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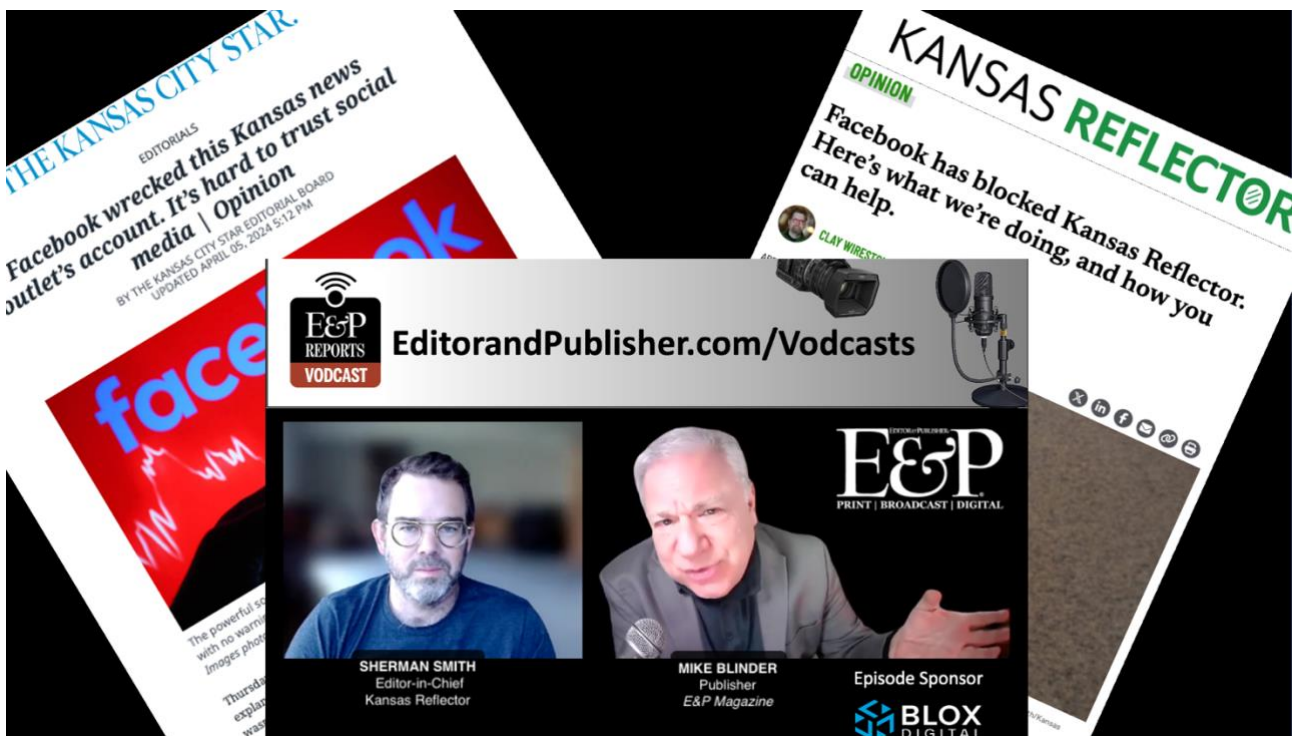
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Audio Transcript

Episode 233 of "[E&P Reports](#)" Vodcast Series
with Mike Blinder

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[Facebook blocks States Newsroom's Kansas Reflector: A threat to free press and first Amendment?](#)

In a significant development for the media landscape, the Kansas Reflector found itself entangled in a contentious dispute with Facebook. Sherman Smith, Editor-in-Chief of this States Newsroom affiliate, divulged the unfolding narrative during an exclusive conversation. It commenced innocuously with an editorial on climate change, triggering a sequence of events that underscored the complexities media outlets face in navigating digital platforms.

[music]

0:00:05.6 MB: And greetings once again, Mike Blinder, Publisher, E&P Magazine, and as always at the beginning of these programs, we urge those listening on a podcast platform to follow us. We also urge those watching on the E&P YouTube channel to hit that Subscribe button below, ring the bell to the right, you'll get an update each and every time we upload this weekly vodcast series dedicated to the news publishing industry we call E&P Reports. I'm gonna do full disclosure here, Sherman Smith, welcome back to the program, and the reason I'm saying that... And rarely Sherman do we date-stamp these programs, 'cause some people actually, we... You're gonna be episode like 223 or something. This goes back in time now, three years of weekly vodcasts. And we've had some great... You've got some people that you're following as a guest, but let me first explain to my audience that this is a re-record, because the story we recorded. Actually I'll say it, on Friday, April 5th, has changed so much since then. Now, it is Saturday, April 6th, and I'm back in the studio, Sherman's at his desk, because this is an evolving story. So here we are, and it's now Saturday, April 6th, 4:30 PM, Central Time. I am speaking with Sherman, who is the Editor-in-Chief of the Kansas Reflector. Prior to that...

0:01:32.2 MB: I mean, Kansas Reflector is obviously in the state capital of Kansas, 'cause it's part of States Newsroom, an initiative that we at E&P have been doing extensive reporting on. Prior to that, you spent almost 16 years from reporter up to editor-in-chief at the Topeka Capital-Journal, am I correct sir?

0:01:48.4 Sherman Smith: Managing editor, yeah, at the Capital-Journal.

0:01:50.8 MB: Managing editor, okay. So, and your mission as part of States Newsroom, a non-profit entity, is to fill the gap in all of our states, and why don't you give us a quick, and I mean, real quick elevator pitch on who you are and what you do. Please do sir.

0:02:07.2 SS: Yeah. The folks at States Newsroom are working to put journalists back into state houses where the ranks of reporters have been depleted. And so, and these affiliates are now in all 50 states, and what we're trying to do it is really practice journalism as a public good, and provide this as a service to the people of Kansas, but also to serve the media outlets in Kansas who no longer have the resources to have reporters in the State House all the time writing these stories. So we allow everybody to read our stories for free, we allow other media to use our stories and photos for free as well.

0:03:07.2 MB: Now I may screw up the dates on this thing, but it all started on Tuesday, April 2nd, 2024...

0:03:20.5 SS: Thursday. I'm sorry.

0:03:22.5 MB: What?

0:03:22.5 SS: Thursday, April 4th.



0:03:23.8 MB: That's when you released the first editorial? That's when it happened? Okay, excuse me.

0:03:27.4 SS: Correct, yeah.

0:03:27.5 MB: Thursday, April 4th.

0:03:29.8 SS: It was the whirlwind 48 hours.

0:03:32.6 MB: You released an editorial, entitled, When Facebook Fails, Local Media Matters Even More For Our Planet's Future, this was nothing more than an op-ed piece covering what in Kansas?

0:03:44.4 SS: Yeah, well, the author of that is Dave Kendall, and he's somebody who spent many years producing a newsroom for the PBS affiliates in Kansas. Retired now, and he's put together a documentary about climate change in Kansas. And his column was about how he had tried to promote this documentary on Facebook, but Facebook rejected it as being too divisive, and so he relied on local media all across Kansas to help get the word out, and concluded that local media is a far more valuable source of information than Facebook.

0:04:18.3 MB: That was the editorial?

0:04:19.8 SS: Correct.

0:04:20.6 MB: But when you posted it on Facebook, from your source, States Newsroom, correct?

0:04:25.1 SS: Well, from kansasreflector.com.

0:04:28.1 MB: Right, which has a Facebook page, with over 10,000 followers, Facebook rejected your story. Correct? And then shut you down completely?

0:04:37.8 SS: Yeah, we tried to share that and it was... It triggered some sort of automatic response that says that, "This looks suspicious, we're not going to allow it," and then a short time later, Facebook took down every post that we had made and anybody else had ever made linking to any story of any kind on our website.

0:04:55.0 MB: Now, this is Thursday April 4th, you're working on another story by now, you just thought, "We posted it to our Facebook, by which we moved on." How did you learn... You started getting emails and people, you had people... Your followers saying, "Hey, wait a second, your Facebook page has gone wonky." Am I correct?

0:05:10.2 SS: Yeah, coincidentally, I was at a cybersecurity conference at the University of Kansas listening to the FBI director talk about very real cyber security threats, when suddenly Facebook declared that we were a cybersecurity threat, and so I'm getting...

0:05:25.5 MB: You can't write this stuff.



0:05:25.9 SS: These emails and text messages, other kinds of correspondence from people going, "Hey, Facebook has taken down all your posts." It was very puzzling.

0:05:36.0 MB: And the story doesn't stop there, we're gonna continue this dialogue on the back side of this message. Everybody, please stick around.

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0:05:44.0 MB: Okay, so now it's... Okay, it's still Thursday, April 4th. It's now in the afternoon, you found out anything that linked from your Facebook page back to your credible news platform has now been negated because Facebook in some way, shape, form, or size thought the content of this editorial, which we talked about, global warming... Excuse me, I can't say that now, I have to say climate change. And Facebook stance on it, failure to allow him to post this, Facebook shuts you down. And this is not where the story stops. So what did you do in reaction to that? How did you tell your audience what was going on?

0:06:23.6 SS: Yeah, so we were trying to just tell our audience what we knew at that time, which is simply, we had tried to post the article, Facebook took everything down, and Facebook was not telling us why this happened, or how it happened, or anything at all, we actually had no correspondence from Facebook for close to seven hours or something that day. And the only correspondence that we did get on Thursday was from Spokesman Andy Stone, who ironically used a different platform, X, or formerly known as Twitter, to just declare that this was a mistake and an error, and give an apology to us.

0:07:02.5 MB: Well, let me get this straight, Andy Stone works for Facebook?

0:07:05.5 SS: Yes.

0:07:06.3 MB: And he used X, formerly Twitter, to apologize for the error, not his own platform. Correct?

0:07:11.8 SS: Yeah. Didn't do it on Facebook or Threads or Instagram, the Meta companies. He used Elon Musk's company to tell us that he was so sorry about this.

0:07:20.9 MB: But... Okay, so everything's okay now, it's Thursday afternoon, Facebook apologized, everything's working again. Right?

0:07:26.7 SS: Almost, they restored all of these posts, except we still could not share this one article by Dave Kendall that had seemed to trigger all of this to begin with.

0:07:37.0 MB: So what did you do next?

0:07:40.7 SS: Well, the next day, so we'd reported on what we knew, which was very little, Thursday, we get up on Friday, and we had this idea because we still couldn't post the article from our site, we thought, "Why don't we try to post the article as it appears at newsfromthestates.com. Which is a website that States Newsroom produces and then aggregates all of the affiliate stories on there.

0:08:05.7 MB: Okay.

0:08:07.5 SS: And so we took the story from there and tried to share the link to this column on News From The States, immediately got the same response, "You can't post this, it looks suspicious," and then Facebook did the exact same thing it had done to us the day before, it took down everything anybody had ever linked to on News From The States. We were also running an experiment with...

0:08:29.4 MB: So this is now an aggregate Facebook page for all of States Newsroom, correct? Not just yours, correct?

0:08:36.2 SS: Correct, yeah. And...

0:08:37.3 MB: That's a big audience, is it not? That's got a lot of followers, I assume, and that impacts all of the State News going on this one Meta platform, correct?

0:08:46.7 SS: Yeah, they're one place where you can go to find out what's happening in all the states, all across the country, and so that website's now taken down at that time by Facebook as well. But that wasn't the end of it because there's an independent journalist, Marisa Kabas, she does a newsletter called The Handbasket, and she had decided to republish the column as well under the headline, "Here's What Facebook Doesn't Want You To See." And when we tried to share now the column on her platform, again, the same thing, "You can't do that, it looks suspicious," and then they took down everything from her site as well.

0:12:23.1 MB: Now, what is your feeling personally as an editor of a credible... I say credible, 'cause it's States Newsroom, reporting on the politics of the state of Kansas. What is your opinion on this issue when it comes to First Amendment, getting the message out, and your confidence in the Facebook platform? Am I allowed to ask you that? Your opinion?

0:12:46.1 SS: Yeah, you can ask me anything.

0:12:47.2 MB: I'll try.



0:12:50.5 SS: I think it's important to understand that the First Amendment protects us from government interference. Private enterprise like Facebook has the right to publish or not publish whatever they want. Part of free speech means nobody can tell you what you have to publish. We certainly enjoy that right at the Kansas Reflector. But it is concerning that Facebook would lie to our readers and tell them that we were some sort of malicious threats, and then refused to do anything about it, not give us a credible explanation, and tell us that there would be no further explanation. I know I had actually ask Andy Stone, "Is Facebook going to contact all of these people who got notifications that said we are a cybersecurity threat?" And he said, "No, you guys can just write about it."

0:13:35.9 MB: Let me get this straight, they told anybody that came to your page that time... And you have a pretty robust traffic there, that as they came to look at your post that you were now a... This was a questionable site, it has...

0:13:49.7 SS: Yeah. It was anybody who had ever posted in any time in four years since we launched, anybody who had ever made any post about us in those four years received that message.

0:14:01.0 MB: And we're gonna display that on the page, we have a snap of that message, and it's not complimentary, he said, sarcastically. And all he said was, "Okay, we blew it. Between you and I on the phone." No written record of this now, no email trail or anything, "We're sorry, and go fix it by using your media outlets." So if this happened to a business, they have... Obviously, there's not a recourse here, right? It is what it is.

0:14:27.5 SS: Well, I think we would consider whether there are recourses here. We haven't really had those kind of conversations. But personally, it feels like this is a form of defamation, it's also disruptive to our operations as a news organization. All of this happened during the final 48 hours of the legislative session when we should have been spending every moment of our attention focused on holding lawmakers accountable for policies that are gonna affect the daily lives of Kansans for years to come. Instead, I was distracted by having to respond to our readers, try to get explanations from Facebook, writing about this, and conducting interviews so that people understand what was happening from our perspective. All of that is a disruption to the news that we otherwise would have been able to provide.

In industry terms, what you're talking about is the chilling effect that this has. The Kansas City Star on Friday published an editorial about what had happened to us the day before. They made a point of saying, "There's disinformation that is rampant and run amok across Facebook, and they don't seem to be doing a whole lot to rein that in, and yet they're taking action against a credible news source." At the end of that editorial, the Kansas City Star wrote, "Just to be safe, we're not going to share this on Facebook." So when I was talking to Andy Stone, I asked about this, and I said, "Should media be concerned about what they post on your platform and whether they're gonna have this kind of thing happen?" And he said, "I can't answer that question."

MB: This is a moving target, and I'm gonna urge Sherman to keep sending me updates, or us here, at E&P Updates on this story, so we can now keep informing our audience on what this is all about. I also wanna promise our viewers and listeners that there is a landing page for this story at editorandpublisher.com/vodcasts, which will have links to the original opinion piece, links to your



follow-up piece, and links to the story in the Kansas City Star and anything else that has to do with this. And I wanna thank you, Sherman, for working on a Saturday afternoon with me, so we can get the latest and greatest update up to our audience as soon as possible. We'll be talking to you soon. Thanks for your valuable time.

0:20:08.4 SS: Thanks for having me.