

Audio Transcript
Episode 272 of "[E&P Reports](#)" Vodcast Series
with *Mike Blinder*
Publication date: Monday February 24, 2025



[What happens when a city silences a newspaper? An inside look at the Clarksdale censorship case](#)

When a city government uses the courts to silence a newspaper, it's not just an attack on one publication—it's an attack on press freedom itself. That's exactly what happened in Clarksdale, Mississippi, where a judge ordered the *Clarksdale Press Register* to remove an editorial questioning the transparency of a proposed tax initiative. The ruling, widely condemned as an egregious violation of the First Amendment, has ignited national concern among journalists and legal experts. In this exclusive conversation, *E&P Reports* dives into the case with publisher Wyatt Emmerich and press freedom advocate Seth Stern to explore what this means for the future of local journalism—and why every newsroom should be paying attention.



ANNOUNCER:

This is *E&P Reports*, a podcast from *Editor & Publisher* magazine, the authoritative voice of news media since 1884, serving newspapers, broadcast, digital, and all forms of news publishing.

MIKE BLINDER:

And greetings once again. I'm Mike Blinder, publisher of *E&P Magazine*. As always, we kick off by urging those listening on a podcast platform to click that follow button—and then scream from the rafters that your friends should follow us as well. Those watching on our YouTube channel, please subscribe. Either way, if you do that, you'll get updates every time we upload this weekly vodcast series dedicated to news publishing, which we call *E&P Reports*.

Censorship in America is not just a theoretical threat anymore. It's happening in real time.

Just days ago, a Mississippi judge ordered the *Clarksdale Press Register* to remove an editorial from its website. The piece didn't challenge the tax itself but rather the lack of transparency in how it was being implemented so quickly. Now, this unprecedented ruling raises serious First Amendment concerns.

Joining me today to unpack all of this is Wyatt Emmerich, publisher and owner of the *Clarksdale Press Register*.

Wyatt, you are not a stranger to this program. I just had you on a few months ago concerning your class action suit against Google. Welcome back. It's an honor to have you here.

WYATT EMMERICH:

Thank you. There certainly seems to be a lot to talk about these days in the local news world.

MIKE BLINDER:

And after Wyatt helps us unpack what happened in Mississippi, we're going to chat with Seth Stern, Director of Advocacy at the Freedom of the Press Foundation, who's been very vocal about this case. Seth, our hope is that you'll be able to unpack the broader implications of this ruling and what the industry can do about it. Welcome aboard, Seth.

SETH STERN:

Great to be here.

MIKE BLINDER:

All right, so Wyatt, before we take a break for a commercial, I read the editorial, and I don't think it was that scathing.

WYATT EMMERICH:

Let me clarify—Floyd Ingram is the publisher of the *Clarksdale Press Register*, and he wrote the editorial.

MIKE BLINDER:



Oh, Floyd wrote it. Got it. Go ahead.

WYATT EMMERICH:

Yes, and he's a great publisher, salt of the earth—does his job and puts out a good local paper. He has gone head-to-head with this mayor over the years. It really started about two or three years ago when the mayor and the commissioners gave themselves a huge pay raise—and tried to keep it quiet. Floyd exposed it.

MIKE BLINDER:

And ever since then, there's been a war?

WYATT EMMERICH:

It's been difficult, yes.

MIKE BLINDER:

And weren't you offered, in 2023, \$30,000 to fire Floyd? Is that correct?

WYATT EMMERICH:

Yes, the mayor personally offered me \$30,000 to fire him.

MIKE BLINDER:

By the way, I saw the piece. It was taken down, but it was clearly labeled as opinion.

WYATT EMMERICH:

Yes, it was an editorial on the editorial page. There's no doubt about that. And it's not libelous—it's true. They admitted they failed to notify the newspaper of the meeting, as is customary and required by law. I even spoke with the city attorney and said, "This is going to blow up in your face. You don't need to do this." I was really trying to help them. And they did it anyway.

MIKE BLINDER:

Let's unpack that. On February 14, an official complaint from the city attorney was sent to a judge, arguing that the editorial was defamatory. The judge ruled in favor of the city and ordered you to take down the editorial. Is that correct?

WYATT EMMERICH:

Yes. And we weren't even at the hearing—we never even spoke to the judge in any way. Yet, she ruled that there was malice, which is an extremely difficult thing to prove.

There are so many interesting aspects about this. First, the fact that it was done through a restraining order. Second, the fact that it was an opinion piece, clearly labeled as such. Third, we were never even notified about the hearing or given a chance to present our side.

Then there's the fact that they filed the case in Hinds County, which is two and a half hours away from Clarksdale. That felt like judge shopping to me. And on top of that, the plaintiff in the case is not even the mayor personally—it's the *City of Clarksdale*. There is clear federal legal precedent that a government entity cannot sue for libel.



Everything about this is bizarre. There are at least five major legal issues wrapped up in this single case. The response from the First Amendment community has been immediate, national, and overwhelmingly in support of our position. It's reassuring to see such strong backing.

MIKE BLINDER:

One of those voices of support is Seth Stern. We're going to unpack this further with Seth and dive into the broader implications of this ruling—right after this message. Stick around.

ANNOUNCER:

This episode of *E&P Reports* is exclusively sponsored by Blocks Digital, formerly Town News. Even though the name has changed, their commitment to the media industry is as strong as ever. Blocks Digital is now even better positioned to deliver integrated solutions like content management, audience development, advertising revenue, video management, and more.

Join the over 2,000 news publishers worldwide that power their ongoing digital transformation with Blocks Digital, serving over 141 million monthly users who view more than 6.5 billion pages of content each year.

You can trust Blocks Digital to empower you, to connect you at scale with the community you need to reach. Blocks Digital—formerly Town News—now reimagined to help meet the news publishing challenges of tomorrow and beyond. Learn more at blocksdigital.com.

MIKE BLINDER:

All right, Wyatt, hang in there just for a second.

Seth, treat me like I'm a three-year-old. Has this ever happened before? Is this normal? Your organization is an advocacy group that keeps a watchful eye on First Amendment rights. Am I correct?

SETH STERN:

Yes, that's correct.

MIKE BLINDER:

And you're the chief advocacy person there, right?

SETH STERN:

Yes.

MIKE BLINDER:

So this is right in your wheelhouse. Is this the first time something like this has happened?

SETH STERN:

I can't recall seeing another instance where a city obtained a court order to take down an editorial based on allegations that it was defamatory. We've seen plenty of frivolous legal actions against the media. We've seen plenty of prior restraints. We saw the police raid in Marion, Kansas, a couple of



years ago. We've seen reporters and publishers prosecuted for what they report, like in Atmore, Alabama, a year or two ago.

But this particular fact pattern is pretty unique—even among cases dealing with legitimate defamation complaints.

MIKE BLINDER:

Wyatt, you're in the national spotlight now. You have advocacy groups reaching out to you, publishers backing you, and your state press association has put out a strong statement of support.

But let me zero in on your community. You've been talking to Floyd. This is one of the communities you serve. What's the local reaction to all of this?

WYATT EMMERICH:

The support has been great. It's very heartening. The mayor has his loyalists, of course, but we feel like we have strong backing in the community.

The tax in question was meant to fund law enforcement, and everyone supports that. The problem is that this special meeting was used to broaden its scope to include economic development, which could mean anything.

That's what we were questioning in our editorial—why this shift, and why no transparency? I believe the community appreciates us holding officials accountable.

MIKE BLINDER:

I'm glad to hear that. Now, Seth, I don't even have to ask this question—Freedom of the Press Foundation clearly sees this judge's action as a violation of the First Amendment. Do I even need to ask? I mean, you guys agree on that, correct?

SETH STERN:

Yes. Thanks for the softball. I definitely agree with that.

MIKE BLINDER:

Okay. Now, what precedent does this set? One thing we constantly report on at *E&P* is that when one state caves on a certain issue, others tend to follow. One judge's ruling can create a ripple effect. There's increasing legal pressure to dampen the press from all angles—through courts, lawsuits, and more.

If you were a small publisher right now, would you be scared? Should you be afraid to run the next editorial just to avoid this kind of hassle? Am I right or wrong? What's the perspective from Freedom of the Press Foundation?

SETH STERN:



Well, I hope the precedent this sets is that if you bring a frivolous complaint like this, or if you're a judge who rubber-stamps a motion like this, you will face national, local, and even global backlash. It's going to backfire.

This is what's often called the Streisand Effect—named after a legal action Barbra Streisand took, which ended up drawing far more attention to the issue she wanted to suppress.

Nobody outside of Clarksdale was thinking about this editorial before, but now it's national news. The very issues that were local are now under a national spotlight. That's the precedent I hope this sets.

I also would have hoped that this kind of backlash was already established after the *Marion County Record* case, where local authorities with a grudge against a newspaper tried an unconstitutional stunt, and it backfired spectacularly.

You can see similar cases in Atmore, Alabama, and Los Angeles, where officials pursued journalist Ben Camacho for publishing public records that the city itself had provided him under a public records request.

I hope that's the precedent we set—that officials who try to silence the press will only bring more attention to the very issue they wanted to suppress.

On the other hand, you're correct—it can also create a chilling effect. Struggling local newspapers, already scraping by, might decide to self-censor. Even if this lawsuit and restraining order are quickly overturned, it's still a massive hassle. Legal fees, distractions for the newsroom, and the awkwardness of continuing to cover officials after a public legal fight all take a toll.

Yes, you could absolutely see other small newspapers looking at this and thinking, *Maybe I should pull some punches. Maybe I should be extra cautious about what I print from now on.*

MIKE BLINDER:

Final question—this isn't a huge newsroom, right? Clarksdale is a small community, and I assume the *Press Register* is a small operation.

WYATT EMMERICH:

Yeah, four employees, maybe five.

MIKE BLINDER:

And some stringers, I hope, or other contributors?

WYATT EMMERICH:

Oh, yeah.

MIKE BLINDER:

Are they scared? Are they feeling nervous?



WYATT EMMERICH:

I think our publisher, Floyd, has been scared. Clarksdale is a rough place. There are deeply entrenched gangs, and the murder rate is atrocious. It's a scary place. He's been intimidated, and he's even asked me at times if I could find him another job somewhere else.

But he's a dedicated newspaperman. He's in his sixties, and he's been doing this his whole life. I admire him. I keep telling him, *Don't let them run you out of town. Don't give them the satisfaction.*

I'm really glad he refused to back down because it forced me to stand firm, too. And I commend him for that. Now, I think all the national support has heartened him. He knows he's not alone in this fight. He's got a whole nation of people standing up for the First Amendment, ready and willing to help.

That's been the best part of this—seeing the immediate, visceral, national support for us.

MIKE BLINDER:

Let's stay local for a second. What about the advertising community? Has the mayor put pressure on your biggest advertisers? Have you lost any business?

WYATT EMMERICH:

Oh, yeah. It's been a struggle. The mayor and his supporters even started a competing newspaper to try to put us out of business. First, they attempted a boycott—that didn't work. Then they launched their own paper.

But hey, that's part of the game. It's a free market. They can do what they want.

I do feel like we have strong community support, though. And almost miraculously, the paper is profitable. I mean, we're not raking in big money, but we're making a little.

MIKE BLINDER:

All right, so this is not the end of the story—this is just the beginning. And I promise our listeners and viewers that *E&P* will continue reporting on every aspect of this case so the entire industry can learn from it. We'll see where it goes.

Wyatt Emmerich, publisher and owner of the *Clarksdale Press Register* and *Emmerich Newspapers*, and Seth Stern, Director of Advocacy at the Freedom of the Press Foundation—I want to thank both of you for fighting this fight, for keeping us updated, and for kicking off what will likely be months of reporting to come.

WYATT EMMERICH:

Thank you, Mike. And thanks, Seth. I appreciate it.

SETH STERN:

Thanks for having me on.