messenger Princeton Times Leader West Kentucky Star Eddyville Herald-Ledger

3/4	A community in recovery: Dresden beginning to rebuild after tornado outbreak	Marshall County Daily
3/8	Land Between the Lakes still in early phases of tornado recovery	Paducah Sun Eddyville Herald-Ledger Paducah Sun Princeton Times Leader Hoptown Chronicle Paducah Sun WKYU WKYU
3/9	U.S. Army Corps of Engineers to make last pass in right-of-way debris cleanup	Mayfield Messenger Princeton Times Leader West Kentucky Star Paducah Sun Hoptown Chronicle Eddyville Herald-Ledger WKYU
3/11	FEMA disaster assistance application period for tornado victims ending	
3/11	Around one fifth of 200 travel trailers have been given to tornado survivors so far	
3/15	McConnell: Tornado recovery funds a part of funding bill	
3/17	NWS scientists detail science, events of December tornado outbreak	Mayfield Messenger Princeton Times Leader West Kentucky Star Paducah Sun Hoptown Chronicle Eddyville Herald-Ledger WKYU
3/21	Tornado relief effort gives out musical instruments in impacted Kentucky communities	Eddyville Herald-Ledger Paducah Sun Princeton Times Leader WFPL
3/22	HUD to give Kentucky more than \$70 million in disaster relief funds	Mayfield Messenger
3/22	100 days later: Mayfield residents still figuring out life after tornado	West Kentucky Star Eddyville Herald-Ledger Hoptown Chronicle
3/24	Future of western Kentucky arts community remains uncertain	West Kentucky Star
3/29	Progress and Post-It notes: Graves Co. residents share ideas for rebuilding recovery after tornad	Marshall County Daily West Kentucky Star
3/30	Severe weather to impact region throughout the day	Eddyville Herald-Ledger
4/1	Governor signed bill for disaster days for school impacted by December tornado outbreak	Mayfield Messenger

4/4 [Paducah's National Weather Service office ready for upcoming tornado season](#)

[WKYU](#)

[Eddyville Herald-Ledger](#)

[Princeton Times Leader](#)

[Paducah Sun](#)

[West Kentucky Star](#)

[WKYU](#)

4/7 [Tornado-related family therapy event upcoming in Mayfield](#)

4/11 [‘Everything was going to be better’: Cayce on path to recovery after devastating tornado](#)

[Eddyville Herald-Ledger](#)

[Princeton Times Leader](#)

[Mayfield Messenger](#)

[Paducah Sun](#)

4/13 [Mayfield community meets for next steps in rebuilding process](#)

4/14 [McConnell touts tornado recovery support during Mayfield visit](#)

4/15 [Cayce Habitat for Humanity chapter working toward recovery in tornado's aftermath](#)

[Eddyville Herald-Ledger](#)

[Princeton Times Leader](#)

[WEKU](#)

[WKYU](#)

4/20 [Tornado-impacted counties prep for the primary elections after damage](#)

[Mayfield Messenger](#)

[West Kentucky Star](#)

[WKYU](#)

4/21 [Taiwan government officials visit Mayfield to donate 100,000 masks](#)

[Mayfield Messenger](#)

[WKYU](#)

4/25 [Cayce community holds meeting to discuss tornado recovery in area](#)

[Eddyville Herald-Ledger](#)

[Princeton Times Leader](#)

[WKYU](#)

4/28 [Looking for a way to be involved in tornado recovery work? Here are some weekend options](#)

4/28 [Hopkins County first to receive SAFE Funds from state](#)

5/1 [Dawson Springs community event provides opportunity for remembrance, reflection](#)

[Eddyville Herald-Ledger](#)

[Princeton Times Leader](#)

[Hoptown Chronicle](#)

5/10 [Beshear disperses more than \\$21 million dollars for tornado recovery during Mayfield visit](#)

[West Kentucky Star](#)

5/11 [The December tornado outbreak destroyed many trees – a key habitat for bats](#)

[Eddyville Herald-Ledger](#)

[WKYU](#)

5/12	Mayfield park rededicated in honor of the lives lost from the December tornado	WEKU
5/13	Listening sessions in Dawson Springs let community share hopes for the future of the city	WEKU
5/18	Upcoming concert to be held in honor of Muhlenberg County tornado victims	WKYU
		West Kentucky Star
		WKYU
5/19	Resource fair for tornado survivors in Mayfield this weekend	Mayfield Messenger
5/24	Mayfield Rebuilds committee narrows goals, sets plans for moving forward	West Kentucky Star
		Mayfield Messenger
		Paducah Sun
5/31	What SAFE Funds mean for tornado recovery in Kentucky and who can use them	West Kentucky Star
		WKYU
		Paducah Sun
6/1	Tornado survivors invited to recovery resource fair in Madisonville this weekend	West Kentucky Star
		WKYU
6/7	Mental health support group for Mayfield tornado survivors launching this week	WKYU
6/10	Cayce community continues to find a way toward recovery from December tornado	WEKU
6/10	Where will the wood go? LBL plans to fund tornado recovery through tree salvage	WKYU
6/10	Keeping a community alive: How Dawson Springs hopes to heal after December's tornado	Eddyville Herald-Ledger
6/10	Mayfield Latino community overcomes language barriers, trust issues in recovery process	WKYU
6/23	More than \$3 million from Team Western Kentucky Tornado Relief Fund to assist grain farmers	
6/24	Kentucky Legal Aid receives \$3 million from nonprofit for disaster legal aid	WEKU
		WKYU
6/27	Mental health resources becoming increasingly available to survivors of Ky. tornado outbreak	Eddyville Herald-Ledger
		West Kentucky Star
		WEKU
		WKYU
6/30	Two Ky. counties receive nearly \$800,000 in state funding for ongoing tornado debris clean-up	
7/1	'A fairgrounds family': Mayfield-Graves Co. Fairgrounds ceases operations as tornado donation c	Princeton Times Leader
		Paducah Sun
7/12	Mayfield Youth Development Center reopens after repairing tornado damage	Paducah Sun
7/13	Bill enhancing punishment for crimes committed during states of emergency taking effect this we	Eddyville Herald-Ledger

7/13	Christmas in July events held for kids impacted by December tornado outbreak in west Ky.	Mayfield Messenger Paducah Sun WEKU WKYU West Kentucky Star Hoptown Chronicle WFPL WEKU WEKU WKYU
7/14	Millions allocated from Team Western Kentucky Tornado Relief Fund for individual assistance	Eddyville Herald-Ledger Mayfield Messenger Marshall County Daily Owensboro Messenger-Inquirer West Kentucky Star Hoptown Chronicle WEKU WKYU
7/15	Mayfield Rebuilds website available for community members to submit input	
7/19	Where Ky. tornado recovery programs are more than seven months after storms	
7/27	Benefit concert this weekend for Marshall Co. tornado survivors	Paducah Sun West Kentucky Star Princeton Times Leader West Kentucky Star WKYU WKYU Paducah Sun
7/28	Dawson Springs annual barbecue acts as beacon of hope for tornado-devastated community	
7/29	Mayfield Rebuilds holds public meeting to update community on recovery process	
8/1	Beshear praises tornado recovery efforts, gives east Ky. flood update during Mayfield visit	
8/2	Mayfield-Graves Co. Fairgrounds prepares to send supplies to eastern Ky. flood survivors	
8/10	Kentucky charities working toward 300 home goal from Team Western Kentucky Tornado Relief	
8/16	Tornado-impacted school districts hope for tax-base stability for their futures	WEKU WKYU
8/17	Ky. transportation secretary gives update on flood recovery, points to lessons from tornado outbreak	Eddyville Herald-Ledger Princeton Times Leader WEKU WKYU WEKU
8/19	Mayfield American Legion post holds final ceremonies at historic hall damaged by tornado	WEKU

8/22	Mayfield candle manufacturer charged with OSHA violations after December tornado outbreak	Eddyville Herald-Ledger West Kentucky Star WFPL WKYU
8/23	About a dozen western Kentucky rebuilding projects in the works with Samaritan's Purse	WKYU
8/25	Beshear: Eastern Kentucky moving toward stabilization after floods	Eddyville Herald-Ledger Princeton Times Leader Mayfield Messenger Paducah Sun West Kentucky Star WKYU
8/26	Mayfield city planner holds open house to hear residents' ideas on rebuilding after tornado	WKYU
8/29	Graves Co. nonprofit aiming to house tornado victims welcomes first family to Water Valley site	Eddyville Herald-Ledger Princeton Times Leader Mayfield Messenger Paducah Sun West Kentucky Star WKYU
8/31	Beshear disburses more than \$3 million in SAFE Funds to tornado impacted communities	WEKU WKYU
9/5	United Way chapters continuing to support tornado recovery throughout western Ky.	WEKU WKYU
9/8	Long-term recovery group to return tornado relief funds to Princeton-Caldwell chamber	Princeton Times Leader
9/9	Nonprofit organization, local Mayfield contractors present families with tiny homes	WKYU
9/12	Sen. Paul proposes legislation to allow unused COVID relief funds to be used for disaster recovery	WEKU WKYU
9/16	Graves County courthouse demolition draws in locals, hopes for the future	Eddyville Herald-Ledger Paducah Sun WEKU WKYU
9/27	Disaster recovery group aims to assist Mayfield residents with rental needs	WEKU WKYU

WKMS Emergency Grant for December 10th Tornado Reporting: Final Narrative Report

Background

When tornados devastated a large swath of Western Kentucky on December 10, 2021 – the WKMS newsroom leapt into action. With only two full-time reporters and a couple of students – the news team and extra station staff worked around the clock to provide updates to the region. The station’s generator needed repairs and with power out at the University – the website was down – so NPR had to create a separate website for the team to post updates. In that time, staff interviewed power utilities, State Police, the National Weather Service and others. They shared information on resources, places to go for shelter and more. Here are a few listener comments:


Like Reply 41w



Helen Roulston

Power and Internet finally renewed in Murray! Alas for poor Mayfield and other devastated locales. When my power came back on, I immediately turned on WKMS, which was my main source for news. I was so grateful.

Like Reply 40w





Jeremy McKeel


December 11, 2021 · 🌐

Local folks, you won't find better news coverage than on WKMS 91.3FM. They're working hard to provide updates.



Jenni Hopkins Todd, Helen Roulston and 62 others

10 Comments 1 Share

 Like

 Comment

 Share

Emergency Grant/Lily Burris

That amount of coverage is hard to maintain with a news team of two, so CPB’s offer to help fund an emergency 9-month tornado recovery reporter was so incredibly needed and appreciated. Lily Burris started at the station January 24th and dove into recovery reporting with so much compassion, aptitude and energy.

"When I started this job, I had no idea what to expect from the communities I would interact with throughout their recovery efforts. Every interaction has reminded me that people are resilient, and that despite everything that goes on in the world, there are good people who want to help others. I am always amazed by the people in places like Dawson Springs, Mayfield and Cayce for their determination to recover. I can't wait to see these communities continue to grow and get stronger as time goes on."

She completed more than 80 stories in that less than 9-month time-frame - not to mention countless newscast spots – on issues from mental health for survivors to housing to how emergency funds were spent to what recovery looks like for Latino Kentuckians overcoming language barriers. You can see much of her amazing work here:

<https://www.wkms.org/people/lily-burris>.

The amazing thing is the trust she built in these communities that have a distrust of news media in general. The small town of Cayce has a population of 119 people. They don't see many strangers. I heard from community members Tom & Cherry Pyron of Hickman County that the locals in Cayce had come to trust and rely on Lily so much that having an event without WKMS present caused folks to ask for her.

From Dawson Springs, we received this message:



6-Month Anniversary Collaborative Reporting Project

Lily's efforts helped us shape a 6-months-out collaborative report on the recovery with fellow Kentucky Public Radio station WKYU and KPR Managing Editor of Collaboratives Ryland Barton. The interactive map has stories from 9 impacted communities along the storm's path and feature stories were shared each day across the network.

<https://www.wkms.org/regional-news/2022-06-10/never-knocked-out-kentuckys-recovery-slow-but-progressing-six-months-after-tornado-outbreak>

Republishing and Reach

You can see from the attached spreadsheet that Lily's stories have been shared with many outlets, including our KPR partner stations: WKYU, WEKU & WFPL (as well as content in statewide newscasts most weeks). Between radio and online cumes, KPR alone covers more than 500,000 people. When you include local publications like the Marshall County Daily, West Kentucky Star, Paducah Sun, Mayfield Messenger, Princeton Times Leader, Eddyville Herald-Ledger, Hoptown Chronicle and Owensboro Messenger-Inquirer – both circulations and web, I think it's safe to say more than a million Kentuckians had access to this content in some form during the span of the grant.

Our partners were exceedingly grateful for the coverage. As Areia Hathcock, General Manager at the Mayfield Messenger put it, *"Lily's reporting on the tornado recovery efforts in Mayfield have been extremely beneficial to the Mayfield Messenger. I am very appreciative of this partnership with WKMS. As newsrooms get smaller, the workloads get heavier. Any opportunity to share leads and stories helps save time when being short staffed. Community journalism is the heart of small towns, making sure readers (and listeners) have the most factual information on stories and events the larger media does not cover. And Lily has done that very well. Thank you, Lily, for sharing your work with us."*

Awards:

The WKMS news team won multiple awards for their Breaking News Coverage of the December 10th tornadoes, **including a Regional Edward R. Murrow Award.**

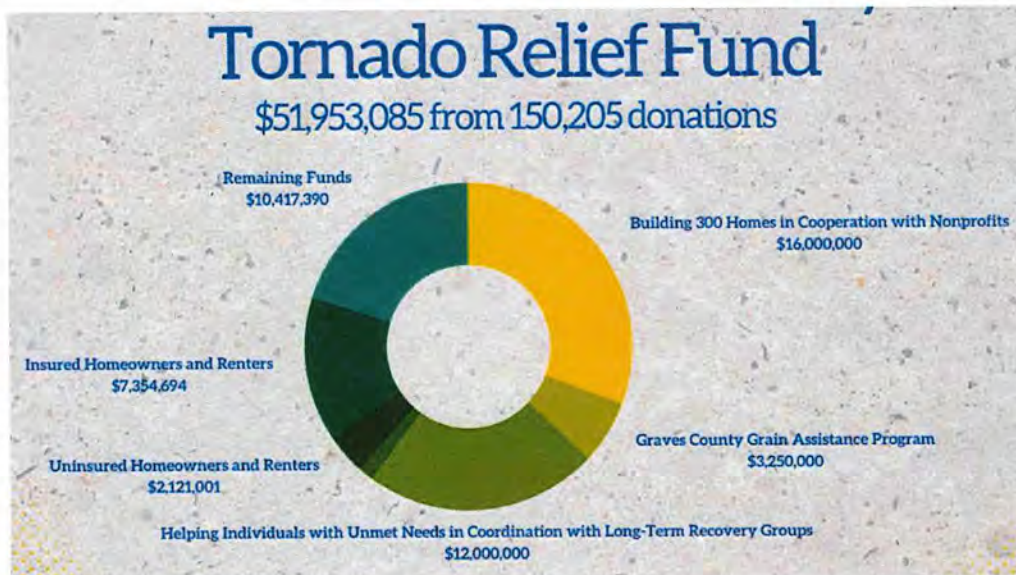
Other Awards for the team's tornado coverage include:

- 1st Place in Breaking News/Division C from the Public Media Journalist's Association.
- 2nd Place News Feature for "Relying on Faith: Churches Provide Shelter and Hope for Devastated Mayfield Community" from PMJ
- 2nd Place Breaking News Coverage from the Kentucky Broadcasting Association Impact Awards
- 2nd Place Long Serious News Feature from the Kentucky Broadcasting Association for "Meteorologists Want to Confirm How Many Tornadoes Touched Down in Western Kentucky"

Overall Impact:

In a vastly rural region with very limited local news sources, I don't think the importance of this grant support can be overstated. Small communities had access to information on where to get resources at a time when they needed them most. And, importantly, the focus on recovery was able to keep positive stories of growth coming as well and continue to shed light on how funding was being distributed and used. For instance, this story and infographic on where the money had gone in July:

<https://www.wkms.org/government-politics/2022-07-19/where-ky-tornado-recovery-programs-are-more-than-seven-months-after-storms>



Finally, reporter Lily Burris went above and beyond and really grew as a journalist as well. She will continue in the public media landscape - moving this October to our partner station at Louisville Public Media and the Kentucky Center for Investigative Reporting to cover Income Disparity and Social Access as a Report for America Fellow. She is a bright star in public media journalism and we were beyond lucky to help her get started in what I'm sure will be a powerful career and boon to all of us and every community she serves.

WKMS CAB poll - election races you're watching?

14 messages

Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 9:54 AM

To: James Gould [REDACTED], John Ruffi [REDACTED], Jennifer Todd <jtodd14@murraystate.edu>, Marcy Downes [REDACTED], Mark Welch [REDACTED], nan [REDACTED], Bonnie Koblit [REDACTED], I <pmunke [REDACTED]>, Randy Teague [REDACTED], Tom Piron [REDACTED], Tracy Ross <tross1@murraystate.edu>, Aviva Yasgur [REDACTED], Wesley Bolin <wbolin@murraystate.edu>, David Denton [REDACTED], Howell Hopson [REDACTED], Patrick Withrow [REDACTED], loucons [REDACTED], Derek Operle <doperle@murraystate.edu>, David Eaton <deaton@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>, "To: Ashley Ireland" <aireland@murraystate.edu>, "Allan Rhodes Jr." [REDACTED], Aviva Yasgur <ayasgur@murraystate.edu>, CONSTANCE ALEXANDER <calexander9@murraystate.edu>, Caroline Ideus [REDACTED], Chris Riley [REDACTED], Ben Cundiff [REDACTED], Darlene Mazzone [REDACTED], david [REDACTED], bryson [REDACTED], Dave Howe <dhowe2@murraystate.edu>, Geneva Parris [REDACTED], Ginny Harbison [REDACTED], Gayle and John Ruffi [REDACTED], Gregory Waldrop [REDACTED], Jenn Blair [REDACTED], Jennifer Brown [REDACTED], Jessica Evans <jevans15@murraystate.edu>, John Pollpeter [REDACTED], Joe Lehman [REDACTED], "John Williams Jr." [REDACTED], Chris Chapman [REDACTED]

Hi Community Advisors,

I'm hoping we can have a meeting soon and catch up on all of the changes and happenings at WKMS, but in the meantime - I had a quick question for you:

Are there any races in the midterms that you're particularly interested in/following?

Just trying to plan our election night coverage. Obviously, with 35+ counties in 3 states, it's impossible to drill down on everything, but if there are particular candidates/races that are important in your areas, we'd love to know.

Thanks so much!

--

Asia Burnett
Interim Station Manager & Development Director


Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:01 AM

Hi Asia,

In Weakley County, the most interesting race is the Dresden Mayoral race. The current mayor has stirred up a lot of drama since the tornado and many people are not happy. There are 4 other people running against him in re-election.

News Story about Mayor Sueing Alderman:

https://www.wpsdlocal6.com/news/dresden-tennessee-leaders-settle-lawsuit-mayor-filed-against-aldermen/article_db3195be-02f3-11ed-9275-033438494698.html

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:03 AM

To:

Thanks, [redacted] Good to know!

[Quoted text hidden]

To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:12 AM

Booker/Paul although I am afraid it will turn out wrong! :)

[Quoted text hidden]

To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:19 AM

Asia,

District Judge and Sheriff races in Trigg Co. Both involve write in candidates.

On Tue, Oct 18, 2022 at 9:55 AM Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Dave Howe <dhowe2@murraystate.edu>

Tue, Oct 18, 2022 at 10:32 AM

To: Asia Burnett <aburnett2@murraystate.edu>

For me, Calloway County sheriff and the booker/Paul race.

[Quoted text hidden]

To: Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:36 AM

I'm interested in a McCracken County race—Yolanda Johnson for Commissioner. And for Paducah City council (or commissioner?)—Keisha Curry. And then, of course, Charles Booker vs the Clown. Not locally—Raphael Warnock in GA, Stacey Abrams in GA.

I heard last night that a WKMS former station manager would be testifying in a KY judge's hearing or trial. Wondered if that was Chad?

Thanks so much for all you and the other station folks do! You guys are truly amazing!

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:36 AM

To:

Thanks, I know what you mean.

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:36 AM

To:

Thanks, Definitely have our eye on that Sheriff's race.

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:38 AM

To:

Thanks, P.S. Not for news purposes, but as a law enforcement guy - Who would you recommend voting for in the Sheriff's race? Matt went to hear them both speak last night, but we don't really know a lot of background on what actual law enforcement people think.

[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

Tue, Oct 18, 2022 at 10:40 AM

To:

Thanks, Good insights! And thanks again for calling the other day. :)

Yep, that was Chad. He testified in the Jameson trial about a phone call in which it's alleged the Judge pressured the station not to run a story. It's not like it influenced the story being run or not (the news team had already let it go for other reasons), but it still doesn't sit well when people try to suppress the media. It's been a kind of crazy week.

[Quoted text hidden]

To: Asia Burnett <aburnett2@murraystate.edu>

Wed, Oct 19, 2022 at 2:36 PM

Asia

You all will do your usual fine work!

On Oct 18, 2022, at 9:55 AM, Asia Burnett <aburnett2@murraystate.edu> wrote:

[Quoted text hidden]

Wed, Oct 19, 2022 at 2:59 PM

To: Asia Burnett <aburnett2@murraystate.edu>



[Quoted text hidden]

Asia Burnett <aburnett2@murraystate.edu>

To:

Mon, Oct 24, 2022 at 8:58 AM

Thanks, [redacted] I appreciate that!

[Quoted text hidden]

WKMS speaking opportunity in my JMC 100T class

4 messages

Leigh Wright <ewright@murraystate.edu>

Mon, Sep 26, 2022 at 11:18 AM

To: Derek Operle <doperle@murraystate.edu>, Asia Burnett <aburnett2@murraystate.edu>

Hello Asia and Derek,

I hope you are doing well. I have an opportunity for you to talk with my JMC 100T Transitions class next week (after fund drive). I have a session every fall where campus media groups can come and talk about opportunities to get involved (aka hired).

Could one of you come to speak about WKMS next Tuesday, Oct. 4? The time is 3:30-4:20 p.m. in room 115 of Wilson Hall. You would have about 10 minutes. We do have a projector and sound, if you wish to have a presentation ready.

Thanks so much!

Leigh

--

Leigh Landini Wright, MFA

Associate Professor, journalism

Curriculum coordinator, Journalism

The Arthur J. Bauernfeind College of Business

Department of Journalism and Mass Communications

216A Wilson Hall

Murray State University

Phone: 270-809-4741

Fax: 270-809-2390

Email: ewright@murraystate.eduWebsite: <http://murraystate.edu/jmc>

Asia Burnett <aburnett2@murraystate.edu>

Wed, Sep 28, 2022 at 8:24 AM

To: Derek Operle <doperle@murraystate.edu>

Derek, you interested in this?

[Quoted text hidden]

--

Asia Burnett

Interim Station Manager & Development Director



Murray State's NPR Station

Office: (270) 809-4743

Fax: (270) 809-4667

It's part of your life. Make it part of your legacy. Remember WKMS in your estate plans.

Derek Operle <doperle@murraystate.edu>

Wed, Sep 28, 2022 at 10:38 AM

To: Asia Burnett <aburnett2@murraystate.edu>

Oh, yeah. I replied to Leigh and didn't CC you. Apologies. I'll be going.

[Quoted text hidden]

--

Derek Operle
News Director,
WKMS

Asia Burnett <aburnett2@murraystate.edu>
To: Derek Operle <doperle@murraystate.edu>

Wed, Sep 28, 2022 at 11:24 AM

Thanks, Derek!

[Quoted text hidden]

Fwd: Poem Recording

1 message

Henry White <hwhite@murraystate.edu>
To: Lori Mathis <lmathis@murraystate.edu>

Fri, Feb 3, 2023 at 3:24 PM

Hello, Lori.

Here is the most recent correspondence between me and Chad Lampe.

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

From: **Chad Lampe** <clampe@murraystate.edu>
Date: Mon, Mar 21, 2022 at 3:40 PM
Subject: Re: Poem Recording
To: Henry White <hwhite@murraystate.edu>

Wow! That's real drama...

Fingers crossed on RFA. The contract negotiations have been quite challenging. Lot's "dealbreakers" being tossed around. Not good.

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

On Mon, Mar 21, 2022 at 3:15 PM Henry White <hwhite@murraystate.edu> wrote:

That's great news about the "Report for America" selection. I was wondering what's up on the WKMS/JMC fellowship front.

Retirement is what one would expect,

Well, that's my life in the big city these days. Have a good week.

a

On Mon, Mar 21, 2022 at 1:42 PM Chad Lampe <clampe@murraystate.edu> wrote:

Hi Allen,

Nice to see your note. The audio looks/sounds good here. Thanks for submitting a poem.

Things have been a bit quiet here. No prodding from the administration for a few months. I was a little bummed that Kevin wanted to move away from the Investigative Fellowship to something Solutions-based (which I support that style of journalism, but we have a stable of experienced investigative reporters in the state ready to help). That project didn't reach enrollment standards. But I'm hopeful we'll renew talks again soon for another formal fellowship-like partnership.

We did get selected to host a "Report for America" corps member, but I'm mired in legal and HR processes that are lagging behind where we need to be to hire our selected finalist.

How's retirement?

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

On Mon, Mar 21, 2022 at 1:35 PM Henry White <hwhite@murraystate.edu> wrote:

Hello, Chad.

I just submitted a poem for Poetry Month. I was able to get a audio file to appear in the submission form, but couldn't get it to play back for me. So, just in case something went wrong with the recording, I've attached the file below.

Thanks,

Allen

p.s., How are things going on campus? Since being retired, I've gone into hiding. :)

a



Derek Operle <doperle@murraystate.edu>

WKMS Student Reporters

Derek Operle <doperle@murraystate.edu>
To: Kevin Qualls <kqualls@murraystate.edu>
Cc: Asia Burnett <aburnett2@murraystate.edu>

Fri, Aug 19, 2022 at 2:25 PM

Hello Kevin:

Asia had mentioned that you had a few students in mind that would be good candidates for student reporters here at the station. If so, I'd love to hear about them or have them apply.

Any students are of course welcome to apply via Handshake (the job # is 3917920) but if there are students with questions you can most certainly email me via doperle@murraystate.edu or stop by the station.

Let me know if you want to chat about the kind of work students do or if a student would be a good fit. Thanks so much for looking out.

All the best,

--
Derek Operle
News Director,
WKMS

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000274 of 000356



Derek Operle <doperle@murraystate.edu>

WKMS Student Reporters

Derek Operle <doperle@murraystate.edu>
To: Pride Center <msu.pridecenter@murraystate.edu>

Fri, Aug 19, 2022 at 2:41 PM

Hello Abigail:

My name is Derek Operle. I'm the news director over at WKMS. I wanted to reach out to you to see if there were any students you work with at the Pride Center that you think would be a good fit for student reporter positions at the station here on campus.

We're looking for two or three new reporters to bolster and hopefully diversify our reporting staff. Ideal candidates would be detail-oriented, confident writers interested in a career in media.

Working with WKMS would be a great proving ground for anyone looking to go into journalism: it's paid, they'd be integrated into a professional newsroom and treated like staff reporters, they would learn new skills and sharpen others (including news writing, photography, audio and photojournalism, and voiceover work), and stories they write and voice could be played on our station as well as other NPR affiliates throughout the state. The pay is \$8/hour and we expect somewhere between 10 and 20 hours per week depending on story production.

If you know of any students looking for an opportunity like this, I'd love to hear about them or have them apply.

Any students are of course welcome to apply via Handshake (the job # is 3917920), but if there are students who show interest and have questions you can most certainly email me via doperle@murraystate.edu or stop by the station at the top Price-Doyle.

Let me know if you want to chat about the kind of work students do or if a student would be a good fit. Thanks so much for looking out.

--

Derek Operle
News Director,
WKMS

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000275 of 000356



Derek Operle <doperle@murraystate.edu>

WKMS Student Reporters

Derek Operle <doperle@murraystate.edu>

Fri, Aug 19, 2022 at 2:38 PM

To: "SG Carthell, EdD" <scarthell@murraystate.edu>, Deonte' Turnley <dturnley@murraystate.edu>, Multicultural Initiatives <msu.multiculturalinitiatives@murraystate.edu>

Hello:

My name is Derek Operle. I'm the news director over at WKMS. I wanted to reach out to you to see if there were any students you've encountered at OMI that you think would be a good fit for student reporter positions at the station here on campus.

We're looking for two or three new reporters to bolster and hopefully diversify our reporting staff. Ideal candidates would be detail-oriented, confident writers interested in a career in media.

Working with WKMS would be a great proving ground for anyone looking to go into journalism: it's paid, they'd be integrated into a professional newsroom and treated like staff reporters, they would learn new skills and sharpen others (including news writing, photography, audio and photojournalism, and voiceover work), and stories they write and voice could be played on our station as well as other NPR affiliates throughout the state. The pay is \$8/hour and we expect somewhere between 10 and 20 hours per week depending on story production.

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Let me know if you want to chat about the kind of work students do or if a student would be a good fit. Thanks so much for looking out.

--
Derek Operle
News Director,
WKMS

--
Derek Operle
News Director,
WKMS

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Derek Operle <doperle@murraystate.edu>

News Vision Statement agenda

Derek Operle <doperle@murraystate.edu>

Thu, Jul 28, 2022 at 1:07 PM

To: aburnett2@murraystate.edu, tross1@murraystate.edu



-31627907948455016401.-whro-journalism-strategic-planning-agenda.docx

7K

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000277 of 000356

WHRO Journalism Strategic Planning Meeting
March 11 & 12, 2020

MARCH 11

Morning Session 9:30-12:30

Welcome, Introductions

Mission & Vision

Newsroom Best Practices

Five Tiers of News Coverage

Editorial Process

12:30 Lunch

Afternoon Session 2:30-5:30

Debrief Discussion

SWOT

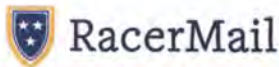
Coverage Priorities: Geography, Community, Topics

MARCH 12

Morning Session 10-12

Start-Stop-Continue

10 Words

[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: FW: Interview with President Jackson - WKMS**

1 message

Shawn Touney <stouney@murraystate.edu>

Tue, Mar 1, 2022 at 7:35 AM

To: Jill Hunt <thunt2@murraystate.edu>

Hi Jill,

Good morning - thank you for this. Absolutely. I will reach out to the reporter this morning. Thanks, Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/applyOn Mon, Feb 28, 2022 at 6:08 PM Jill Hunt <thunt2@murraystate.edu> wrote:

Hi Shawn:

President Jackson asked if you would reach out to this reporter with WKMS and see if you can help him. The President's schedule is such that he simply does not have any time. Thanks.

Jill

From: Zacharie Lamb <zlamb1@murraystate.edu>**Sent:** Monday, February 28, 2022 12:36 PM**To:** Shawn Touney <stouney@murraystate.edu>; Jill Hunt <thunt2@murraystate.edu>**Cc:** Derek Operle <doperle@murraystate.edu>**Subject:** Interview with President Jackson - WKMS

To Whom This May Concern:

Hi, I'm a reporter with WKMS. I'm interested in having a quick phone interview with President Bob Jackson over the recent announcement about lifting the mask mandate on Campus. I will be available any time after 3:30 pm today for an interview. If President Jackson is only available at an earlier time today, I can arrange for another WKMS reporter to host the interview. Please let me know what works best for President Jackson.

Thank you sincerely,

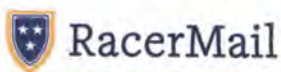
--

Zacharie/Zach Lamb (he/him/his)

Freshman, Music Performance- Vocal

Student Reporter for WKMS News (91.3 FM)

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000280 of 000356

[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: Interview with President Jackson - WKMS**

1 message

Shawn Touney <stouney@murraystate.edu>
To: Zacharie Lamb <zlamb1@murraystate.edu>

Tue, Mar 1, 2022 at 7:37 AM

Hi Zach,

Good morning - I appreciate you reaching out yesterday. Dr. Jackson will be unavailable today due to several commitments throughout the day, and my schedule will be very limited as well. Please share some questions later today by email and I will get back to you here as soon as I can. I hope your semester is going well. Best, Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu

Apply today at murraystate.edu/apply

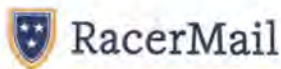
On Mon, Feb 28, 2022 at 12:35 PM Zacharie Lamb <zlamb1@murraystate.edu> wrote:
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Thank you sincerely,

--

Zacharie/Zach Lamb (he/him/his)
Freshman, Music Performance- Vocal
Student Reporter for WKMS News (91.3 FM)



email | calendar | drive

Shawn Touney <stouney@murraystate.edu>

Fwd: Interview with President Jackson - WKMS

1 message

Shawn Touney <stouney@murraystate.edu>

Thu, Mar 3, 2022 at 4:35 PM

To: Robert Jackson <rjackson@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Hi Bob, Jordan,

I drafted two responses for this reporter's questions below...both responses have one or two subtleties with some of the wording differences near the middle of the statement, but much of it are pick-ups from Monday's communication and recent responses to media i.e. MSU's relationship with constituent groups. Wanted to share with you first for some initial thoughts on how this reads and make any changes you see. I can extend a draft to our larger group for feedback from there, before responding to this reporter from WKMS. Thanks - Shawn

Since the start of the pandemic, Murray State has adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department and other state and local healthcare officials. New guidance from the CDC within the past week, as well as the decline in local, regional and national COVID-19 case counts has allowed Murray State University, like many other institutions and organizations, to lift its face mask requirement for all buildings and locations on the Murray campus at this time. Murray State University operates with an important shared governance model with key constituent groups — particularly our Student Government Association, Faculty Senate and Staff Congress. University administration has an active relationship with these groups in soliciting their feedback while discussing why appropriate decisions are being made, and is appreciative of its relationship with leadership within each of these areas. As shared in Monday's communications to campus, any individual may continue to wear a mask at any time and in any location. Also, as we have done throughout the pandemic, we will continue to monitor all COVID-19 guidance including local, state and federal government, healthcare professionals, such as the CDC and adjust as necessary. We have shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority.

Since the start of the pandemic, Murray State has adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department and other state and local healthcare officials. New guidance from the CDC within the past week, as well as the decline in local, regional and national COVID-19 case counts has allowed Murray State University, like many other institutions and organizations, to lift its face mask requirement for all buildings and locations on the Murray campus at this time. Murray State University operates with an important shared governance model with key constituent groups — particularly our Student Government Association, Faculty Senate and Staff Congress. University administration is appreciative of its relationship with these constituent groups, including leadership within each of these areas. As shared in Monday's communications to campus, any individual may continue to wear a mask at any time and in any location. Also, as we have done throughout the pandemic, we will continue to monitor all COVID-19 guidance including local, state and federal government, healthcare professionals, such as the CDC and adjust as necessary. We have shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority.

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu

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

From: **Zacharie Lamb** <zlamb1@murraystate.edu>

Date: Thu, Mar 3, 2022 at 12:37 PM

Subject: Re: Interview with President Jackson - WKMS
To: Shawn Touney <stouney@murraystate.edu>

Hi Shawn,

Thank you for getting back to me when you. I have a few questions I'd like to ask you, if you are still open to it. I appreciate your time.

- When was the official decision made to remove the mask mandate?
- Who was involved in making the decision? Were there representatives for students and faculty present in the decision making process?
- Was there an attempt made to reach out to external specialists regarding understanding the latest CDC guidance (i.e. local health department) before making the decision?
- Were the on campus populations of high-risk individuals taken into consideration when deciding to remove the mask mandate?
- Why was the information chosen to be given out early in the morning through an email? And, why was this announced so quickly after the CDC guidance update on Fri. the 25th?

Again, thank you for the help. I may send a follow-up email to ask more questions after your response. Have a good day,

Thank you sincerely,

On Tue, Mar 1, 2022 at 7:38 AM Shawn Touney <stouney@murraystate.edu> wrote:
Hi Zach,

Good morning - I appreciate you reaching out yesterday. Dr. Jackson will be unavailable today due to several commitments throughout the day, and my schedule will be very limited as well. Please share some questions later today by email and I will get back to you here as soon as I can. I hope your semester is going well. Best, Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.edu



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Thank you sincerely,

—

Zacharie/Zach Lamb (he/him/his)

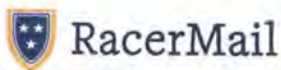
Freshman, Music Performance- Vocal

Student Reporter for WKMS News (91.3 FM)

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Zacharie/Zach Lamb (he/him/his)
Freshman, Music Performance- Vocal
Student Reporter for WKMS News (91.3 FM)

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Shawn Touney <stouney@murraystate.edu>

Re: Interview with President Jackson - WKMS

1 message

Shawn Touney <stouney@murraystate.edu>
To: Zacharie Lamb <zlamb1@murraystate.edu>

Fri, Mar 4, 2022 at 3:24 PM

Thank you, Zach. Since the start of the pandemic, Murray State has strictly adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department (CCHD) and other state and local healthcare officials. New guidance from the CDC, reinforced with calls and information from the state and the CCHD within the past week, as well as the decline in COVID-19 case counts has allowed Murray State University, like many other institutions and organizations across Kentucky, our multi-state region, and the entire country, to lift its face mask requirement for all buildings and locations on the Murray campus at this time, strictly adhering to the new CDC Community Transmission Levels.

As shared in Monday's communications to campus, any individual may continue to wear a mask at any time and in any location. Also, as we have done throughout the pandemic, we will continue to monitor all COVID-19 guidance including local, state and federal government, healthcare professionals, such as the CDC and adjust as necessary.

We are appreciative of all campus constituency groups, including Student Government Association, Faculty Senate and Staff Congress, as well as our entire faculty, staff and student body who have collectively shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority, while still fulfilling our educational mission.

You may have also seen as well in viewing the new [CDC community transmission levels](#), that Calloway County is currently in a green (low) level. Take care and have a good weekend. Shawn

Shawn Touney
Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Thu, Mar 3, 2022 at 12:37 PM Zacharie Lamb <zlamb1@murraystate.edu> wrote:
Hi Shawn,

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Thank you sincerely,

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Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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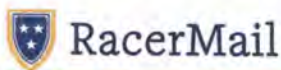
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Thank you sincerely,

--

Zacharie/Zach Lamb (he/him/his)
Freshman, Music Performance- Vocal
Student Reporter for WKMS News (91.3 FM)

--
Zacharie/Zach Lamb (he/him/his)
Freshman, Music Performance- Vocal
Student Reporter for WKMS News (91.3 FM)



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Shawn Touney <stouney@murraystate.edu>

Fwd: Request to Interview -- April 26 midday deadline

1 message

Shawn Touney <stouney@murraystate.edu>

Mon, Apr 25, 2022 at 4:29 PM

To: Robert Jackson <rjackson@murraystate.edu>

Unfortunate...this may be another aftereffect from Chad's initial email blast a week or so ago. It doesn't appear she has even reached out to WKMS. Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/apply

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

From: **Cady Stribling** <cstribling1@murraystate.edu>

Date: Mon, Apr 25, 2022 at 11:01 AM

Subject: Request to Interview -- April 26 midday deadline

To: Shawn Touney <stouney@murraystate.edu>

Good morning,

My name is Cady Stribling, and I am a student in Dr. Anderson's JMC 398 course. This class produces The College News each week, a broadcast featured on The Murray State News. This week, we are covering the WKMS budget cut by the university and the outside sources resuming responsibility for the funding.

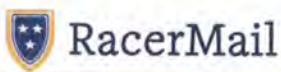
I have a few questions about the subject and would highly appreciate an interview with you. This course has a quick turnaround with a deadline of Tuesday at about 12:30pm. Unfortunately due to work, I am free only until noon today, or we could potentially schedule an in-person with camera or phone interview for tomorrow morning, Tuesday April 26th, anytime between 7am -- noon?

Again, I am very sorry for the inconvenience of the quick turnaround. If you have any questions or concerns, please let me know. Thank you!

Sincerely,

Cady Stribling

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[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: Request to Interview -- April 26 midday deadline**

1 message

Shawn Touney <stouney@murraystate.edu>

Tue, Apr 26, 2022 at 7:59 AM

To: Cady Stribling <cstribling1@murraystate.edu>Cc: Stephanie Anderson <sanderson37@murraystate.edu>

Hi Cady,

Thanks. Just to confirm/clarify - what budget cut are you referring to? Is there a source or origin for this information - have you spoken with WKMS? Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/applyOn Mon, Apr 25, 2022 at 11:01 AM Cady Stribling <cstribling1@murraystate.edu> wrote:

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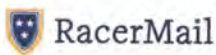
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Cady Stribling

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Shawn Touney <stouney@murraystate.edu>

Re: Request to Interview -- April 26 midday deadline

1 message

Shawn Touney <stouney@murraystate.edu>

To: Bob Jackson <rjackson@murraystate.edu>

Cc: Timothy Todd <ttodd@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Tue, Apr 26, 2022 at 8:46 AM

Thanks Bob....the response looks good....I will share the clarifying email from Chad as well when sending her a note back later today, which will help her for a full understanding, I imagine....Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/apply

On Tue, Apr 26, 2022 at 7:01 AM Bob Jackson <rjackson@murraystate.edu> wrote:

Shawn - here's a quick response...edit as needed...Thanks, Bob

There is no proposed budget reduction to WKMS for FY 2022-23. Mr. Lampe's email of April 13, 2022 provided this information.

From: **Chad Lampe - WKMS** <clampe@murraystate.edu>

Date: Wed, Apr 13, 2022 at 3:53 PM

Subject: A quick update and clarification

To: <ttodd@murraystate.edu>



Thank you for making WKMS your station

Dear Friends,

The WKMS email this morning stated that WKMS would have \$50,000 fewer dollars in University support in the upcoming fiscal year.

The University had already identified other sources of funds so that WKMS would be held harmless in the new fiscal year. This was not clear in my communication with WKMS supporters.

I apologize for any confusion this has caused.

Please do not hesitate to contact me if you have questions about this matter.

Sincerely,

Chad Lampe

Station Manager, WKMS-FM

Support WKMS. Make your voice heard.

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

Learn more about the [Road Scholars program](#)
Apply today at murraystate.edu/apply

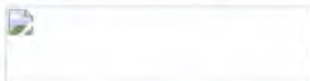


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Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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Again, I am very sorry for the inconvenience of the quick turnaround. If you have any questions or concerns, please let me know. Thank you!

Sincerely,
Cady Stribling



email | calendar | drive

Shawn Touney <stouney@murraystate.edu>

Re: Request to Interview -- April 26 midday deadline

1 message

Shawn Touney <stouney@murraystate.edu>

Tue, Apr 26, 2022 at 10:28 AM

To: Cady Stribling <cstribling1@murraystate.edu>

Thanks Cady. There is no proposed budget reduction to WKMS for FY 2022-23. Mr. Lampe's email of April 13, 2022, below, provided this information. Shawn



Thank you for making WKMS your
station

Dear Friends,

The WKMS email this morning stated that WKMS would have \$50,000 fewer dollars in University support in the upcoming fiscal year.

The University had already identified other sources of funds so that WKMS would be held harmless in the new fiscal year. This was not clear in my communication with WKMS supporters.

I apologize for any confusion this has caused.
Please do not hesitate to contact me if you have questions about this matter.

Sincerely,

Chad Lampe
Station Manager, WKMS-FM

Support WKMS. Make your voice heard.

Shawn Touney

Executive Director of Marketing and Communication

Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Tue, Apr 26, 2022 at 8:03 AM Cady Stribling <cstribling1@murraystate.edu> wrote:

Good morning,

Thank you for getting back to me so quickly. I apologize for the confusion. I was referring to the \$50,000 cut from the FY22 fiscal year and the other sources making up the difference in FY23. I have also spoken with WKMS.

Thank you,
Cady

On Tue, Apr 26, 2022 at 7:59 AM Shawn Touney <stouney@murraystate.edu> wrote:

Hi Cady,

Thanks. Just to confirm/clarify - what budget cut are you referring to? Is there a source or origin for this information - have you spoken with WKMS? Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Mon, Apr 25, 2022 at 11:01 AM Cady Stribling <cstribling1@murraystate.edu> wrote:

Good morning,

My name is Cady Stribling, and I am a student in Dr. Anderson's JMC 398 course. This class produces The College News each week, a broadcast featured on The Murray State News. This week, we are covering the WKMS budget cut by the university and the outside sources resuming responsibility for the funding.

I have a few questions about the subject and would highly appreciate an interview with you. This course has a quick turnaround with a deadline of Tuesday at about 12:30pm. Unfortunately due to work, I am free only until noon today, or we could potentially schedule an in-person with camera or phone interview for tomorrow morning, Tuesday April 26th, anytime between 7am -- noon?

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Sincerely,
Cady Stribling

[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>

Deputy Jody Cash

1 message

Shawn Touney <stouney@murraystate.edu>

Tue, May 17, 2022 at 6:17 PM

To: WKMS NEWS <msu.wkmsnews@murraystate.edu>, Liam Niemeyer <lniemeyer1@murraystate.edu>Bcc: Jeffery Gentry <jgentry@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>

Hello,

Liam, I believe you had reached out earlier today to our Human Resources department to inquire about employment dates for Deputy Jody Cash. Jody Cash was a regular employee of Murray State University from December 2000 through June 2011.

Take care,
Shawn Touney

Shawn Touney

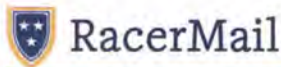
Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/apply

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[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: Deputy Jody Cash**

1 message

Shawn Touney <stouney@murraystate.edu>

Tue, May 17, 2022 at 8:02 PM

To: WKMS NEWS <msu.wkmsnews@murraystate.edu>

You're welcome, Liam. Thank you for considering including the below statement from the university. Take care, Shawn

Our heartfelt condolences are with the family of our fallen Calloway County Deputy Sheriff, former MSU employee and alumnus, Deputy Jody Cash, along with all of our brave police officers and first responders throughout Calloway County, Marshall County and in our entire region.

Our thoughts and prayers are with Deputy Cash's family and friends.

On May 17, 2022, at 6:49 PM, WKMS NEWS <msu.wkmsnews@murraystate.edu> wrote:

Thank you, Shawn. I appreciate you looking into it for me. - Liam

On Tue, May 17, 2022 at 6:18 PM Shawn Touney <stouney@murraystate.edu> wrote:

Hello,

Liam, I believe you had reached out earlier today to our Human Resources department to inquire about employment dates for Deputy Jody Cash. Jody Cash was a regular employee of Murray State University from December 2000 through June 2011.

Take care,
Shawn Touney

Shawn Touney

Executive Director of Marketing and Communication
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Shawn Touney <stouney@murraystate.edu>

Re: WKMS - Following up on Action Item Information

1 message

Shawn Touney <stouney@murraystate.edu>

Thu, Aug 11, 2022 at 1:52 PM

To: Liam Niemeyer <lniemeyer1@murraystate.edu>

You got it - just sent over. Sorry - back from meetings. Thanks Liam. Be well and have a good afternoon/rest of the week...Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/apply

On Thu, Aug 11, 2022 at 1:51 PM Liam Niemeyer <lniemeyer1@murraystate.edu> wrote:

Hi Shawn,

Thanks for chatting earlier today, and it was good to see you again. Do you know when you'll be able to forward along the action item document/language regarding the Curris Center renovations?

I was looking to finish my story this afternoon and wanted to touch base. Thanks again for the help with this.

As always,

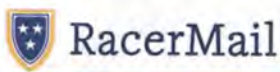
Liam Niemeyer

Ohio Valley Resource Reporter/Asst. News Director @ WKMS Public Radio

<https://ohiovalleyresource.org>

Work: 270-809-4744

Cell:

[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: Jordan - To help with the MSU News Response**

1 message

Shawn Touney <stouney@murraystate.edu>

Wed, Aug 17, 2022 at 9:23 AM

To: Courtney Hixon <chixon@murraystate.edu>Cc: Timothy Todd <ttodd@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>, Bob Jackson <rjackson@murraystate.edu>, Don Robertson <drobertson@murraystate.edu>

Thank you, Jordan. Good here as well...Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/applyOn Wed, Aug 17, 2022 at 9:14 AM Courtney Hixon <chixon@murraystate.edu> wrote:

I don't have any suggested changes either. Thanks, Jordan.

Courtney Hixon, SPHR

Director of Human Resources

Murray State University

412 Sparks Hall

Murray, KY 42071

Phone: 270.809.2146

Fax: 270.809.3464

chixon@murraystate.eduOn Aug 17, 2022, at 8:53 AM, Timothy Todd <ttodd@murraystate.edu> wrote:

Same here Jordan. Great job.

TT

On Wed, Aug 17, 2022 at 8:52 AM Jackie Dudley <jdudley@murraystate.edu> wrote:

Jordan, I am good with this from my perspective.

jackie.

On Wed, Aug 17, 2022 at 8:42 AM Jordan Smith <jsmith3@murraystate.edu> wrote:**Left off word "visit" it's added below...****Has there been any discussion around what Murray plans to do if Monkeypox continues to spread?**

We have and will continue to be in close contact with the Calloway County Health Department, state health officials and others regarding this and all matters regarding the health and safety of our students, faculty and staff. Murray State has been directed by the state and others to encourage any individuals requesting a Monkeypox test, vaccine or who have questions regarding Monkeypox to visit the Calloway County Health Department.

On Wed, Aug 17, 2022 at 8:37 AM Jordan Smith <jsmith3@murraystate.edu> wrote:

Response to WKMS below. Feel free to make any suggestions here. Thanks. I need to get this to them by noon today.

Has there been any discussion around what Murray plans to do if Monkeypox continues to spread?

We have and will continue to be in close contact with the Calloway County Health Department, state health officials and others regarding this and all matters regarding the health and safety of our students, faculty and staff. Murray State has been directed by the state and others to encourage any individuals requesting a Monkeypox test, vaccine or who have questions regarding Monkeypox to the Calloway County Health Department.

To make an appointment with the Calloway County Health Department, call 270-753-3381 or visit them in-person at 602 Memory Lane in Murray.

What has Murray State's administration learned from the past couple years in regards to protecting its students from COVID-19 that it could use for Monkeypox?

Murray State is grateful for the close partnership we have with the Calloway County Health Department and all of our state and local healthcare providers and officials who have provided us with information, guidance and recommendations that we have followed and will continue to follow regarding the health and safety of our campus community.

We also know that our Racer Safe and Healthy Guidelines have proven to be effective for our students, faculty and staff and we encourage everyone to continue to follow those guidelines. They can be found at [Racer Safe and Healthy Guidelines \(murraystate.edu\)](https://www.murraystate.edu/racersafeandhealthy).

Does Murray State have any plans in place to help students pay for vaccines and boosters now that certain provider's (I.E. village medical) have now charged for them?

Murray State has partnered with Kentucky Care again to provide COVID-19 testing, vaccine and booster clinics on August 17, 10 a.m. - 2 p.m., Curris Center, 1st floor and on August 24, 10 a.m. - 2 p.m., Curris Center, 1st floor. We also have a listing of all locations within the community where individuals can receive a COVID-19 test ([COVID-19 Testing Information \(murraystate.edu\)](https://www.murraystate.edu/covid-19-testing)) vaccine or booster ([COVID-19 Vaccinations \(murraystate.edu\)](https://www.murraystate.edu/covid-19-vaccinations)).

On Wed, Aug 17, 2022 at 7:29 AM Bob Jackson <rjackson@murraystate.edu> wrote:

<https://www.kentucky.com/news/local/education/article263726358.html>

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

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Jordan N. Smith, MPA
Executive Director, Government & Institutional Relations
Murray State University
219 Wells Hall
Murray, KY 42071
Office: 270.809.5706

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Jackie Dudley
Vice President, Finance and Administrative Services
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322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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Shawn Touney <stouney@murraystate.edu>

Re: Student Wages

1 message

Shawn Touney <stouney@murraystate.edu>
To: Zacharie Lamb <zlamb1@murraystate.edu>

Wed, Oct 19, 2022 at 7:46 AM

Thanks, Zach. I will be in touch soon...Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Tue, Oct 18, 2022 at 4:42 PM Zacharie Lamb <zlamb1@murraystate.edu> wrote:
Shawn Touney,

Thank you for your call today. I appreciate you reaching out to assist me with my story.

As I mentioned during our quick conversation, I'm working on a story related to student wages on college campuses in Kentucky. For my story, it would be a great help if you could provide me with the following information:

-The average student wage across all main campus jobs at Murray State University for each academic year starting from 2018-2019 to 2022-2023

-The total estimated cost to attend Murray State University (including Tuition, Housing, Meal Plans, etc.) for each academic year starting from 2018-2019 to 2022-2023

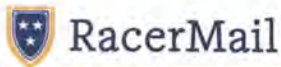
Again, I really appreciate you taking the time to help me gather information and let me know if there is anything else you need from me.

Thank you sincerely,

--

Zacharie/Zach Lamb (he/him/his)
Sophomore, BM Musical Theatre
Reporter for WKMS News (91.3 FM)

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[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Fwd: Student Wages**

1 message

Shawn Touney <stouney@murraystate.edu>

Wed, Oct 19, 2022 at 8:15 AM

To: Robert Jackson <rjackson@murraystate.edu>, Jill Hunt <thunt2@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>

Good morning,

FYI - if needed, I can help facilitate with assisting this reporter. This may be an incoming FOIA request...Shawn

Shawn TouneyExecutive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.eduApply today at murraystate.edu/apply

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

From: **Zacharie Lamb** <zlamb1@murraystate.edu>

Date: Tue, Oct 18, 2022 at 4:42 PM

Subject: Student Wages

To: Shawn Touney <stouney@murraystate.edu>

Shawn Touney,

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Zacharie/Zach Lamb (he/him/his)
Sophomore, BM Musical Theatre
Reporter for WKMS News (91.3 FM)

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[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: Student Wages**

1 message

Shawn Touney <stouney@murraystate.edu>

Wed, Oct 19, 2022 at 12:55 PM

To: Robert Miller <rmiller47@murraystate.edu>Cc: Jackie Dudley <jdudley@murraystate.edu>, Robert Jackson <rjackson@murraystate.edu>, Jill Hunt <thunt2@murraystate.edu>

Jackie, with the two calculations you mentioned - do you need me to reach out to anyone in particular? You may have done so already. I am here to help this week as this potential response comes together.

Thanks, Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.edu

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On Wed, Oct 19, 2022 at 12:03 PM Robert Miller <rmiller47@murraystate.edu> wrote:

Rob

On Wed, Oct 19, 2022 at 11:28 AM Jackie Dudley <jdudley@murraystate.edu> wrote:

Shawn, We can calculate the average student wage through payroll and we can get a cost of attendance calculation for the years mentioned. Rob can then determine if to release it or wait for a FOIA request.

Jackie.

On Wed, Oct 19, 2022 at 8:15 AM Shawn Touney <stouney@murraystate.edu> wrote:

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Shawn Touney

Executive Director of Marketing and Communication

Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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Subject: Student Wages
To: Shawn Touney <stouney@murraystate.edu>

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Sophomore, BM Musical Theatre
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--

Jackie Dudley

Vice President, Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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[email](#) | [calendar](#) | [drive](#)Shawn Touney <stouney@murraystate.edu>**Re: Student Wages**

1 message

Shawn Touney <stouney@murraystate.edu>
To: Jackie Dudley <jdudley@murraystate.edu>

Wed, Oct 19, 2022 at 12:58 PM

OK - thank you Jackie...

Shawn Touney
Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu

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On Wed, Oct 19, 2022 at 12:56 PM Jackie Dudley <jdudley@murraystate.edu> wrote:
Shawn, No, I have asked folks to gather this data already.

thanks.

On Wed, Oct 19, 2022 at 12:55 PM Shawn Touney <stouney@murraystate.edu> wrote:

Jackie, with the two calculations you mentioned - do you need me to reach out to anyone in particular? You may have done so already. I am here to help this week as this potential response comes together.

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Jackie.

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Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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Date: Tue, Oct 18, 2022 at 4:42 PM

Subject: Student Wages

To: Shawn Touney <stouney@murraystate.edu>

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Zacharie/Zach Lamb (he/him/his)
Sophomore, BM Musical Theatre
Reporter for WKMS News (91.3 FM)

--

Jackie Dudley

Vice President, Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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Shawn Touney <stouney@murraystate.edu>

Re: Student Wages

1 message

Shawn Touney <stouney@murraystate.edu>
To: Bob Jackson <rjackson@murraystate.edu>

Wed, Oct 19, 2022 at 1:47 PM

Right...hopeful the student paper does a nice write-up on the Promise. They did not know it had expanded several years ago to include all of KY instead of 18 county only...Shawn

Shawn Touney
Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Wed, Oct 19, 2022 at 1:09 PM Bob Jackson <rjackson@murraystate.edu> wrote:

Agree, Shawn...spot on...the story is on this topic are and more...Murray State Promise info was the first request on Monday...

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

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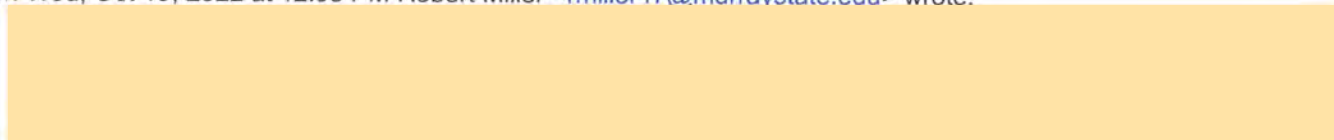
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Zacharie/Zach Lamb (he/him/his)
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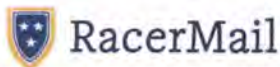
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Jackie Dudley

Vice President, Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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Shawn Touney <stouney@murraystate.edu>

Re: Student Wages

1 message

Shawn Touney <stouney@murraystate.edu>

Fri, Oct 21, 2022 at 11:17 AM

To: Jackie Dudley <jdudley@murraystate.edu>

Cc: Robert Miller <rmiller47@murraystate.edu>, Robert Jackson <rjackson@murraystate.edu>, Jill Hunt <thunt2@murraystate.edu>

Hello,

I have included some supplemental draft messaging below, as this potential response and data comes together, to touch on a few value/quality components. Open to all thoughts here with better wording for this portion. Thanks, Shawn

*Draft:**Here is some additional information which may assist for your story.**Based on our most recent data, more than \$115 million is awarded annually in financial aid and scholarships, with 99 percent of freshmen receiving financial aid or scholarships.**Nationally, U.S News and World Report recently recognized Murray State for the 32nd consecutive year as a top-tier university as well as a top 10 regional university in quality and value, as part of its 2023 rankings, with accolades also being received from Washington Monthly, the Wall Street Journal/Times Higher Education, and Forbes within the past year.**In 2018, Murray State expanded its [Murray State Promise](#) scholarship assistance program to include all of Kentucky, as eligible first-time undergraduate students and transfer students who are residents of Kentucky can attend Murray State, tuition-free, with the university covering the gap with qualifying students' tuition and fees.***Shawn Touney**

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/apply

On Wed, Oct 19, 2022 at 12:56 PM Jackie Dudley <jdudley@murraystate.edu> wrote:

Shawn, No, I have asked folks to gather this data already.

thanks.

On Wed, Oct 19, 2022 at 12:55 PM Shawn Touney <stouney@murraystate.edu> wrote:

Jackie, with the two calculations you mentioned - do you need me to reach out to anyone in particular? You may have done so already. I am here to help this week as this potential response comes together.

Thanks, Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Wed, Oct 19, 2022 at 12:03 PM Robert Miller <rmiller47@murraystate.edu> wrote:



Rob

On Wed, Oct 19, 2022 at 11:28 AM Jackie Dudley <jdudley@murraystate.edu> wrote:

Shawn, We can calculate the average student wage through payroll and we can get a cost of attendance calculation for the years mentioned. Rob can then determine if to release it or wait for a FOIA request.

Jackie.

On Wed, Oct 19, 2022 at 8:15 AM Shawn Touney <stouney@murraystate.edu> wrote:

Good morning,

FYI - if needed, I can help facilitate with assisting this reporter. This may be an incoming FOIA request...Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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

From: **Zacharie Lamb** <zlamb1@murraystate.edu>
Date: Tue, Oct 18, 2022 at 4:42 PM
Subject: Student Wages
To: Shawn Touney <stouney@murraystate.edu>

Shawn Touney,

Thank you for your call today. I appreciate you reaching out to assist me with my story.

As I mentioned during our quick conversation, I'm working on a story related to student wages on college campuses in Kentucky. For my story, it would be a great help if you could provide me with the following information:

-The average student wage across all main campus jobs at Murray State University for each academic year starting from 2018-2019 to 2022-2023

-The total estimated cost to attend Murray State University (including Tuition, Housing, Meal Plans, etc.) for each academic year starting from 2018-2019 to 2022-2023

Again, I really appreciate you taking the time to help me gather information and let me know if there is anything else you need from me.

Thank you sincerely,

--

Zacharie/Zach Lamb (he/him/his)
Sophomore, BM Musical Theatre
Reporter for WKMS News (91.3 FM)

--

Jackie Dudley

Vice President, Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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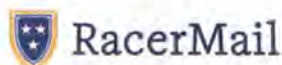
--

Jackie Dudley

Vice President, Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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Shawn Touney <stouney@murraystate.edu>

Re: The News Inquiry on Student Wages

1 message

Shawn Touney <stouney@murraystate.edu>

Fri, Oct 21, 2022 at 2:31 PM

To: Bob Jackson <rjackson@murraystate.edu>

Cc: Jackie Dudley <jdudley@murraystate.edu>, Jill Hunt <thunt2@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>

Thank you for this, Jackie. I think what you shared reads great from here and paints a good picture - I consolidated to also include some of the quality/value context, and have the below as a tentative final read.

I can add or edit this as needed, and send a response back to this reporter following the weekend on Monday morning. Thank you...Shawn

University student workers make on the average over the years requested, \$8.12/hour. The averages for each year is reflected below:

Fiscal Year	Rate
2019	\$ 8.08
2020	\$ 8.03
2021	\$ 8.12
2022	\$ 8.23
2023	\$ 8.15

Students work an average of 20 hours per week; therefore, based on the average of \$8.12/hour, the average paid to a student for the academic year is \$5,198.

University student employment is a form of university financial aid. Generally students have more flexible schedules and work in these positions, unlike other types of off-campus employment.

The estimated cost of attendance is not the same for all students. Many students do not live on campus nor have meal plans. Also, students that are online, part-time or take more than the typical 15 hour load, have different rates. Therefore, the net full time Kentucky resident tuition and mandatory fee rates are the only comparable amounts. Below is the net full-time Kentucky resident tuition for the academic years requested.

2018-19	\$ 5,450
2019-20	\$ 5,450
2020-21	\$ 5,501
2021-22	\$ 5,551
2022-23	\$ 5,659

The full Pell Grant amount for eligible students for 2022-23 is \$6,895.

Here is some additional information which may assist for your story.

Based on our most recent data, more than \$115 million is awarded annually in financial aid and scholarships, with 99 percent of freshmen receiving financial aid or scholarships.

Nationally, U.S News and World Report recently recognized Murray State for the 32nd consecutive year as a top-tier university as well as a top 10 regional university in quality and value, as part of its 2023 rankings, with accolades also being received from Washington Monthly, the Wall Street Journal/Times Higher Education, and Forbes within the past year.

In 2018, Murray State expanded its [Murray State Promise](#) scholarship assistance program to include all of Kentucky, as

eligible first-time undergraduate students and transfer students who are residents of Kentucky can attend Murray State, tuition-free, with the university covering the gap with qualifying students' tuition and fees.

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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On Fri, Oct 21, 2022 at 2:00 PM Bob Jackson <rjackson@murraystate.edu> wrote:

Excellent info - thanks

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

Learn more about the [Road Scholars program](#)
Apply today at murraystate.edu/apply



On Fri, Oct 21, 2022 at 1:55 PM Jackie Dudley <jdudley@murraystate.edu> wrote:

Shawn, Here is some info for you to possibly use in a response:

University student workers make on the average over the years requested \$8.12/hour. The averages for each year is reflected below:

Fiscal Year	Rate
2019	\$ 8.08
2020	\$ 8.03
2021	\$ 8.12
2022	\$ 8.23
2023	\$ 8.15

Students work an average of 20 hours per week; therefore, based on the average of \$8.12/hour, the average paid to a student for the academic year is \$5,198.

You may want to note that University student employment is a form of university financial aid. Generally students have more flexible schedules and work in these positions, unlike other types of off-campus employment.

In regards to the second question, the estimated COA is not the same for all students. Many students do not live on campus nor have meal plans. Also, students that are online, part-time or take more than the typical 15 hour load, have different rates. Therefore, the net full time Kentucky resident tuition and mandatory fee rates are the only comparable amounts. Below is the net full-time Kentucky resident tuition for the academic years requested

2018-19	5,450
2019-20	5,450
2020-21	5,501
2021-22	5,551
2022-23	5,659

It may be appropriate to include that the full PELL grant amount for 2022-23 is \$6,895.

Let me know if you need clarifications or if you have questions. thanks, jackie.

On Wed, Oct 19, 2022 at 8:15 AM Shawn Touney <stouney@murraystate.edu> wrote:
Good morning,

FYI - if needed, I can help facilitate with assisting this reporter. This may be an incoming FOIA request...Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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

From: **Zacharie Lamb** <zlamb1@murraystate.edu>
Date: Tue, Oct 18, 2022 at 4:42 PM
Subject: Student Wages
To: Shawn Touney <stouney@murraystate.edu>

Shawn Touney,

Thank you for your call today. I appreciate you reaching out to assist me with my story.

As I mentioned during our quick conversation, I'm working on a story related to student wages on college campuses in Kentucky. For my story, it would be a great help if you could provide me with the following information:

-The average student wage across all main campus jobs at Murray State University for each academic year starting from 2018-2019 to 2022-2023

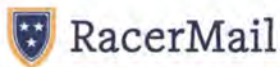
-The total estimated cost to attend Murray State University (including Tuition, Housing, Meal Plans, etc.) for each academic year starting from 2018-2019 to 2022-2023

Again, I really appreciate you taking the time to help me gather information and let me know if there is anything else you need from me.

Thank you sincerely,

--

Zacharie/Zach Lamb (he/him/his)
Sophomore, BM Musical Theatre
Reporter for WKMS News (91.3 FM)



email | calendar | drive

Shawn Touney <stouney@murraystate.edu>

Re: BOR Update

1 message

Shawn Touney <stouney@murraystate.edu>

Mon, Oct 10, 2022 at 7:54 AM

To: Robert Jackson <rjackson@murraystate.edu>

Thank you, Bob...will do...Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.eduApply today at murraystate.edu/apply

On Sat, Oct 8, 2022 at 10:56 AM Robert Jackson <rjackson@murraystate.edu> wrote:

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FYI - to BOR this morning.

If other press inquiries, please let me know.

Thanks

Dr. Robert L (Bob) Jackson

President

Murray State University

270-809-3763 (O)

Sent from my iPhone

Begin forwarded message:

From: Robert Jackson <rjackson@murraystate.edu>**Date:** October 8, 2022 at 8:34:05 AM CDT**To:** Timothy Todd <ttodd@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>**Subject:** Fwd: BOR Update

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FYI - please see below.

Dr. Robert L (Bob) Jackson

President

Murray State University

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000356

270-809-3763 (O)

Sent from my iPhone

Begin forwarded message:

From: Robert Jackson <rjackson@murraystate.edu>
Date: October 8, 2022 at 8:27:57 AM CDT
To: Jill Hunt <thunt2@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>
Cc: David Meinschein [REDACTED], Don Tharpe <dtharpe2@murraystate.edu>, Don Tharpe [REDACTED], Ellie McGowan <emcgowan1@murraystate.edu>, Emily Roark [REDACTED], Jessica Evans <jevans15@murraystate.edu>, Leon Owens [REDACTED], Melony Shemberger <mshemberger@murraystate.edu>, Robbie Fitch [REDACTED], Tom Waldrop [REDACTED], Virginia Gray [REDACTED]
Subject: Re: BOR Update

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Regents:

Good morning. Below is a link to a news report dated October 7, 2022 from WPSD regarding Circuit Judge Jamie Jameson's judicial conduct commission proceeding.

As noted in the news report, Judge Jameson contacted me in April 2022 regarding a potential WKMS news story and open records request. At that time, I was unaware of the matter and stated such to Judge Jameson.

[REDACTED] I CC'd Rob on this email.

As you know, I am out of town this weekend and will be back in the office on Monday morning.

Thanks, Bob

https://www.wpsdlocal6.com/news/judge-jameson-accused-of-another-count-of-misconduct-total-rises-to-7/article_c5fb3dee-4664-11ed-9404-0b53fb107439.html

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

270-809-3763 (O)

Sent from my iPhone

On Oct 3, 2022, at 10:13 AM, Jill Hunt <thunt2@murraystate.edu> wrote:

October 3, 2022

SENT ON BEHALF OF PRESIDENT BOB JACKSON:

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DISTRIBUTE**

Regents – good morning. Please find below an update on a few selected items.

1. **Please find attached our Enrollment Report dated September 30, 2022.** It is very early to report these numbers due to the number of applications coming in each day. We are up in some areas and down in others. A few numbers distort the percentages this early. We are down about 28 (1.02%) First-time Freshmen (FTF) admits compared to one year ago and have approximately 600 applications from last week in the queue which will be entered this week. We are now processing applications in two to three days.

Some highlights:

- A. We are up 27.07% in First-time Freshmen in the 18-county service region. This data point is very important due to the high yield rate of these students.
- B. Scholarship applications are up 50.52% (approximately 50 applications) – in large part due to the scholarship changes which we have made for Fall 2023 to a total test-optional method – we have been gradually working to this point since 2019.
- C. While in-person campus visits are down by about 23 visits, virtual visits are up by over 300. However, our goal is to get students on campus, in-person, for their visits.

2. **The past few weeks have been very busy and the semester is going well.** Our Enrollment Management team is doing an excellent job with on-site admissions events across our multi-state region and I have visited high schools in Daviess and Trigg counties and Bryan Station High School (Lexington).

Also, during the past month, I have spoken to a regional Rotary Club, served on a panel for the Kentucky League of Cities annual meeting with Provost and Vice President for Academic Affairs Tim Todd and had a KET interview with Renee Shaw regarding higher education policy, our centennial and some of the good things going on at Murray State University (MSU): <https://www.ket.org/program/connections/>

We hosted a wonderful reception last week for our Black Faculty and Staff Association at Oakhurst and the event was well attended. Also, we had an excellent Family Weekend and I want to thank Dr. Robertson and his Student Affairs staff for their good work. I had the opportunity to meet with last year's Commonwealth Honors Academy students and their families (many plan to attend MSU next fall) and participated in many other activities.

3. **Public-Private Partnerships (P3).** We are expecting final cost estimates for the two planned residential halls by October 31, 2022. More to come in this area as we analyze estimated costs once received. Vice President for Finance and Administrative Services Jackie Dudley, Director of Facilities Management Jason Youngblood, Executive Director of Auxiliary Services David Looney and many others are working very hard in this area, along with facilitating work on asset preservation/deferred maintenance projects.
4. **Homecoming Activities.** Jill sent a reminder email last week to those Regents we have not yet heard back from regarding their attendance at various Homecoming events (per the list of activities provided earlier). If you have not sent in your RSVP, I encourage you to please do so as soon as possible. Regents will be recognized at these events and we certainly do not want to leave anyone out. During the Centennial Gala we will outline fundraising activities and make an announcement for a new capital campaign which, as you know, has been planned during the past few years. Zacharias Consulting has been assisting with a Centennial Campaign for the past few years and has been working closely with Executive Director of Development Tina Bernot, the Office of Development, MSU Foundation President David Durr and many others. Zacharias Consulting costs are funded by the MSU Foundation. We have had many major gifts pledged or received during the past several months and we have been hosting many alumni, donors and friends on campus at various events, including at recent football games.
5. **I thought you would find this article of interest as we plan for the future:** <https://indianapublicmedia.org/news/experts-sounding-the-alarm-on-declining-higher-education-numbers-institutions-react.php>.

I will be out of the office Wednesday through Sunday. Please call, text or email if needed.

Thanks and I look forward to seeing you soon. Bob

Dr. Robert L (Bob) Jackson

President

Murray State University

218 Wells Hall

Murray, KY 42071

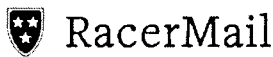
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<http://www.murraystate.edu/headermenu/administration/advancement/branding-mkt-comm/toolkit/downloads/shields/primary.jpg>

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Jordan Smith <jsmith3@murraystate.edu>

Fwd: Interview with President Jackson - WKMS

8 messages

Shawn Touney <stouney@murraystate.edu>

Thu, Mar 3, 2022 at 4:35 PM

To: Robert Jackson <rjackson@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Hi Bob, Jordan,

I drafted two responses for this reporter's questions below...both responses have one or two subtleties with some of the wording differences near the middle of the statement, but much of it are pick-ups from Monday's communication and recent responses to media i.e. MSU's relationship with constituent groups. Wanted to share with you first for some initial thoughts on how this reads and make any changes you see. I can extend a draft to our larger group for feedback from there, before responding to this reporter from WKMS. Thanks - Shawn

Since the start of the pandemic, Murray State has adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department and other state and local healthcare officials. New guidance from the CDC within the past week, as well as the decline in local, regional and national COVID-19 case counts has allowed Murray State University, like many other institutions and organizations, to lift its face mask requirement for all buildings and locations on the Murray campus at this time. Murray State University operates with an important shared governance model with key constituent groups — particularly our Student Government Association, Faculty Senate and Staff Congress. University administration has an active relationship with these groups in soliciting their feedback while discussing why appropriate decisions are being made, and is appreciative of its relationship with leadership within each of these areas. As shared in Monday's communications to campus, any individual may continue to wear a mask at any time and in any location. Also, as we have done throughout the pandemic, we will continue to monitor all COVID-19 guidance including local, state and federal government, healthcare professionals, such as the CDC and adjust as necessary. We have shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority.

Since the start of the pandemic, Murray State has adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department and other state and local healthcare officials. New guidance from the CDC within the past week, as well as the decline in local, regional and national COVID-19 case counts has allowed Murray State University, like many other institutions and organizations, to lift its face mask requirement for all buildings and locations on the Murray campus at this time. Murray State University operates with an important shared governance model with key constituent groups — particularly our Student Government Association, Faculty Senate and Staff Congress. University administration is appreciative of its relationship with these constituent groups, including leadership within each of these areas. As shared in Monday's communications to campus, any individual may continue to wear a mask at any time and in any location. Also, as we have done throughout the pandemic, we will continue to monitor all COVID-19 guidance including local, state and federal government, healthcare professionals, such as the CDC and adjust as necessary. We have shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority.

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu

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

From: **Zacharie Lamb** <zlamb1@murraystate.edu>

Date: Thu, Mar 3, 2022 at 12:37 PM

Subject: Re: Interview with President Jackson - WKMS
 To: Shawn Touney <stouney@murraystate.edu>

Hi Shawn,

Thank you for getting back to me when you. I have a few questions I'd like to ask you, if you are still open to it. I appreciate your time.

- When was the official decision made to remove the mask mandate?
- Who was involved in making the decision? Were there representatives for students and faculty present in the decision making process?
- Was there an attempt made to reach out to external specialists regarding understanding the latest CDC guidance (i.e. local health department) before making the decision?
- Were the on campus populations of high-risk individuals taken into consideration when deciding to remove the mask mandate?
- Why was the information chosen to be given out early in the morning through an email? And, why was this announced so quickly after the CDC guidance update on Fri. the 25th?

Again, thank you for the help. I may send a follow-up email to ask more questions after your response. Have a good day,

Thank you sincerely,

On Tue, Mar 1, 2022 at 7:38 AM Shawn Touney <stouney@murraystate.edu> wrote:

Hi Zach,

Good morning - I appreciate you reaching out yesterday. Dr. Jackson will be unavailable today due to several commitments throughout the day, and my schedule will be very limited as well. Please share some questions later today by email and I will get back to you here as soon as I can. I hope your semester is going well. Best, Shawn

Shawn Touney

Executive Director of Marketing and Communication
 Murray State University
 Office: 270-809-4437
 stouney@murraystate.edu



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On Mon, Feb 28, 2022 at 12:35 PM Zacharie Lamb <zlamb1@murraystate.edu> wrote:
 To Whom This May Concern:

Hi, I'm a reporter with WKMS. I'm interested in having a quick phone interview with President Bob Jackson over the recent announcement about lifting the mask mandate on Campus. I will be available any time after 3:30 pm today for an interview. If President Jackson is only available at an earlier time today, I can arrange for another WKMS reporter to host the interview. Please let me know what works best for President Jackson.

Thank you sincerely,

--

Zacharie/Zach Lamb (he/him/his)
 Freshman, Music Performance- Vocal
 Student Reporter for WKMS News (91.3 FM)

--

Zacharie/Zach Lamb (he/him/his)
Freshman, Music Performance- Vocal
Student Reporter for WKMS News (91.3 FM)

Jordan Smith <jsmith3@murraystate.edu>
To: Shawn Touney <stouney@murraystate.edu>
Cc: Robert Jackson <rjackson@murraystate.edu>

Thu, Mar 3, 2022 at 5:00 PM

Shawn, thanks - here is a quick suggested edited response. You can use or further edit as you see fit. Thanks.

Since the start of the pandemic, Murray State has strictly adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department (CCHD) and other state and local healthcare officials. New guidance from the CDC, reinforced with calls and information from the state and the CCHD within the past week, as well as the decline in COVID-19 case counts has allowed Murray State University, like many other institutions and organizations across Kentucky, our multi-state region, and the entire country, to lift its face mask requirement for all buildings and locations on the Murray campus at this time, strictly adhering to the new CDC Community Transmission Levels.

As shared in Monday's communications to campus, any individual may continue to wear a mask at any time and in any location. Also, as we have done throughout the pandemic, we will continue to monitor all COVID-19 guidance including local, state and federal government, healthcare professionals, such as the CDC and adjust as necessary.

We are appreciative of all campus constituency groups, including Student Government Association, Faculty Senate and Staff Congress, as well as our entire faculty, staff and student body who have collectively shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority, while still fulfilling our educational mission.

[Quoted text hidden]

--

Jordan N. Smith, MPA
Executive Director, Government & Institutional Relations
Murray State University
219 Wells Hall
Murray, KY 42071
Office: 270.809.5706

Robert Jackson <rjackson@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>
Cc: Shawn Touney <stouney@murraystate.edu>

Thu, Mar 3, 2022 at 5:15 PM



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

270-809-3763 (O)

Sent from my iPhone

On Mar 3, 2022, at 5:01 PM, Jordan Smith <jsmith3@murraystate.edu> wrote:

[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>
Cc: Robert Jackson <rjackson@murraystate.edu>

Fri, Mar 4, 2022 at 8:47 AM

Thanks Jordan - much appreciated...this reads great. I'll share with our larger group as an FYI, and will circle back with this reporter later this afternoon...thanks, Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>

Fri, Mar 4, 2022 at 8:48 AM

To: Robert Jackson <rjackson@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>

Good morning everyone,

We will plan to share the below draft response later this afternoon with this reporter from his questions below - a big thank you to Jordan in particular for helping craft much of this from Monday's communications. Some of this messaging is from recent responses we have provided to other media as well, such as the student paper of late. Wanted to share as an FYI. Have a good Friday...Shawn

Since the start of the pandemic, Murray State has strictly adhered to CDC guidelines, as well as guidance provided by the Calloway County Health Department (CCHD) and other state and local healthcare officials. New guidance from the CDC, reinforced with calls and information from the state and the CCHD within the past week, as well as the decline in COVID-19 case counts has allowed Murray State University, like many other institutions and organizations across Kentucky, our multi-state region, and the entire country, to lift its face mask requirement for all buildings and locations on the Murray campus at this time, strictly adhering to the new CDC Community Transmission Levels.

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We are appreciative of all campus constituency groups, including Student Government Association, Faculty Senate and Staff Congress, as well as our entire faculty, staff and student body who have collectively shown over the course of the past two years that we can work together to keep our campus community safe and healthy as a top priority, while still fulfilling our educational mission.

[Quoted text hidden]

Robert Jackson <rjackson@murraystate.edu>

Fri, Mar 4, 2022 at 9:43 AM

To: Shawn Touney <stouney@murraystate.edu>

Cc: Jackie Dudley <jdudley@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>

Ok here - thanks

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

270-809-3763 (O)

Sent from my iPhone

On Mar 4, 2022, at 8:48 AM, Shawn Touney <stouney@murraystate.edu> wrote:

[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>

Fri, Mar 4, 2022 at 10:01 AM

To: Robert Jackson <rjackson@murraystate.edu>

Cc: Courtney Hixon <chixon@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Thanks Shawn

[Quoted text hidden]

--

[Quoted text hidden]

Don Robertson <d Robertson@murraystate.edu>

Fri, Mar 4, 2022 at 10:31 AM

To: Shawn Touney <stouney@murraystate.edu>, Robert Jackson <rjackson@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>

Thanks

Don E. Robertson



MURRAY STATE
UNIVERSITY

Vice President for Student Affairs and Enrollment Management

425 Wells Hall

Murray, KY 42071

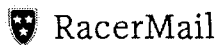
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Jordan Smith <jsmith3@murraystate.edu>

Re: Request to Interview -- April 26 midday deadline

2 messages

Bob Jackson <rjackson@murraystate.edu>

Tue, Apr 26, 2022 at 7:01 AM

To: Shawn Touney <stouney@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Shawn - here's a quick response...edit as needed...Thanks, Bob

There is no proposed budget reduction to WKMS for FY 2022-23. Mr. Lampe's email of April 13, 2022 provided this information.

From: **Chad Lampe - WKMS** <clampe@murraystate.edu>

Date: Wed, Apr 13, 2022 at 3:53 PM

Subject: A quick update and clarification

To: <ttodd@murraystate.edu>



Thank you for making WKMS your
station

Dear Friends,

The WKMS email this morning stated that WKMS would have \$50,000 fewer dollars in University support in the upcoming fiscal year.

The University had already identified other sources of funds so that WKMS would be held harmless in the new fiscal year. This was not clear in my communication with WKMS supporters.

I apologize for any confusion this has caused.
Please do not hesitate to contact me if you have questions about this matter.

Sincerely,

Chad Lampe
Station Manager, WKMS-FM

Support WKMS. Make your voice heard.

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

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On Mon, Apr 25, 2022 at 4:29 PM Shawn Touney <stouney@murraystate.edu> wrote:

Unfortunate...this may be another aftereffect from Chad's initial email blast a week or so ago. It doesn't appear she has even reached out to WKMS. Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.edu



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

From: **Cady Stribling** <cstribling1@murraystate.edu>

Date: Mon, Apr 25, 2022 at 11:01 AM

Subject: Request to Interview -- April 26 midday deadline

To: Shawn Touney <stouney@murraystate.edu>

Good morning,

My name is Cady Stribling, and I am a student in Dr. Anderson's JMC 398 course. This class produces The College News each week, a broadcast featured on The Murray State News. This week, we are covering the WKMS budget cut by the university and the outside sources resuming responsibility for the funding.

I have a few questions about the subject and would highly appreciate an interview with you. This course has a quick turnaround with a deadline of Tuesday at about 12:30pm. Unfortunately due to work, I am free only until noon today, or we could potentially schedule an in-person with camera or phone interview for tomorrow morning, Tuesday April 26th, anytime between 7am -- noon?

Again, I am very sorry for the inconvenience of the quick turnaround. If you have any questions or concerns, please let me know. Thank you!

Sincerely,

Cady Stribling

Shawn Touney <stouney@murraystate.edu>

To: Bob Jackson <rjackson@murraystate.edu>

Cc: Timothy Todd <ttodd@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Tue, Apr 26, 2022 at 8:46 AM

Thanks Bob....the response looks good....I will share the clarifying email from Chad as well when sending her a note back later today, which will help her for a full understanding, I imagine....Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

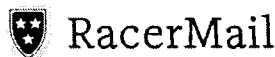
Office: 270-809-4437

stouney@murraystate.edu



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Jordan Smith <jsmith3@murraystate.edu>

The Global Leadership Summit at the FOR Center, Murray

3 messages

Jordan Smith <jsmith3@murraystate.edu>
To: Chad Lampe <clampe@murraystate.edu>
Cc: Matt Johnson <matt@journeycalloway.com>

Tue, May 31, 2022 at 2:45 PM

Hello Chad,

Hope you are doing well! Not sure if you have met the pastor at the Journey Church or not - Matt Johnson (cc'd above) but the FOR Center at Journey is going to be a site location for the Global Leadership Summit (GLS). Going to be a big event in the community!! Disney CEO Iger and many other impressive leaders will be speaking this year at GLS.

If anyone at WKMS wants to put a plug in or is interested in doing a news story or interview about GLS, I am sure Matt would be glad to let you know more about it.

Also, if you have not seen the FOR Center yet, it's extremely impressive!!

Thanks. - Jordan

--

Jordan N. Smith, MPA
Executive Director, Government & Institutional Relations
Murray State University
219 Wells Hall
Murray, KY 42071
Office: 270.809.5706

Chad Lampe <clampe@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>
Cc: Matt Johnson <matt@journeycalloway.com>, Tracy Ross <tross1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>

Wed, Jun 1, 2022 at 11:10 AM

Hi Jordan and Matt,

Thanks for reaching out. When is the summit?

I'm sure our news department may be interested or Tracy Ross might be interested in an interview for his program, Sounds Good.

They're both copied on this email.

I'm looking forward to learning more.

-Chad

Chad Lampe (he/him)
Station Manager & Sustaining Member



O: (270)809-4745
F: (270) 809-4667

[Quoted text hidden]

Matt Johnson <matt@journeycalloway.com>
To: Chad Lampe <clampe@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>, Tracy Ross <tross1@murraystate.edu>, Derek Operle <doperle@murraystate.edu>

Wed, Jun 1, 2022 at 11:18 AM

Hey Chad!

Hope you're doing well.



I've attached some info about the Summit. It'll be Thursday-Friday, August 4-5. You can learn more at www.GLSmurray.com. Let me know if you have any questions or want more details.

Thanks!

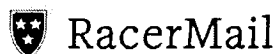


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2 attachments

-  **GLS22_DigitalFlyer.pdf**
629K
-  **GLS22_FacultyBios.pdf**
1270K

274C8BAC-23A2-4426-A39C-888270DE16B0 : 000330 of 000356

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Jordan Smith <jsmith3@murraystate.edu>

Post

1 message

Bob Jackson <rjackson@murraystate.edu>

Fri, Jul 29, 2022 at 9:59 AM

To: Jordan Smith <jsmith3@murraystate.edu>

"Let's remember and help our friends and neighbors in Eastern Kentucky as they deal with historic flooding, loss of life and property and unprecedented damage to this region. To make a donation see WKMS story link:"

<https://www.wkms.org/government-politics/2022-07-28/how-to-help-flood-victims-in-eastern-kentucky>

Dr. Robert L (Bob) Jackson

President
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Jordan Smith <jsmith3@murraystate.edu>

WKMS Story

5 messages

Jordan Smith <jsmith3@murraystate.edu>

Tue, Aug 16, 2022 at 9:03 AM

To: Shawn Touney <stouney@murraystate.edu>, Robert Jackson <rjackson@murraystate.edu>

Shawn and Bob,

I was called yesterday by a Mason Gallimore asking for an interview with me regarding COVID-19 and Monkey Pox Protocols. Let me know if you want me to talk to him. Thanks.

--

Jordan N. Smith, MPA

Executive Director, Government & Institutional Relations

Murray State University

219 Wells Hall

Murray, KY 42071

Office: 270.809.5706

Bob Jackson <rjackson@murraystate.edu>

Tue, Aug 16, 2022 at 9:39 AM

To: Jordan Smith <jsmith3@murraystate.edu>

Cc: Shawn Touney <stouney@murraystate.edu>

OK with me...Thanks.

Dr. Robert L (Bob) Jackson

President

Murray State University

218 Wells Hall

Murray, KY 42071

270-809-3763 (O)

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[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>

Tue, Aug 16, 2022 at 10:50 AM

To: Bob Jackson <rjackson@murraystate.edu>

Cc: Jordan Smith <jsmith3@murraystate.edu>

Thanks, Jordan. Just a thought - I wonder if it's a short response back from you pointing them to the RSH guidelines and Racer Restart web page (reporter's name doesn't sound familiar - I wonder if he's aware of page?), and an overall reminder that Health Services is available both on campus and virtually for our students, campus community, etc. I'm here

to help if needed. I'm hopeful that it is minimal in terms of the time commitment. Hopefully the 'COVID beat' with particular media for us, slows down substantially this year. Thank you as always for locking arms with these, when they come in...Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Bob Jackson <rjackson@murraystate.edu>
To: Shawn Touney <stouney@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>

Tue, Aug 16, 2022 at 1:45 PM

Better idea...Thanks.

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

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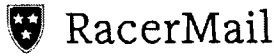
[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
To: Bob Jackson <rjackson@murraystate.edu>
Cc: Shawn Touney <stouney@murraystate.edu>

Tue, Aug 16, 2022 at 1:52 PM

He emailed me his questions - I'll respond when guidelines etc and let you look at it beforehand. Thanks and agree.

[Quoted text hidden]

[email](#) | [calendar](#) | [drive](#)Jordan Smith <jsmith3@murraystate.edu>**FW: WKMS**

6 messages

Don Robertson <drobertson@murraystate.edu>
To: Mason Galemore <mgalemore@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>

Tue, Aug 16, 2022 at 7:56 AM

I copied the wrong e-mail.

Jordan Smith is: jsmith2@murraystate.edu

Don

Don E. Robertson



Vice President for Student Affairs and Enrollment Management
425 Wells Hall
Murray, KY 42071

270.809.6839 phone

270.809.4176 fax

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From: Don Robertson <drobertson@murraystate.edu>
Sent: Tuesday, August 16, 2022 7:48 AM
To: 'Mason Galemore' <mgalemore@murraystate.edu>
Cc: 'Jennifer Smith' <jsmith143@murraystate.edu>
Subject: RE: WKMS

Mason,

Thank you for your e-mail. The best person for you to talk with would be Jordan Smith. Jordan is the designated University Coordinator of COVID-19 policies. He can address monkey pox also

Let me know if this does not meet your needs

Thank you

Don

Don E. Robertson



Vice President for Student Affairs and Enrollment Management

425 Wells Hall

Murray, KY 42071

270.809.6839 phone

270.809.4176 fax

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From: Mason Galemore <mgalemore@murraystate.edu>

Sent: Monday, August 15, 2022 2:18 PM

To: Don Robertson <drobertson@murraystate.edu>

Subject: WKMS

Hello Dr. Robertson,

I am a reporter with WKMS in Murray. Would you be able to have an on the phone interview about any new policies regarding COVID-19 and monkeypox?

Thank you for your time.

Best regards,

Mason Galemore

Jordan Smith <jsmith3@murraystate.edu>
To: Don Robertson <drobotson@murraystate.edu>
Cc: Mason Galemore <mgalemore@murraystate.edu>

Tue, Aug 16, 2022 at 10:28 AM

Thanks Dr. Robertson.

Mason, do you want to submit the questions to me in an email and I can send back replies? My schedule is jam packed over the next few days. Thanks.

Jordan

[Quoted text hidden]

--

Jordan N. Smith, MPA
Executive Director, Government & Institutional Relations
Murray State University
219 Wells Hall
Murray, KY 42071
Office: 270.809.5706

Mason Galemore <mgalemore@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>

Tue, Aug 16, 2022 at 11:04 AM

Hello Mr. Smith,

Of course.

Has there been any discussion around what Murray plans to do if Monkeypox continues to spread?

What has Murray State's administration learned from the past couple years in regards to protecting its students from COVID-19 that it could use for Monkeypox?

Does Murray State have any plans in place to help students pay for vaccines and boosters now that certain provider's (I.E. village medical) have now charged for them?

These are just the basic questions I have for you. If you want to have a more in depth conversation at a later time please let me know.

Best regards,

Mason Galemore

[Quoted text hidden]

3 attachments



image002.png
8K



MURRAY STATE
UNIVERSITY image003.jpg
4K



MURRAY STATE
UNIVERSITY image004.jpg
4K

Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 10:27 AM

To: Mason Galemore <mgalemore@murraystate.edu>

Cc: Don Robertson <drobotson@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>

Mason, thanks. Here are the responses below.

Has there been any discussion around what Murray plans to do if Monkeypox continues to spread?

We have and will continue to be in close contact with the Calloway County Health Department, state health officials and others regarding this and all matters regarding the health and safety of our students, faculty and staff. Murray State has been directed by the state and others to encourage any individuals requesting a Monkeypox test, vaccine or who have questions regarding Monkeypox to visit the Calloway County Health Department.

To make an appointment with the Calloway County Health Department, call 270-753-3381 or visit them in-person at 602 Memory Lane in Murray.

What has Murray State's administration learned from the past couple years in regards to protecting its students from COVID-19 that it could use for Monkeypox?

Murray State is grateful for the close partnership we have with the Calloway County Health Department and all of our state and local healthcare providers and officials who have provided us with information, guidance and recommendations that we have followed and will continue to follow regarding the health and safety of our campus community.

We also know that our Racer Safe and Healthy Guidelines have proven to be effective for our students, faculty and staff and we encourage everyone to continue to follow those guidelines. They can be found at Racer Safe and Healthy Guidelines (murraystate.edu).

Does Murray State have any plans in place to help students pay for vaccines and boosters now that certain provider's (I.E. village medical) have now charged for them?

Murray State has partnered with Kentucky Care again to provide free-of-charge COVID-19 testing, vaccine and booster clinics on August 17, 10 a.m. - 2 p.m., Curris Center, 1st floor and on August 24, 10 a.m. - 2 p.m., Curris Center, 1st floor. We also have a listing of all locations within the community where individuals can receive a COVID-19 test (COVID-19 Testing Information (murraystate.edu)) vaccine or booster (COVID-19 Vaccinations (murraystate.edu)).

[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 10:27 AM

To: Robert Jackson <rjackson@murraystate.edu>

FYI - just submitted to WKMS.

[Quoted text hidden]

Bob Jackson <rjackson@murraystate.edu>

Wed, Aug 17, 2022 at 10:48 AM

To: Jordan Smith <jsmith3@murraystate.edu>



Dr. Robert L (Bob) Jackson

President
Murray State University
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Jordan Smith <jsmith3@murraystate.edu>

Jordan - To help with the MSU News Response

13 messages

Bob Jackson <rjackson@murraystate.edu>

Wed, Aug 17, 2022 at 7:29 AM

To: Jordan Smith <jsmith3@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

<https://www.kentucky.com/news/local/education/article263726358.html>

Dr. Robert L (Bob) Jackson

President
Murray State University
218 Wells Hall
Murray, KY 42071
270-809-3763 (O)

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Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 8:04 AM

To: Bob Jackson <rjackson@murraystate.edu>

Cc: Courtney Hixon <chixon@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Thanks I'm working on a response now.

[Quoted text hidden]

--

Jordan N. Smith, MPA

Executive Director, Government & Institutional Relations
Murray State University
219 Wells Hall
Murray, KY 42071
Office: 270.809.5706

Timothy Todd <ttodd@murraystate.edu>

Wed, Aug 17, 2022 at 8:09 AM

To: Jordan Smith <jsmith3@murraystate.edu>

Just me to you - I could not open the article. What is it?

TT

[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
To: Timothy Todd <ttodd@murraystate.edu>

Wed, Aug 17, 2022 at 8:19 AM

COVID guidelines for UK

[Quoted text hidden]

Timothy Todd <ttodd@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 8:20 AM

Thanks.

TT

[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
To: Bob Jackson <rjackson@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>
Cc: Jackie Dudley <jdudley@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Wed, Aug 17, 2022 at 8:37 AM

Response to WKMS below. Feel free to make any suggestions here. Thanks. I need to get this to them by noon today.

Has there been any discussion around what Murray plans to do if Monkeypox continues to spread?

We have and will continue to be in close contact with the Calloway County Health Department, state health officials and others regarding this and all matters regarding the health and safety of our students, faculty and staff. Murray State has been directed by the state and others to encourage any individuals requesting a Monkeypox test, vaccine or who have questions regarding Monkeypox to the Calloway County Health Department.

To make an appointment with the Calloway County Health Department, call 270-753-3381 or visit them in-person at 602 Memory Lane in Murray.

What has Murray State's administration learned from the past couple years in regards to protecting its students from COVID-19 that it could use for Monkeypox?

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We also know that our Racer Safe and Healthy Guidelines have proven to be effective for our students, faculty and staff and we encourage everyone to continue to follow those guidelines. They can be found at Racer Safe and Healthy Guidelines (murraystate.edu).

Does Murray State have any plans in place to help students pay for vaccines and boosters now that certain provider's (I.E. village medical) have now charged for them?

Murray State has partnered with Kentucky Care again to provide COVID-19 testing, vaccine and booster clinics on August 17, 10 a.m. - 2 p.m., Curris Center, 1st floor and on August 24, 10 a.m. - 2 p.m., Curris Center, 1st floor. We also have a listing of all locations within the community where individuals can receive a COVID-19 test (COVID-19 Testing Information (murraystate.edu)) vaccine or booster (COVID-19 Vaccinations (murraystate.edu)).

On Wed, Aug 17, 2022 at 7:29 AM Bob Jackson <rjackson@murraystate.edu> wrote:

[Quoted text hidden]

--

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

Murray, KY 42071
Office: 270.809.5706

Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 8:42 AM

To: Bob Jackson <rjackson@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>

Cc: Don Robertson <d Robertson@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Left off word "visit" it's added below...

Has there been any discussion around what Murray plans to do if Monkeypox continues to spread?

We have and will continue to be in close contact with the Calloway County Health Department, state health officials and others regarding this and all matters regarding the health and safety of our students, faculty and staff. Murray State has been directed by the state and others to encourage any individuals requesting a Monkeypox test, vaccine or who have questions regarding Monkeypox to visit the Calloway County Health Department.

[Quoted text hidden]

Jackie Dudley <jdudley@murraystate.edu>

Wed, Aug 17, 2022 at 8:52 AM

To: Jordan Smith <jsmith3@murraystate.edu>

Cc: Bob Jackson <rjackson@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Jordan, I am good with this from my perspective.

jackie.

[Quoted text hidden]

--

Jackie Dudley

Vice President, Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray KY 4271

Office: 270.809.3774

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Timothy Todd <ttodd@murraystate.edu>

Wed, Aug 17, 2022 at 8:53 AM

To: Jackie Dudley <jdudley@murraystate.edu>

Cc: Jordan Smith <jsmith3@murraystate.edu>, Bob Jackson <rjackson@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>

Same here Jordan. Great job.

TT

[Quoted text hidden]

Courtney Hixon <chixon@murraystate.edu>

Wed, Aug 17, 2022 at 9:14 AM

To: Timothy Todd <ttodd@murraystate.edu>

Cc: Jackie Dudley <jdudley@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>, Bob Jackson <rjackson@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>

I don't have any suggested changes either. Thanks, Jordan.

Courtney Hixon, SPHR
Director of Human Resources

Murray State University
412 Sparks Hall
Murray, KY 42071
Phone: 270.809.2146
Fax: 270.809.3464
chixon@murraystate.edu

On Aug 17, 2022, at 8:53 AM, Timothy Todd <ttodd@murraystate.edu> wrote:

[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>

Wed, Aug 17, 2022 at 9:23 AM

To: Courtney Hixon <chixon@murraystate.edu>

Cc: Timothy Todd <ttodd@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>, Bob Jackson <rjackson@murraystate.edu>, Don Robertson <drobotson@murraystate.edu>

Thank you, Jordan. Good here as well...Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.edu

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[Quoted text hidden]

Bob Jackson <rjackson@murraystate.edu>

Wed, Aug 17, 2022 at 10:07 AM

To: Jordan Smith <jsmith3@murraystate.edu>

Cc: Courtney Hixon <chixon@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Don Robertson <d Robertson@murraystate.edu>, Jackie Dudley <jdudley@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Does Murray State have any plans in place to help students pay for vaccines and boosters now that certain provider's (I.E. village medical) have now charged for them?

You may want to point out, KY Care is free....

Dr. Robert L (Bob) Jackson

President

Murray State University

218 Wells Hall

Murray, KY 42071

270-809-3763 (O)

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[Quoted text hidden]

Don Robertson <drobotson@murraystate.edu>

Wed, Aug 17, 2022 at 5:02 PM

To: Jordan Smith <jsmith3@murraystate.edu>, Bob Jackson <rjackson@murraystate.edu>, Shawn Touney <stouney@murraystate.edu>, Courtney Hixon <chixon@murraystate.edu>

Cc: Jackie Dudley <jdudley@murraystate.edu>, Timothy Todd <ttodd@murraystate.edu>

Thanks

Don E. Robertson



Vice President for Student Affairs and Enrollment Management

425 Wells Hall

Murray, KY 42071

270.809.6839 phone

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Jordan Smith <jsmith3@murraystate.edu>

Fwd: COVID-19 case count: Murray State News

16 messages

Shawn Touney <stouney@murraystate.edu>

Wed, Aug 17, 2022 at 1:02 PM

To: Robert Jackson <rjackson@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Hi Bob, Jordan,

If there is a response back to Dionte specific to the case count part of his questions, I can share back with him.

With this, I can use the same response you provided WKMS with, Jordan, below -

Murray State has partnered with Kentucky Care again to provide free-of-charge COVID-19 testing, vaccine and booster clinics, with the next one taking place on August 24, 10 a.m. - 2 p.m., Curris Center, 1st floor. We also have a listing of all locations within the community where individuals can receive a COVID-19 test (COVID-19 Testing Information (murraystate.edu)) vaccine or booster (COVID-19 Vaccinations (murraystate.edu)).

Thanks. Shawn

Shawn Touney

Executive Director of Marketing and Communication

Murray State University

Office: 270-809-4437

stouney@murraystate.edu

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

From: **Dionte Berry** <dberry11@murraystate.edu>

Date: Wed, Aug 17, 2022 at 12:14 PM

Subject: COVID-19 case count: Murray State News

To: Shawn Touney <stouney@murraystate.edu>

Good afternoon, I hope you are doing well. I will be reprising my role as Editor-in-Chief at the Murray State News, so I look forward to working with you again. I wanted to check with you to see if there will be COVID-19 case count this semester along with on campus vaccine clinics again.

--

Thank you,

Dionte Berry

Journalism Major, Creative Writing Minor

Editor-in-Chief, The Murray State News

Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 1:25 PM

To: Shawn Touney <stouney@murraystate.edu>

Cc: Robert Jackson <rjackson@murraystate.edu>

Thanks Shawn. Regarding case counts, you can say this perhaps:

The University is no longer reporting case counts. Everyone should take personal responsibility to receive their covid-19 vaccine and boosters, stay home if sick and follow all of our additional Racer Safe and Healthy Guidelines.

[Quoted text hidden]

--

Jordan N. Smith, MPA

Executive Director, Government & Institutional Relations
Murray State University
219 Wells Hall
Murray, KY 42071
Office: 270.809.5706

Shawn Touney <stouney@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>
Cc: Robert Jackson <rjackson@murraystate.edu>

Wed, Aug 17, 2022 at 1:43 PM

Thanks Jordan...all sounds good from here...Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Robert Jackson <rjackson@murraystate.edu>
To: Shawn Touney <stouney@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 1:58 PM

Agree

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

270-809-3763 (O)

Sent from my iPhone

On Aug 17, 2022, at 1:43 PM, Shawn Touney <stouney@murraystate.edu> wrote:

[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>
To: Robert Jackson <rjackson@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>

Wed, Aug 17, 2022 at 3:02 PM

Thank you...I will share with him...

Shawn Touney

Executive Director of Marketing and Communication
Murray State University

Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>

Wed, Aug 17, 2022 at 4:14 PM

To: Dione Berry <dberry11@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Hi Dione,

Good afternoon - welcome back and I hope you had a good, restful summer. Looking forward to working with you as well.

The University is no longer reporting case counts. Everyone should take personal responsibility to receive their covid-19 vaccine and boosters, stay home if sick and follow all of our additional Racer Safe and Healthy Guidelines. Murray State has partnered with Kentucky Care again to provide free-of-charge COVID-19 testing, vaccine and booster clinics, with the next one taking place on August 24, 10 a.m. - 2 p.m., Curris Center, 1st floor. We also have a listing of all locations within the community where individuals can receive a COVID-19 test (COVID-19 Testing Information ([murray state.edu](https://murraystate.edu)) vaccine or booster (COVID-19 Vaccinations (murraystate.edu)).

Take care - have a good rest of the week. Shawn

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>

Thu, Aug 25, 2022 at 1:27 PM

To: Robert Jackson <rjackson@murraystate.edu>, Jordan Smith <jsmith3@murraystate.edu>

Good/bad response? This messaging parallels similar questions we have received for some time now...thanks, Shawn

Murray State University evaluates all matters regarding this topic and others related to COVID-19 on a daily basis and will respond as recommended by our local and state healthcare providers, the Calloway County Health Department (CCHD) and CDC guidelines. Murray State also continues to have a very good working relationship with the CCHD along with the Department for Public Health, and remains in constant contact with our state, local and federal health officials.

Shawn Touney

Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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

From: **Dionte Berry** <dberry11@murraystate.edu>
 Date: Thu, Aug 25, 2022 at 11:30 AM
 Subject: Re: COVID-19 case count: Murray State News
 To: Shawn Touney <stouney@murraystate.edu>

Thank you for responding and also sending the renderings regarding the construction stories. For this week I am working on a piece regarding no COVID-19 chart since we have gotten questions about it and its absence. Is there a reason why the case counts are not being recorded anymore?

--

Thank you,
 Dionte Berry
 Journalism Major, Creative Writing Minor
 Editor-in-Chief, The Murray State News

[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
 To: Shawn Touney <stouney@murraystate.edu>
 Cc: Robert Jackson <rjackson@murraystate.edu>

Thu, Aug 25, 2022 at 1:50 PM

Thanks Shawn - I'll send a few minor edits later this afternoon. Thanks.

[Quoted text hidden]

--

[Quoted text hidden]

Bob Jackson <rjackson@murraystate.edu>
 To: Jordan Smith <jsmith3@murraystate.edu>
 Cc: Shawn Touney <stouney@murraystate.edu>

Thu, Aug 25, 2022 at 2:51 PM

Also, and I think this is correct, please check....we no longer get daily case count information from healthcare providers and many tests now are conducted by home tests, not by healthcare providers...Thanks.

Dr. Robert L (Bob) Jackson

President
 Murray State University
 218 Wells Hall
 Murray, KY 42071
 270-809-3763 (O)

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[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
To: Bob Jackson <rjackson@murraystate.edu>
Cc: Shawn Touney <stouney@murraystate.edu>

Thu, Aug 25, 2022 at 3:20 PM

How about this statement - thanks.



[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>
Cc: Bob Jackson <rjackson@murraystate.edu>

Thu, Aug 25, 2022 at 4:40 PM

Thanks - I ran with what you shared and shortened just a bit. Thoughts on the below? No rush - I'll send a note back to them tomorrow or on Monday. Shawn



Shawn Touney
Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Robert Jackson <rjackson@murraystate.edu>
To: Shawn Touney <stouney@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>

Thu, Aug 25, 2022 at 4:54 PM

Jordan - Is this an accurate statement?

Thanks

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

270-809-3763 (O)

Sent from my iPhone

On Aug 25, 2022, at 4:40 PM, Shawn Touney <stouney@murraystate.edu> wrote:

[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
To: Robert Jackson <rjackson@murraystate.edu>
Cc: Shawn Touney <stouney@murraystate.edu>

Thu, Aug 25, 2022 at 5:03 PM

Yes it is

[Quoted text hidden]

Robert Jackson <rjackson@murraystate.edu>
To: Jordan Smith <jsmith3@murraystate.edu>
Cc: Shawn Touney <stouney@murraystate.edu>

Thu, Aug 25, 2022 at 5:25 PM

Excellent - thanks

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

270-809-3763 (O)

Sent from my iPhone

On Aug 25, 2022, at 5:03 PM, Jordan Smith <jsmith3@murraystate.edu> wrote:

[Quoted text hidden]

Shawn Touney <stouney@murraystate.edu>
To: Robert Jackson <rjackson@murraystate.edu>
Cc: Jordan Smith <jsmith3@murraystate.edu>

Fri, Aug 26, 2022 at 6:58 AM

Thank you...will share with the reporter...

Shawn Touney
Executive Director of Marketing and Communication
Murray State University
Office: 270-809-4437
stouney@murraystate.edu



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[Quoted text hidden]

Jordan Smith <jsmith3@murraystate.edu>
To: Shawn Touney <stouney@murraystate.edu>
Cc: Robert Jackson <rjackson@murraystate.edu>

Fri, Aug 26, 2022 at 7:17 AM

Thanks Shawn

[Quoted text hidden]

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Jill Hunt <thunt2@murraystate.edu>

Fwd: WKMS statement to share with media

1 message

Timothy Todd <ttodd@murraystate.edu>

Mon, Oct 10, 2022 at 9:57 AM

To: Robert Jackson <bob.jackson@murraystate.edu>, Jill Hunt <thunt2@murraystate.edu>, Shelia Haley <shaley@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>

President J, J, and Rob,

Asia Burnett sent this below as a possible response to outlets who have asked for comment. Wanted your advice before I respond to her.

Thanks.

TT

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

From: **Asia Burnett** <aburnett2@murraystate.edu>

Date: Mon, Oct 10, 2022 at 9:47 AM

Subject: WKMS statement to share with media

To: Timothy Todd <ttodd@murraystate.edu>

Hi Tim,

Here's what I have so far for a response for those outlets who have asked us for comment.

WKMS was named Friday in a charge by Kentucky's Judicial Conduct Commission against 42nd Judicial Circuit Court Judge James Jameson. In the complaint, it was alleged that Jameson called then WKMS station manager Chad Lampe to exert pressure regarding an Open Records Request on a potential story involving camera footage from the courthouse. While no one else from the staff was on that call, we want to clarify that the incident the station reporter was requesting footage of - when explained by Jameson to Lampe, and which Lampe then relayed to the newsroom - did not rise to the level of newsworthiness because of its personal nature. The WKMS news team does not respond to threats of pressure (perceived or otherwise) or compromise its editorial integrity for any person in any position.

From a legal standpoint, any issues here?

Thanks so much,

--

Asia Burnett
Interim Station Manager & Development Director



Office: (270) 809-4743

Fax: (270) 809-4667

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Jill Hunt <thunt2@murraystate.edu>

Re: BOR Update

1 message

Robert Jackson <rjackson@murraystate.edu>

Sat, Oct 8, 2022 at 8:27 AM

To: Jill Hunt <thunt2@murraystate.edu>, Robert Miller <rmiller47@murraystate.edu>

Cc: David Meinschein [REDACTED], Don Tharpe <dtharpe2@murraystate.edu>, Don Tharpe

[REDACTED], Ellie McGowan <emcgowan1@murraystate.edu>, Emily Roark [REDACTED] Jessica

Evans <jevans15@murraystate.edu>, Leon Owens [REDACTED], Melony Shemberger

<mshemberger@murraystate.edu>, Robbie Fitch [REDACTED] Tom Waldrop

<[REDACTED]>, Virginia Gray [REDACTED]

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Regents:

Good morning. Below is a link to a news report dated October 7, 2022 from WPSD regarding Circuit Judge Jamie Jameson's judicial conduct commission proceeding.

As noted in the news report, Judge Jameson contacted me in April 2022 regarding a potential WKMS news story and open records request. At that time, I was unaware of the matter and stated such to Judge Jameson.

[REDACTED] I CCd
Rob on this email.

As you know, I am out of town this weekend and will be back in the office on Monday morning.

Thanks, Bob

https://www.wpsdlocal6.com/news/judge-jameson-accused-of-another-count-of-misconduct-total-rises-to-7/article_c5fb3dee-4664-11ed-9404-0b53fb107439.html

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

270-809-3763 (O)

Sent from my iPhone

On Oct 3, 2022, at 10:13 AM, Jill Hunt <thunt2@murraystate.edu> wrote:

October 3, 2022

SENT ON BEHALF OF PRESIDENT BOB JACKSON:

CONFIDENTIAL WORKING DOCUMENT – PLEASE DO NOT DISTRIBUTE

Regents – good morning. Please find below an update on a few selected items.

1. **Please find attached our Enrollment Report dated September 30, 2022.** It is very early to report these numbers due to the number of applications coming in each day. We are up in some areas and down in others. A few numbers distort the percentages this early. We are down about 28 (1.02%) First-time Freshmen (FTF) admits compared to one year ago and have approximately 600 applications from last week in the queue which will be entered this week. We are now processing applications in two to three days.

Some highlights:

- A. We are up 27.07% in First-time Freshmen in the 18-county service region. This data point is very important due to the high yield rate of these students.
- B. Scholarship applications are up 50.52% (approximately 50 applications) – in large part due to the scholarship changes which we have made for Fall 2023 to a total test-optional method – we have been gradually working to this point since 2019.
- C. While in-person campus visits are down by about 23 visits, virtual visits are up by over 300. However, our goal is to get students on campus, in-person, for their visits.

2. **The past few weeks have been very busy and the semester is going well.** Our Enrollment Management team is doing an excellent job with on-site admissions events across our multi-state region and I have visited high schools in Daviess and Trigg counties and Bryan Station High School (Lexington).

Also, during the past month, I have spoken to a regional Rotary Club, served on a panel for the Kentucky League of Cities annual meeting with Provost and Vice President for Academic Affairs Tim Todd and had a KET interview with Renee Shaw regarding higher education policy, our centennial and some of the good things going on at Murray State University (MSU): <https://www.ket.org/program/connections/>

We hosted a wonderful reception last week for our Black Faculty and Staff Association at Oakhurst and the event was well attended. Also, we had an excellent Family Weekend and I want to thank Dr. Robertson and his Student Affairs staff for their good work. I had the opportunity to meet with last year's Commonwealth Honors Academy students and their families (many plan to attend MSU next fall) and participated in many other activities.

3. **Public-Private Partnerships (P3).** We are expecting final cost estimates for the two planned residential halls by October 31, 2022. More to come in this area as we analyze estimated costs once received. Vice President for Finance and Administrative Services Jackie Dudley, Director of Facilities Management Jason Youngblood, Executive Director of Auxiliary Services David Looney and many others are working very hard in this area, along with facilitating work on asset preservation/deferred maintenance projects.

4. **Homecoming Activities.** Jill sent a reminder email last week to those Regents we have not yet heard back from regarding their attendance at various Homecoming events (per the list of activities provided earlier). If you have not sent in your RSVP, I encourage you to please do so as soon as possible. Regents will be recognized at these events and we certainly do not want to leave anyone out. During the Centennial Gala we will outline fundraising activities and make an announcement for a new capital campaign which, as you know, has been planned during the past few years. Zacharias Consulting has been assisting with a Centennial Campaign for the past few years and has been working closely with Executive Director of Development Tina Bernot, the Office of Development, MSU Foundation President David Durr and many others. Zacharias Consulting costs are funded by the MSU Foundation. We have had many major gifts pledged or received during the past several months and we have been hosting many alumni, donors and friends on campus at various events, including at recent football games.

5. **I thought you would find this article of interest as we plan for the future:**

<https://indianapublicmedia.org/news/experts-sounding-the-alarm-on-declining-higher-education-numbers-institutions-react.php>.

I will be out of the office Wednesday through Sunday. Please call, text or email if needed.

Thanks and I look forward to seeing you soon. Bob

Dr. Robert L (Bob) Jackson

President

Murray State University

218 Wells Hall

Murray, KY 42071

270-809-3763 (O)

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Fall 2023 Enrollment Working Document_September_30_2022 FINAL.pdf
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NO. 23-CI-00052

CALLOWAY CIRCUIT COURT

DIVISION 1

SPECIAL JUDGE JOHN ATKINS

WPSD-TV, LLC

PLAINTIFF

v.

MURRAY STATE UNIVERSITY

DEFENDANT

[PROPOSED] ORDER

The Court, having considered WPSD's motion, all responses thereto, and being otherwise sufficiently advised, hereby GRANTS WPSD's motion for summary judgment. Moreover, the Court finds that Murray State University's violations of the Open Records Act were willful. Murray State University must produce all responsive records to WPSD within five days of the entry of this Order. WPSD has 10 days from this Order to submit a motion for its costs and attorney's fees under KRS 61.882(5).

Date: _____

Special Judge John Atkins