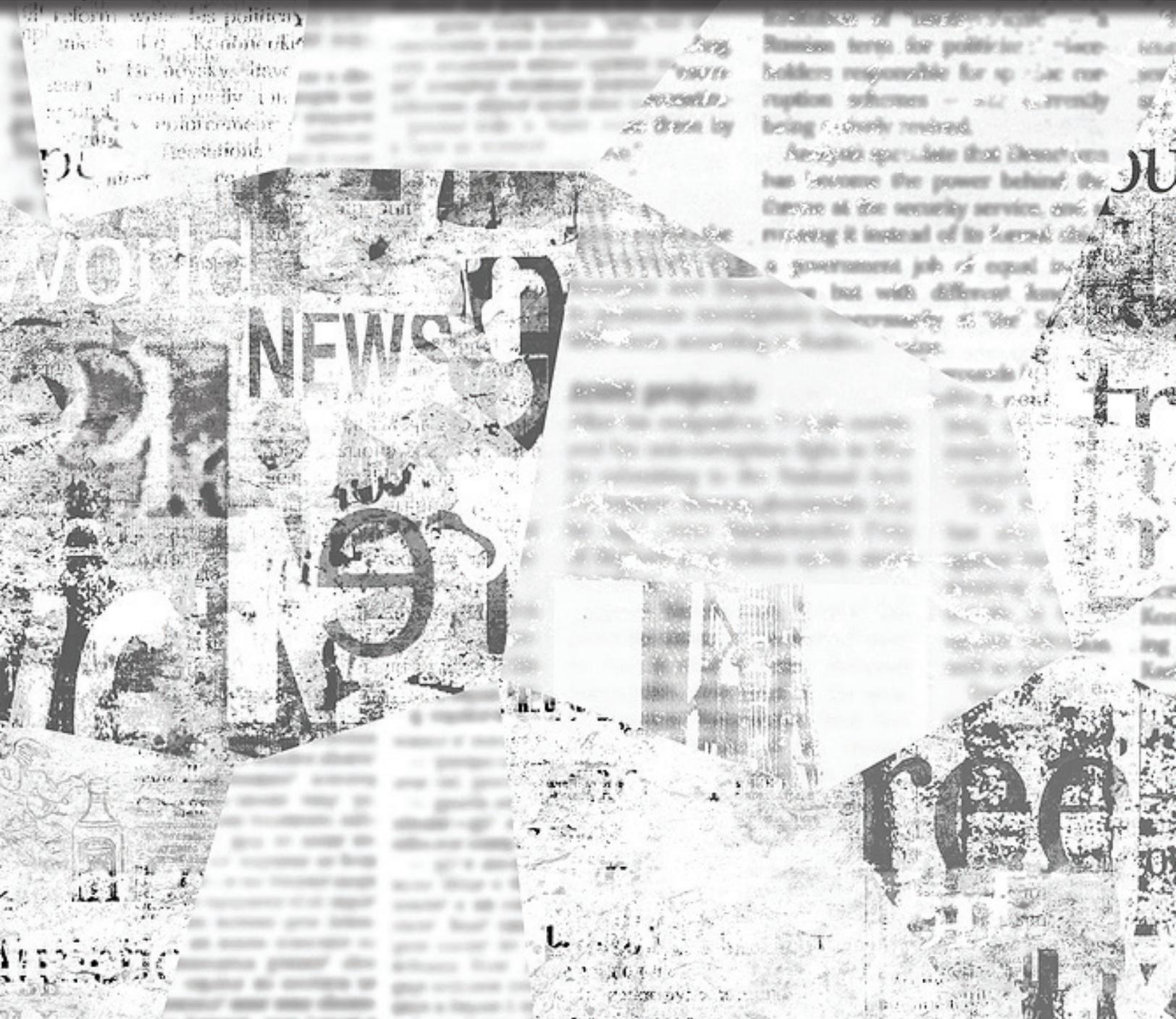


Hayden Brooks v. Cottondale Monitor

ARKANSAS BAR ASSOCIATION 2022 MOCK TRIAL COMPETITION



2022 Arkansas High School Mock Trial Competition
Hayden Brooks v. The Cottdale Monitor

On behalf of the Arkansas High School Mock Trial Subcommittee, we welcome your participation in the 2022 competition. In this year's case, the Cottdale Monitor, a small-town newspaper, published an article that County Commissioner Hayden Brooks took a bribe in exchange for a favorable vote. Brooks alleges that they lost several lucrative speaking engagements and other business opportunities as a result of the article. Brooks denies the allegations and is suing the newspaper for defamation of character. Did the Cottdale Monitor ruin Brooks's reputation by engaging in shoddy reporting, or is Brooks really a crooked politician?

As of October 2021, our plan is for students to compete in regional competition on Saturday, February 12, 2022, and for the top teams to compete at the State Championship on Saturday, March 5, 2022. Though the plan is to have in-person competition, we are monitoring the situation with COVID, and we will let you know if we have to shift to virtual competition.

The State Championship will represent Arkansas at the National High School Mock Trial Championship in May 2022, to take place in Kalamazoo, Michigan. In addition, do not forget that the National Championship will take place in Little Rock in 2023.

Students - You will experience what it is like to prepare for and present a case before a judge and jury. Working with your teams and coaches, you will learn to evaluate information and respond quickly. As you prepare, you will sharpen your public speaking and presentation skills. The greatest benefit is the opportunity to learn how the legal system works. By studying and understanding courtroom procedure, you should become more comfortable with the legal system. Your interaction with Arkansas's finest attorneys and judges will give you a glimpse of the different interpretations of trial procedure and different approaches of individual members in the legal arena.

Teacher Coach, Attorney Coach, or Judge - We strongly encourage you to focus on the goal of participation, rather than stressing competition, while preparing your students. Your contributions of time and talent are making experiential educational opportunities available to Arkansas students. Your participation is an essential key element to the success of the program. Be proud of the impact you have made on the lives of these students.

The Mock Trial Subcommittee would like to acknowledge:

- The Minnesota State Bar Association, who gave us permission to adapt their case for the 2022 Arkansas High School Mock Trial Competition;
- The Mock Trial Case Selection Subcommittee (Chair Anthony McMullen, Brooke Gasaway, Michael Heister, Adam Jackson, and Ashley Norman); and
- The teachers, judges, and attorneys who volunteer their time to prepare students for competition.

This case is a work of fiction. The names, characters, businesses, organizations, places, events, and incidents herein are the product of the authors' imaginations. This case is meant to provide an opportunity for students to explore legal issues and is not meant to provide commentary on any of the issues raised in the case.

Version History

1.0 - Original version of the case released October 2021. Pursuant to Rule 7.3 of the Rules of Competition, questions regarding the case will be answered and published in future updates. All questions about the case should be sent Michele Glasgow, Mock Trial Coordinator, at mglasgow@arkbar.com.

**IN THE CIRCUIT COURT OF NATURAL COUNTY, ARKANSAS
FIRST DIVISION**

HAYDEN BROOKS

PLAINTIFF

v.

CASE NO. ARMT2022

COTTONDALE MONITOR

DEFENDANT

COMPLAINT

Plaintiff Hayden Brooks, as and for their complaint against Defendant Cottondale Monitor, states and alleges as follows:

Parties, Jurisdiction, and Venue

1. Plaintiff Hayden Brooks ("Brooks") is an adult resident of the City of Cottondale, Natural County, State of Arkansas.
2. Defendant Cottondale Monitor is an Arkansas newspaper headquartered and published in the City of Cottondale, Natural County, State of Arkansas.
3. Venue is proper in this county pursuant to Ark. Code Ann. § 16-60-101, because Cottondale Monitor resides in this county and this cause of action, or some part thereof, arose in this county.
4. This court has jurisdiction over this action pursuant to Ark. Code Ann. § 16-13-201, as this conduct at issue occurred in this county and the Plaintiff's claims arise under state law.

Factual Allegations

5. Paragraphs 1 through 4 above are incorporated herein by reference.
6. Brooks is a former Natural County Commissioner and well-respected member of the City of Cottondale and the County of Natural.
7. The Cottondale Monitor is the daily newspaper in general circulation in the City of Cottondale, Arkansas and in Natural County.

8. On September 22, 2020, the Cottdale Monitor, published an article entitled "A Dishonest Thief: Retired County Commissioner Accused of Taking Bribe to Change Pipeline Location" (the "Article"). A copy of the Article is attached as Exhibit 1.

9. The Article claimed that Brooks, while serving as a Natural County Commissioner, accepted a bribe of five hundred thousand dollars (\$500,000.00) from an individual named Morgan Ramsey ("Ramsey") in exchange for agreeing to vote for a proposal changing the future placement of a pipeline that Ramsey needed for issues related to a real estate problem. (See Ex. 1).

10. The statements made in the Article and described above were false.

11. The Article was read by the public. In addition to on September 22, 2020, the Star Tribune and the Pioneer Press subsequently published it on September 23, 2020.

Count I
Defamation

12. Paragraphs 1 through 11 above are incorporated herein by reference.

13. The statements made by the Cottdale Monitor in the Article about Plaintiff were false and defamatory.

14. In publishing the Article and making the defamatory statements the Cottdale Monitor acted with knowledge that the statements were false or with reckless disregard for whether the statements were true or false at a time when the defendant had serious doubts about whether the statements were true.

15. The statements made by the Cottdale Monitor were read by the public. The statements tended to deprive Plaintiff of public confidence and damaged Plaintiff's reputation.

16. As a direct and proximate result of the Article, Plaintiff suffered damages in excess of \$50,000, in an amount ultimately to be proved at trial, as a result of the loss of reputation, public confidence and standing in the community, loss of paid speaking engagements, loss of a contract to publish a book on public official responsibility, and loss of a development deal with TruTV.

WHEREFORE Plaintiff Hayden Brooks respectfully requests that the Court order the entry of judgment in their favor and against Defendant Cottdale Monitor as follows:

1. Awarding to Plaintiff and against Defendant compensatory damages in excess of \$50,000, in an amount ultimately to be proved at trial;
2. Awarding to Plaintiff and against Defendant all of Plaintiff's fees, costs, and expenses incurred in this action; and
3. Granting such further relief as the Court deems just and appropriate.

JOHNSON & REECE, P.C.

By: /s/ B. Johnson

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**IN THE CIRCUIT COURT OF NATURAL COUNTY, ARKANSAS
FIRST DIVISION**

HAYDEN BROOKS

PLAINTIFF

v.

CASE NO. ARMT2022

COTTONDALE MONITOR

DEFENDANT

ANSWER

Defendant Cottondale Monitor, as and for its answer and affirmative defenses to Plaintiff's Complaint, states and alleges as follows:

1. Defendant denies each and every allegation in the Complaint unless otherwise expressly admitted or admitted as modified herein.
2. Defendant admits the allegations in paragraphs 1, 2, 3, and 4 of Plaintiff's Complaint.
3. Defendant re-alleges paragraphs 1 and 2 above in answer to paragraph 5 of Plaintiff's Complaint.
4. Regarding paragraph 6 of Plaintiff's Complaint, Defendant admits that Brooks was a former Natural County Commissioner but denies the remaining allegations in that paragraph, including the allegation that Brooks was or is a well-respected member of the City of Cottondale or the County of Natural.
5. Defendant admits the allegations in paragraphs 7, 8, and 9 of Plaintiff's Complaint and admits that Exhibit 1 to Plaintiff's Complaint is a copy of the Article published by Defendant on September 22, 2020.
6. Defendant denies the allegations in paragraph 10 of Plaintiff's Complaint.
7. Defendant admits the allegations in paragraph 11 of Plaintiff's Complaint.
8. Defendant re-alleges paragraphs 1 and 7 above in answer to paragraph 12 of Plaintiff's Complaint.

9. Defendant denies the allegations in paragraph 13, 14, 15, and 16 of Plaintiff's Complaint, except admits, as to the allegations in paragraph 15, that the public read the Article.

Affirmative Defenses

Defendant Cottondale Monitor asserts the following affirmative defenses to Plaintiff's Complaint:

1. The Complaint fails to state a claim for which relief can be granted.
2. The statements made in the Article were true.
3. Defendant did not act with reckless disregard nor did it have knowledge that the statements were probably untrue.
4. Defendant did not act with actual malice and is immune from suit.
5. Plaintiff did not suffer any damage and, to the extent they did suffer damage, such damage was caused, in whole or in part, by Plaintiff or by others over whom Defendant had no control.

WHEREFORE Defendant Cottondale Monitor respectfully requests that the Court order the entry of judgment in its favor and against Plaintiff as follows:

1. Dismissing Plaintiff's Complaint in its entirety and with prejudice;
2. Awarding to Defendant and against Plaintiff all of Defendant's fees, costs, and expenses incurred in this action; and
3. Granting such further relief as the Court deems just and appropriate.

THOMPSON & ASSOCIATES, P.C.

By: /s/ B. Thompson

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**IN THE CIRCUIT COURT OF NATURAL COUNTY, ARKANSAS
FIRST DIVISION**

HAYDEN BROOKS

PLAINTIFF

v.

CASE NO. ARMT2022

COTTONDALE MONITOR

DEFENDANT

PRETRIAL HEARING ORDER

1. Trial Setting: All pretrial issues have been resolved, and this case is ready for trial. This case is hereby set for trial on Saturday, February 12, 2022. If further proceedings are necessary, those proceedings will be held on Saturday, March 5, 2022. The case is to be tried on the issue of liability only. If the defendant is found to have defamed the plaintiff, the appropriate award of damages will be determined at a separate hearing.

2. Pretrial Motions: At a hearing held on October 4, 2021, the Court heard arguments on two issues presented by the parties. The Court grants both motions:

A: Defendant's Motion for Partial Summary Judgment Regarding Plaintiff's Status as a Public Figure

The question presented by Defendant Cottondale Monitor's motion for partial summary judgment is whether, as a matter of law, Plaintiff Hayden Brooks qualifies as a public figure for purposes of this trial. For the reasons set forth in this order, the Court finds that Plaintiff is a public figure as a matter of law.

Under Arkansas law, the elements of a defamation claim are: (1) the plaintiff sustained damages; (2) that the defendant published a false statement of fact concerning plaintiff; (3) that the statement of fact was defamatory; (4) that the defendant

acted with negligence in failing to determine the truth of the statement prior to its publication or with knowledge the statement was false; and (5) that the publication of the statement was a proximate cause of the plaintiff's damages. *Wal-Mart Stores, Inc. v. Lee*, 348 Ark. 707, 74 S.W.3d 634 (2002); AMI 407.

But when the plaintiff is a "public figure," the plaintiff must do more than establish the elements listed above. For a public figure, the burden is also on the plaintiff to prove by clear and convincing evidence that the defendant published the defamatory fact, knowing it was false or with a high degree of awareness of its probable falsity. *Southall v. Little Rock Newspapers, Inc.*, 332 Ark. 123, 964 S.W.2d 187 (1998); AMI 408. "General public figures" have "thrust themselves to the forefront of particular public controversies in order to influence the resolution of the issues involved." *Little Rock Newspapers, Inc. v. Fitzhugh*, 330 Ark. 561, 579, 954 S.W.2d 914, 924 (quoting *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 345 (1974)).

The facts presented by the parties demonstrate beyond dispute that Brooks qualifies as a general public figure. Brooks occupied a position of prominence during Brooks's 10 years as a County Commissioner. Brooks thrust themselves into the public eye when Brooks initially ran for commissioner and during the many campaigns in which Brooks sought reelection. Not only was the Commissioner's position influential, but Brooks is also well-known throughout Cottdale for their previous employment as the Cottdale City Attorney. In that position, Brooks provided legal advice to the city and was prominent in crucial policy and political discussions in the city. Given these

circumstances, the Court concludes as a matter of law that Brooks is a general public figure.

Because the Court is granting Defendant's motion for partial summary judgment, Brooks may not argue at trial that they are a private figure or any type of public figure other than a general public figure. This order represents the final decision on this issue, and the jury will be instructed at trial that Brooks is a general public figure. Accordingly, in addition to the elements of defamation set forth above, Brooks must also prove that Defendant acted with actual malice. Put another way, Brooks must demonstrate that the Cottondale Monitor published the Article with knowledge that statements contained therein were false or with reckless disregard as to whether they were false.

B. Joint Motion to Admit Certain Out-of-Court Statements

Several witnesses in this trial will testify to conversations they had with others during the course of law enforcement and/or reporting work. Namely, Agent Shay Christoff, reporter Ellis Strobel, and editor Andy Diggins all had conversations with multiple people in investigating this case. Defendant and Plaintiff both argue that these statements are not hearsay, and this Court agrees.

Hearsay is defined by Rule of Evidence 801(c) as "a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted." Put another way, a statement is hearsay if the statement is being used to show that the statement is true. If the statement is being used for some other reason, it is not hearsay.

The statements made by people to whom these witnesses spoke during the course of conducting their affairs are relevant even if the statements are not true. The fact that a witness talks to someone may vindicate their conduct or otherwise show that a witness acted properly.

For example, Cottondale Monitor staff need to be able to explain what they were told by others as they investigated a possible story to show whether they acted with reckless disregard for the truth. A reporter who gets information that appears credible might not act with reckless disregard for the truth, even if the information the reporter obtains turns out to be false. Of course, reckless disregard is ultimately a question for the jury to decide.

Meanwhile, Agent Christoff of the Bureau of Criminal Apprehension has been offered by Brooks to prove, in part, that there were avenues of investigation the Cottondale Monitor could have looked into but did not. Christoff would testify to multiple interviews of witnesses and reviewing of documents that the Cottondale Monitor may have neglected to investigate before publishing its story. This, Brooks argues, serves as evidence of reckless disregard for the truth by Defendant, even if the claims made to Christoff in these interviews are not true.

These statements are admissible, but only for a limited purpose. If a witness testifies that a third party made a statement to that witness, that statement is only evidence that it was made, not that it was true. Attorneys making closing arguments in this trial should be particularly aware of this limitation. It is improper to argue that the statements made to Christoff, Strobel, and Diggins were true unless the statements are

admissible under an exception to the hearsay rule or the substance of the statements is proven with other admissible evidence.

3. Stipulations: The parties stipulate to the following. No witness may contradict knowledge of the facts contained in the stipulations.

- a. No jurisdiction or venue issues exist in this case.
- b. All exhibits and signatures are authentic and accurate. No party may challenge the authenticity of an exhibit or signature. This does not, however, constitute a waiver of any other objections as to the admissibility of an exhibit.
- c. A severe blizzard occurred in Natural County on December 19, 2019. As a result of the blizzard, the meeting of the Natural County Board of Commissioners scheduled for December 19, 2019, was cancelled. The next meeting of the Natural County Board of Commissioners was held on January 9, 2020.
- d. Exhibit 2 is a record that complies with the requirements of Rule of Evidence 803(6), the hearsay exception for records of regularly conducted activity. No additional foundation is required to establish that Exhibit 2 is admissible under Rule 803(6).
- e. On October 30, 2019, KSTP News, a local television news station, recorded a speech given by Plaintiff Hayden Brooks at a conference in the town of Diamond City, Arkansas. The speech started at 6:00 p.m. and ended at 7:30 p.m. On November 2, 2019, KSTP News made the video of the speech available on its website with the title, "Brooks, AR Icon, Turns State Conference into Rousing Memorial to Public Service."

- f. Hayden Brooks reported gambling earnings from a foreign country, in the amount of \$523,046.85, to the Arkansas Ethics Commission on October 17, 2019.
- g. The actions of Ellis Strobel and Andy Diggins related to their reporting, writing, and publishing of Exhibit 1 were within the scope of their employment.

4. Witnesses: The designated witnesses, and only these witnesses, may be called at trial. They may only be called by the party sponsoring their testimony, but they may be called in any order:

Witnesses for the Plaintiff
Hayden Brooks
Shay Christoff
Blake Baker

Witnesses for the Defendant
Morgan Ramsey
Ellis Strobel
Andy Diggins

5. Exhibits: Both parties have collectively identified the following exhibits, which have been pre-marked and may be offered into evidence by either party. Except as provided in this pretrial order, no party has waived an objection to the admissibility of any exhibit.

- a. Exhibit 1: Cottondale Monitor Article
- b. Exhibit 2: Ramada Inn Receipt
- c. Exhibit 3: Ethics Commission Letter
- d. Exhibit 4: Code of Ethics
- e. Exhibit 5: Cottondale Monitor -- Brooks Retirement Announcement
- f. Exhibit 6: Curriculum Vitae -- Dr. Blake Baker
- g. Exhibit 7: Letter of Recommendation for Shay Christoff

IT IS SO ORDERED, this 29th day of October, 2021.

/s/ Honorable Judge

**IN THE CIRCUIT COURT OF NATURAL COUNTY, ARKANSAS
FIRST DIVISION**

HAYDEN BROOKS

PLAINTIFF

v.

CASE NO. ARMT2022

COTTONDALE MONITOR

DEFENDANT

JURY INSTRUCTIONS

The faithful performance of your duties as jurors is essential to the administration of justice. It is my duty as judge to inform you of the law applicable to this case by instructions, and it is your duty to accept and follow them as a whole, not singling out one instruction to the exclusion of others. You should not consider any rule of law with which you may be familiar unless it is included in my instructions. It is your duty to determine the facts from the evidence produced in this trial. You are to apply the law as contained in these instructions to the facts and render your verdict upon the evidence and law.

You should not permit sympathy, prejudice, or like or dislike of any party to this action or of any attorney to influence your findings in this case. In deciding the issues, you should consider the testimony of the witnesses and the exhibits received in evidence. The introduction of evidence in court is governed by law. You should accept without question my rulings as to the admissibility or rejection of evidence, drawing no inferences that by these rulings I have in any manner indicated my views on the merits of the case.

Opening statements, remarks during the trial, and closing arguments of the attorneys are not evidence but are made only to help you in understanding the evidence and applicable law. Any argument, statements, or remarks of attorneys having no basis in the evidence should be disregarded by you. I have not intended by anything I have said or done, or by any questions that I may have asked, to intimate or suggest what you should find to be the facts, or that I believe or disbelieve any witness who testified. If I have done or said anything that has seemed to so indicate, you will disregard it.

The production of evidence in court is governed by rule of law. At times during the trial, I sustained an objection to a question without permitting the witness to answer it, or to an offered exhibit without receiving it into evidence. My rulings are legal matters and are solely my responsibility. You must not speculate as to the reason for any objection, which was made, or my ruling thereon, and in reaching your decision you may not

consider such a question or exhibit or speculate as to what the answer or exhibit would have shown. Remember, a question is not evidence and should be considered only as it gives meaning to the answer.

There may have been occasions where an objection was made after an answer was given or the remark was made, and in my ruling on the objection I instructed that the answer or remark be stricken or directed that you disregard the answer or remark and dismiss it from your minds. In your deliberations, you must not consider such answer or remark, but must treat it as though you had never heard it.

The goal of jury deliberations is to talk among yourselves in order to reach an agreement about the verdict. This agreement must be consistent with your own judgment. Each of you must decide the case for yourself, but do so only after you have fully considered the views of your fellow jurors. Re-examine your own view and do not be afraid to change your mind if you decide your original view was mistaken. But do not change your mind just because other jurors disagree or simply because of pressure to return a verdict. When you agree on a verdict, notify the jury attendant. You will return to the courtroom where your verdict will be received and read out loud in your presence.

A fact in dispute may be proved by circumstantial evidence as well as by direct evidence. A fact is established by direct evidence when, for example, it is proved by witnesses who testify to what they saw, heard, or experienced. A fact is established by circumstantial evidence when its existence can reasonably be inferred from other facts proved in the case. You should consider both kinds of evidence. The law makes no distinction between the weight given to either direct or circumstantial evidence. It is up to you to decide how much weight to give any kind of evidence. In considering the evidence in this case you are not required to set aside your common knowledge, but you have a right to consider all the evidence in the light of your own observations and experiences in the affairs of life.

You are the sole judges of the weight of the evidence and the credibility of the witnesses. In determining the credibility of any witness and the weight to be given the witness's testimony, you may take into consideration the witness's demeanor while on the witness stand, any prejudice for or against a party, the witness's means of acquiring knowledge concerning any matter to which they testified, any interest the witness may have in the outcome of the case, and the consistency or inconsistency of the witness's testimony, as well as its reasonableness or unreasonableness.

An expert witness is a person who has special knowledge, skill, experience, training, or education on the subject to which their testimony relates. An expert witness may give an opinion on questions in controversy. You may consider the expert's opinion in the light of their qualifications and credibility, the reasons given for the opinion, and the facts and other matters upon which the opinion is based. You are not bound to accept an expert opinion as conclusive, but should give it whatever weight you think it should have. You may disregard any opinion testimony if you find it to be unreasonable.

A party who has the burden of proof on a proposition must establish it by a preponderance of the evidence, unless the proposition is so established by other proof in the case or unless a different standard of proof is required by another instruction. "Preponderance of the evidence" means the greater weight of evidence. The greater weight of evidence is not necessarily established by the greater number of witnesses testifying to any fact or state of facts. It is the evidence which, when weighed with that opposed to it, has more convincing force and is more probably true and accurate. If, upon any issue in the case, the evidence appears to be equally balanced, or if you cannot say upon which side it weighs heavier, you must resolve that question against the party who has the burden of proving it.

Plaintiff Hayden Brooks claims damages from Defendant Cottondale Monitor for defamation and has the burden of proving each of the following five essential propositions:

First, that Hayden Brooks sustained damages;

Second, that Cottondale Monitor published a false statement of fact concerning Hayden Brooks;

Third, that the statement of fact was defamatory;

Fourth, that the publication of the statement was a proximate cause of Hayden Brooks's damages.

Hayden Brooks must prove these first four propositions by a preponderance of the evidence. I have defined the term "preponderance of the evidence" in a separate instruction.

Fifth, the burden is also on Hayden Brooks to prove by clear and convincing evidence that Cottondale Monitor published the defamatory fact, knowing it was false or

with a high degree of awareness of its probable falsity. “Clear and convincing evidence” is proof that enables you without hesitation to reach a firm conviction that the allegation is true.

If you find from the evidence in this case that each of these propositions has been proved, then your verdict should be for Hayden Brooks; but if, on the other hand, you find from the evidence that any of these propositions has not been proved, then your verdict should be for Cottondale Monitor.

A defamatory statement is a statement of fact that is false and actually causes harm to a person's reputation. In determining whether the statement was defamatory, it must be considered as a whole, and the words must be taken in their plain and natural meaning. In determining whether or not a recipient of the statement reasonably understood the statement in a defamatory sense, you must consider the surrounding circumstances known to the recipient at the time the statement was made.

When I use the terms “published” or “publication,” I am referring to the act of intentionally communicating the statement to someone other than Hayden Brooks or under circumstances in which it is foreseeable that the statement will be received by someone other than Hayden Brooks. This statement may be written, spoken, or conveyed by means of gestures, pictures, or objects.

An employer is liable for the acts of its employees if the employees are acting within the scope of their employment. You are instructed that the actions of Ellis Strobel and Andy Diggins related to their reporting, writing, and publishing of Exhibit 1 were within the scope of their employment. As a result, if Strobel and/or Diggins, acting in combination or individually, defamed Plaintiff Hayden Brooks, then Defendant Cottondale Monitor is liable for defamation.

Statement of Hayden Brooks

1 My name is Hayden Brooks. I am 66 years old and I reside in Cottdale, Arkansas
2 in Natural County. I am a retired County Commissioner. I received a Master's Degree in
3 Public Policy from the Lillehaug University and went on to law school at Trebek University
4 where I finished near the top of my class. My community service career started when I
5 was 28 years old, taking a job with the Office of the Cottdale City Attorney. I worked in
6 the City Attorney's Office for 25 years, and during that time I became familiar with all of
7 the local attorneys, police officers, city council members, and county commissioners.
8 After working as an Assistant City Attorney for 10 years, the Cottdale City Council
9 appointed me the Cottdale City Attorney. When I was 53 after serving as the City
10 Attorney for 15 years, I was elected to the position of County Commissioner of Natural
11 County. Of course, after being elected to the county board, I resigned my position as
12 Cottdale City Attorney. I served the people of Natural County as a County
13 Commissioner for the last 10 years of my career. For the last five years I was the
14 Chairperson (or President) of the Commission. I also serve on a number of boards of
15 directors, including the board of my church and the local chamber of commerce. I have
16 been very active in the Cottdale Charitable Foundation and have helped organize the
17 Red Cross blood drive each of the last 16 years. In 2015 I received the Carl Bartowski
18 Award for Service to the Community given out by the Society of the Sons and Daughters
19 of Natural County. I stepped down from the County Board at the end of 2019 because I
20 decided it was time to enjoy my golden years with my spouse.

21 I spent years serving my community and my state, and I never imagined that
22 someone as sinister and evil as Ellis Strobel and that criminal Mac Ramsey would come
23 along and ruin everything that I worked for. I have given my entire life to the people of
24 Natural County, only to have that donation repaid by being dragged through the mud. I
25 never engaged in any illegal activity, and I certainly did not accept a bribe of any kind from
26 Mac Ramsey.

27 In the spirit of full disclosure, I have known Ramsey for a number of years. In fact,
28 anybody who is anybody around Natural County knows Ramsey. For many years Ramsey
29 was the richest person in Natural County and was invited to all the parties thrown by
30 community leaders. I played in a few poker games with Ramsey as well, but Ramsey was
31 always just for fun. There was never any money on the line. We just played so one of us
32 could brag that they were the best poker player in town.

33 I remember the day that the pipeline issue came before the County
34 Commissioners. Noble Norwegian Oil Syndicate (NNOS) made an application to the
35 Board to build an oil pipeline that would run through the Frazher Corridor in Cottdale.

36 Higher levels of government had already approved the pipeline being built and going
37 through Natural County. The only say Natural County had in the construction of the
38 pipeline was where it would be built – the Frazher Corridor or somewhere else.

39 Ramsey was vehemently against NNOS's proposal to build the pipeline in the
40 Frazher Corridor and testified before the County Board on several occasions. It may be
41 that Ramsey saw the pipeline as decreasing the value of some of their many properties,
42 or maybe, as the rumors go, Ramsey was planning on putting up some high-priced private
43 homes. Maybe Ramsey was concerned that the pipeline jobs would pay more than
44 Ramsey pays their employees, which could then reveal that Ramsey had stolen their
45 employees' pension money. The story of how Ramsey had stolen all of their employees'
46 money had been in the news for some time; it came as no surprise to anyone that Ramsey
47 was convicted and sent to Sandstone Federal Prison for the crimes.

48 It was merely chance that the pipeline issue came before the County Board of
49 Commissioners in March 2019. It was also simply a coincidence that Ramsey hired a
50 former County Board Accounting Specialist, my next-door neighbor, Johannes Weaving,
51 to serve as Ramsey's accountant. I have known Johannes well for a number of years and
52 he has appeared before the County Board – as employee and as outside accounting
53 advisor – for a number of years.

54 Even though I knew Ramsey, I decided not to recuse myself from voting on the
55 pipeline issue. Somebody had to make sure that the best interests of the residents of
56 Natural County and the State of Arkansas were looked after. I saw the case as a great
57 career opportunity for me – being the senior County Commissioner leading the County
58 Board on an issue of county, state, and even national and international importance. It
59 would be like the building of America's railroad system all over again. I was sure the issue
60 would get plenty of press, and afterwards I thought maybe I could go on a speaking tour
61 about the issue and the building of the pipeline, maybe even write a book about it – who
62 knows, but the opportunities were endless.

63 I had been considering retirement for a long time, and I made up my mind to not
64 run again for County Commissioner after the pipeline issue was first put before the
65 County Board. I knew this one, last, high-profile issue would be long, involve reading a lot
66 of technical reports and listening to a lot of political and emotional testimony. I also knew
67 it would create a lot of tension in the community. I knew the matter would take a lot out
68 of me and that I wouldn't want to work anymore. However, I decided not to announce my
69 retirement right away. Instead, I announced my retirement near the end of the year in
70 order to ensure the focus of the County Commissioners was on the pipeline issue and
71 not on me. I was also somewhat concerned that the vote on the pipeline would be delayed

72 until after my retirement if I announced my retirement too early. As I recall, I issued a
73 press release announcing my retirement on November 2, 2019, while I was attending the
74 state's County Commissioners' conference.

75 I know Ramsey claims that Weaving had a secret meeting in the middle of the night
76 where I allegedly agreed to vote against placing the pipeline through the Frazher Corridor.
77 That couldn't be farther from the truth. Ramsey apparently said that this secret meeting
78 happened the night before Halloween, but that just couldn't be possible – that whole week
79 I was at the County Commissioners' conference in Diamond City. In fact, on October 30,
80 2019, I gave the keynote dinner speech on the ethical responsibilities of county
81 commissioners at 6:00 p.m. You can check out my speech on my website! The speech
82 lasted about ninety minutes, and afterward I had drinks with colleagues. I think I may have
83 had a few too many that night because for the life of me I cannot remember exactly who
84 I was with. There are so many commissioners at that event it is hard to keep track of all
85 of them. All I know is that I ended up back at my room at the Ramada that evening – to
86 assert that I drove all the way from Diamond City to Hermantown just to meet Weaving is
87 ridiculous – it's a four-and-a-half-hour drive!

88 I relished the fact that the last issue that would come before a vote of "my" County
89 Board was going to be the pipeline issue. Everyone knew Ramsey did some terrible things
90 to their employees. Voting for the pipeline would be my small way of punishing Ramsey.
91 The final hearing and vote were scheduled for the third week in December. The week
92 before the vote, the County Board heard a final round of testimony from supporters and
93 opponents of the pipeline. This much is true – I did allow more opponents to present
94 arguments against the pipeline and allowed Ramsey to testify more times than any other
95 person. Contrary to what Ramsey claims, my rulings weren't based on any secret
96 agreement. I just wanted to be sure there was no chance that Ramsey would win if
97 Ramsey turned around and sued the County Board of Commissioners.

98 When a massive blizzard hit Cottdale, the County Commissioners' offices shut
99 down for a week. The last votes of the year were supposed to take place on December
100 19, but once the County Board's last meeting of the year was delayed, no further County
101 Board meetings were held until the next year. This upset me deeply and profoundly
102 because I had invested a lot of time, energy, and taxpayer funds in learning everything I
103 could about the pipeline and its potential impact on Natural County and the community. I
104 wrote the Arkansas Supreme Court and every member of the Natural County Board of
105 Commissioners a letter requesting permission to remain as a Special Commissioner to
106 vote on the pipeline issue even after my retirement. Alas, it was simply not meant to be
107 because County Commissioner was an elected position, the answer was a resounding
108 "no."

109 After my retirement began everything was terrific. I had booked a number of
110 lucrative speaking engagements around the country, I was also in negotiations with
111 Random House to get my first book on county commissioners' ethical responsibilities
112 published, and I was even in line for a lucrative gig on TruTV. But everything came to a
113 screeching halt in September 2020 when Strobel's article hit the papers. Every word of
114 that article is a lie, but shortly after it was published in the Cottdale Monitor it was
115 picked up by other major newspapers and became a big story. Everyone thought I was
116 corrupt and all of my speaking engagements were cancelled. My book deal fell through.
117 TruTV called to say they weren't interested anymore. My reputation in the community is
118 ruined – I don't even feel comfortable going out in public any more. My spouse became
119 terribly depressed because of all of the terrible things that were said about me in the
120 press. Everything was a disaster, just dreadful. Now I am stuck paying huge legal fees
121 when this was supposed to be the time when I could finally cash in on everything I had
122 done in my career. Ramsey defrauded their creditors and has (their!) money to burn – this
123 was my chance to finally see the benefit of all my years of public service.

124 The head prosecutor of Natural County is an old and dear friend of mine, Tim
125 Kaminsky, and he assured everyone that his office would do a thorough investigation
126 before any charges were filed. In fact, he even contacted the Arkansas Attorney General's
127 Office to have a Special Agent from the Bureau of Criminal Apprehension review the
128 matter. Of course, they found that Ramsey's story was simply not true. Yes, I am very
129 close with the local and county law enforcement officers and attorneys who investigated
130 my case and I know the State's Attorney General. But I also know that none of them would
131 ever cut me a break simply because I was a County Commissioner or because we've
132 known and/or worked together for years. When the County Attorney, BCA, and Attorney
133 General jointly announced that they weren't going to file any charges, I was relieved.

134 A lot has been made of the large amount of cash, about \$500,000, that I disclosed
135 to the Arkansas Ethics Commission, which collects and maintains financial information
136 about state, county, and local public officials, and investigates questions of financial
137 irregularities. Now, to describe where that money came from, I have to admit to you that,
138 from time to time, I do like to tickle the felt. Which is to say I enjoy gambling. I only gamble
139 legally, of course: casinos, the track, trips to Atlantic City and Las Vegas. Contrary to what
140 anyone else might say, I have never had any connections with organized crime or owed
141 anyone any money related to gambling.

142 In mid-September 2019, I went on a five-day cruise in the Caribbean and was
143 fortunate enough to spend some time at a casino in the Bahamas. I had a great run and,
144 next thing I know, I am up a half million dollars. Great luck, huh? As soon as I got back to
145 the States I deposited the money in my bank account for safekeeping. I don't have any

Statement of Agent Shay Christoff

1 My name is Shay Christoff and I am an Agent with the Arkansas Bureau of Criminal
2 Apprehension (BCA), and I am stationed in Little Rock. Prior to my employment with the
3 BCA I worked as a deputy in the Pulaski County Sheriff's Office in the computer crimes
4 unit. I am currently assigned as a Special Agent in the white-collar crimes unit with the
5 BCA where I have been for the past nine years. I have been a licensed police officer for
6 twenty-three years.

7 I grew up in Cottdonale and attended Lillehaug University on a basketball
8 scholarship. I was named an all-conference point guard twice and never lost a Congdon
9 Classic against our rival Vandelist College. For the students, fans, and alumni, that game
10 is easily the most important game of our season. There are stories of fights, divorces,
11 and even a murder over that game. Even though I live in Little Rock now, I haven't missed
12 a Congdon Classic since I graduated. Winning the Classic four years in a row certainly
13 made members of my team very popular among the alumni. We were frequently invited
14 to alumni receptions hosted by some of Cottdonale's rich and successful people. Since
15 they donated significant money to the school, our coaches expected us to make an
16 appearance. But the parties were stuffy and forced us to miss all the good parties on
17 campus. Most of the time, the team would show up for the free food, shake some hands,
18 and then take off.

19 I do remember attending a number of dinners at Hayden Brooks's house. Brooks
20 was the Cottdonale City Attorney at the time and was a major donor for the university
21 athletic department. When I became a senior, I started seeing Brooks's parties as an
22 opportunity to make some good connections for after graduation. I remember attending
23 the Brooks New Year's Party and having a long talk with Brooks. We talked about my
24 future and Brooks even invited me to play in their big poker game later that night. During
25 the poker game, Brooks invited me to do a joint internship with the City and County
26 Attorneys' Offices that final semester of school. I saw this as a great opportunity to learn
27 more about local government and interact with the police.

28 I started the internship in January that year but never worked directly with Brooks.
29 I would see Brooks in the halls, but I mainly worked with Tim Kaminsky, the Assistant
30 County Attorney at the time. I learned a lot about prosecution and the investigation
31 process. Tim showed me around and introduced me to many important people, including
32 the Sheriff of Natural County, Shelia Waller. Sheriff Waller said she owed a lot of her
33 success from the breaks and tips that Hayden Brooks provided her. Sheriff Waller
34 introduced me to the Pulaski County Sheriff, Pat McGowan. Sheriff McGowan and I hit it

35 off and he told me to look him up after I graduated. I certainly used that opportunity to
36 help me get into the law enforcement field. Anything you can do to get your foot in the
37 door, you know? I applied for an entry level position with the Pulaski County Sheriff's
38 Office twenty-three years ago. My grades were average, and I had the internship on my
39 resume, but I wasn't confident I would get an interview. So, I asked Hayden Brooks for a
40 recommendation. While it was the first time I talked to Brooks the entire semester, Brooks
41 said they would send a letter. Sure enough, the letter did the job and I was accepted into
42 the Pulaski County Sheriff's Office.

43 I graduated from the Police Academy ranked second in my class of eighty-seven
44 new officers. I started my work with the sheriff's office doing patrol and a lot of
45 paperwork, but soon I was promoted to the computer crimes unit. My work with Pulaski
46 County helped me get into the BCA. I do think I am lucky to have met Hayden Brooks at
47 the time. I doubt Brooks realized the impact they had in my career.

48 For the past six years, I have been focusing on corporate and political corruption.
49 Little Rock's neighboring town, Hermantown, made the national news about four years
50 ago when three city council members took bribes from a company, EightyFour, Inc., which
51 wanted to set up red light cameras in town. The council members called the bribes
52 "campaign contributions" and awarded the company the contract without any competing
53 bids. I was appointed special investigator to avoid any conflicts and to look into the entire
54 situation. My investigation exposed the conspiracy and the council members resigned.
55 The investigation also led to the federal prosecution of EightyFour, Inc. and its CEO B.
56 Roth Erbig. Since that company had similar deals throughout the country, I was suddenly
57 on national news and became a consultant for other investigations. I hadn't felt that
58 important since my basketball days. So, I enjoyed my time in the spotlight appearing on
59 CNN, TruTV, and even a special appearance on Maury. Since that case, I have started
60 writing a book on corruption investigations and municipal politics. I have also taught
61 numerous seminars and academy classes on that subject. I don't consider myself an
62 expert in the area, but I do feel I have some unique experiences to draw upon during
63 similar investigations.

64 I would be done with the book by now, but other police departments have been
65 calling and asking me to do investigations on individuals within their respective city or
66 county governments. Naturally, a local police agency cannot handle the investigation
67 because there is a conflict of interest. It is clearly improper to investigate the people who
68 determine your department's budget. So, to avoid even the appearance of impropriety,
69 those departments will call me in to lead the investigation as a special investigator. I have
70 developed a reputation as the Elliot Ness of Arkansas. Doesn't that sound like a good title
71 for my book?

72 On August 17, 2020, I received a call from the Chief of the Cottondale Police
73 Department. He told me that a local CEO named Morgan Ramsey was making
74 accusations that the former County Commissioner, Hayden Brooks, had taken a bribe
75 before leaving their position on the County Board. Since I hadn't seen or spoken with the
76 Commissioner in over twenty-three years, I didn't see this investigation as a conflict of
77 interest. I enter all investigations unbiased and look for the hard evidence. I approached
78 this investigation exactly the same way.

79 In corruption cases, we get phone calls all the time concerning people who claim
80 that someone was bribed. I first like to look at who is making the call. In this situation,
81 Ramsey was a convicted felon in prison and was well known around the area for living a
82 pretty lavish lifestyle. Ramsey certainly hasn't been the best corporate citizen in our state.

83 On August 20, 2020, I visited Ramsey at Sandstone Federal Prison. During my
84 interview, Ramsey told me that they had already pled guilty to bankruptcy fraud and didn't
85 care what happened to them. Ramsey was very angry with their attorney relating to the
86 conviction for fraud. During the discussion, Ramsey explained a plan they had with
87 Commissioner Hayden Brooks who would allegedly receive a payoff of half a million
88 dollars and in return would steer the location of the planned route for the pipeline away
89 from Ramsey's real estate development. The final vote was set for the December 19, 2019
90 County Board meeting. Ramsey stated that they gave their accountant, Johannes
91 Weaving, a briefcase containing \$500,000 on October 30, 2019. Weaving was then going
92 to meet the Commissioner that night at 11:45p.m. at some motel in Hermantown.
93 Weaving was supposed to give the money to the Commissioner to complete the bribe.
94 According to Ramsey, it all went according to plan. However, due to that blizzard in late
95 December, the County Board meeting was canceled and the Commissioner wasn't able
96 to vote. The vote was carried over to the first meeting in January and by then
97 Commissioner Brooks had retired. This all sounded like a bogus excuse to me, but I still
98 did a thorough investigation.

99 I also stopped by Johannes Weaving's office on my way back to town on August
100 20, 2020. He denied that there were any bribes between Ramsey, himself, and/or the
101 Commissioner. One of the most important pieces of evidence was a lead Weaving
102 provided. During my talk with him, Weaving became frustrated with the direction of the
103 conversation and told me to just look up the conference Brooks was supposed to be
104 attending on October 30, 2019. I did some digging on the internet and discovered that
105 several television news stations had covered the October 30, 2019 speech. KSTP News,
106 a local station, actually recorded the video of Brooks's speech and posted the whole 90-
107 minute video on its website three days later, on November 2, 2019, with the time-stamps
108 for a start-time of 6:00 p.m. and a transcript to boot. I was also able to check Brooks's

109 website, which had posted a link to the KSTP recording, although I do not know when
110 Brooks's website made that link available.

111 My next step in the investigation was to see if Commissioner Brooks had any
112 unusual expenditures and/or income increases since October 30. I pulled Brooks's
113 disclosure reports from the Arkansas Ethics Commission. The document indicated that
114 Brooks declared over \$500,000 in gambling winnings from a cruise Brooks took with their
115 spouse in September 2019 in the Bahamas. I called the cruise line and they confirmed
116 Brooks was on the cruise during that time. Their policy was to not comment or confirm
117 any gambling winnings. I did track down a casino employee who confirmed that
118 Commissioner Brooks did play roulette on the cruise and hit some big numbers.

119 Commissioner Brooks has a reputation around Cottdale as a bit of gambler. So,
120 it looks like Brooks had a pretty good trip to the Bahamas. I know Brooks has a weekly
121 poker game, and I know Brooks hits the casinos around the state. I have heard stories
122 that Brooks is a high stakes player and that the Las Vegas casinos offer them free rooms
123 to play the high limit tables. I'm not sure if I believe all of that, but it looks like Brooks won
124 a half a million on a cruise. So, anything is possible with Commissioner Brooks.

125 After Brooks returned from the cruise, it appeared Brooks spent some of those
126 gambling winnings on themselves. My investigation uncovered that Brooks purchased a
127 new Hummer H3, a boat, and a new house on Greers Ferry Lake. The Commissioner
128 certainly didn't hide any of these purchases. Brooks claimed the property purchase on
129 their 2019 disclosure form. The car and boat were both titled in the State of Arkansas.
130 Brooks paid sales taxes. I didn't feel the need to actually see the items since they were
131 public knowledge. Brooks has always lived a pretty nice lifestyle dating back to those
132 parties Brooks threw when I was in college. Frankly, Brooks had a long and respected
133 career, so Brooks deserves to live the high life during their retirement.

134 I didn't feel the need to bother Commissioner Brooks with this investigation. The
135 last thing this esteemed member of the community needed was some cop sniffing
136 around their house and interrogating them. To me, the results were clear. You had a
137 complainant who was a convicted felon and was angry. On top of it, a pipeline was going
138 to be put through Ramsey's property which resulted in Ramsey losing considerable value
139 to their family business. Ramsey makes an outlandish charge against a well-respected
140 Commissioner in the community and expects the charge to stick. The Commissioner's
141 whereabouts on the night of October 30 were accounted for. Commissioner Brooks's
142 purchases were not hidden, and Brooks claimed every penny of the gambling winnings.
143 Considering that the \$500,000 was disclosed on the Commissioner's ethics report, it
144 would be pretty easy for Ramsey to come up with that number.

Statement of Dr. Blake Baker

1 My name is Blake Baker, and I am currently the Edward R. Murrow Emeritus
2 Professor at the Ernie Pyle School of Journalism at Indiana University. My specialty is
3 ethics in the media. In addition to teaching, I also work closely with the Society of
4 Professional Journalists to continually develop and update ethical standards in
5 journalism. The goal of these standards is to ensure that the public can trust journalists
6 and believe the stories that they report.

7 Journalism has always been a passion for me. It started with my high school
8 yearbook and has never let up. I attended the Medill School of Journalism at
9 Northwestern University, a top-notch journalism school. I excelled and graduated summa
10 cum laude. I was Assistant Editor-in-Chief for the Daily Northwestern my senior year. That
11 year I also received the Abraham Lincoln Award for Excellence in Ethical Reporting for an
12 article that I wrote on Northwestern’s honor code.

13 Even though my honor code article was award winning, it never received the
14 recognition it deserved because of an article written by Andy Diggins, who was a
15 classmate of mine and a junior at the time. Admittedly, Andy was an exceptional writer
16 with a particular gift for sniffing out big stories. But I had some serious questions about
17 how Andy landed such big scoops. As Assistant Editor, I felt like it was my duty to raise
18 these ethical concerns, but the Daily staff was too blinded by how talented and popular
19 Andy was. Andy’s article that year, exposing an agreement between local police and the
20 school to minimize the amount of campus crime actually reported, was a big hit. Andy
21 won several awards and helped the Daily Northwestern win Outstanding College
22 Newspaper of the Year. To this day, I still think Andy just got lucky with that story.

23 After college, I was hired by the Little Rock Register as an assistant news reporter.
24 I spent the next two years reporting on all sorts of crimes. Homicides, drug busts, major
25 car crashes, and the ebb and flow of crime in the city. It was exciting, but reporting in the
26 real world was pretty different from working for a college newspaper. Finding the time to
27 investigate stories and then write quality articles under a deadline was a lot of pressure.
28 It kind of got to me, but I was determined to stay with it.

29 Two years later, I joined the Star Tribune. The paper hired me as a news reporter,
30 but my “beat” was the metropolitan area transit departments. Obviously, this could be
31 considered a step down from the sort of work that I was doing at the Herald, but I thought
32 it might mean less pressure. I covered anything having to do with transportation in central
33 Arkansas – gridlocked traffic on I-30 and I-40, debates on whether to build a light rail
34 system, accidents on the tracks, you name it. I also attended countless hearings and

35 meetings. I reported what happened, but most of the time my stories ended up being
36 killed to make room for advertisements. It was pretty demoralizing.

37 I even tried joining a bunch of organizations to try to get more insider knowledge
38 about the companies who received transit department contracts. These folks had trade
39 organizations, industry meetings, things like that. I started joining mailing lists and
40 showing up at meetings. I never tried to hide who I was or what I did. And wouldn't you
41 know it, it worked. The organizations started calling me, paying for me to attend trade
42 shows, sending me tickets to games, asking whether their name was going to be in the
43 paper. They would call when they'd won a big contract or had a new product. I put all this
44 new "insider" information into my stories, but it didn't help. In retrospect, maybe it wasn't
45 the best idea to get so cozy with those guys, but I just wanted to get some ink. But no
46 matter what I tried, the transit department just wasn't exciting and my stories were still
47 getting cut.

48 Around this time, I realized that my strengths did not lie in traditional newspaper
49 reporting. During my time at the Register and Star Tribune I was really intrigued by how
50 top-flight reporters managed to find stories, investigate them, confirm the facts, and then
51 produce a quality article, all under a deadline. Even more interesting, I wondered how new
52 reporters ever managed to survive without established sources and insider relationships.
53 I became incredibly interested in learning how reporters across the country managed to
54 consistently produce stories in an ethical way. Or, to put it another way, whether
55 journalists across the country actually were reporting stories in an ethical way.

56 Following my instincts, I returned to school. I received a Master's degree in
57 journalism from The Ohio State University, and in 1990, I was awarded the Aristotle Award
58 for Outstanding Publication. I stayed at Ohio State to earn my Ph.D. and won the Benjamin
59 Bradlee Award for Outstanding Doctoral Thesis. I was thrilled when I was offered a job as
60 an associate professor at the E.W. Scripps School of Journalism at Ohio. I taught a media
61 ethics course as well as introductory journalism courses.

62 Five years later, I was offered a full professorship at the Philip Merrill College of
63 Journalism at the University of Maryland. Then, in 2000, I was offered a position at the
64 Ernie Pyle School of Journalism at Indiana University. I am originally from Indiana, so I
65 jumped at the chance. It was the best move I ever made. The school allowed me to teach
66 courses focused on media ethics and, more importantly, I was able to take two
67 sabbaticals to write my books, which was how I really made a name for myself.

68 My first book was published in 2011. It was entitled "The Truth is Behind Bars: Why
69 America's Reporters Should Spend More Time Talking to Inmates and Less Time

70 Listening to the Establishment.” The book focused on the importance of convicted
71 criminals as sources. Now, I will be the first to admit that relying on convicted felons is a
72 risky proposition. But the simple fact is that convicted criminals – as opposed to those
73 who have not yet been sentenced – have little to gain by talking. They’re already
74 convicted, and reporters can’t commute sentences or offer immunity. So, when a
75 convicted felon comes forward and wants to talk, chances are they’re telling the truth.
76 But if a reporter uses an inmate as their main source, that journalist and their editor must
77 go above and beyond the normal ethical standards. That is the only way to ensure the
78 honesty of both the source and the reporting. Naturally, I was thrilled when my book was
79 a New York Times Bestseller. It was also named a Top Ten Book of the Year by the New
80 York Times, Washington Post, Boston Globe, and USA Today.

81 I loved writing my first book so much that I followed it up a few years later with
82 “The Necessity of the Anonymous Source: Journalism in the Age of the Whistleblower.”
83 This book received the Cokie Roberts Award for Outstanding Media Commentary and was
84 also named a New York Times Notable Book for 2014. Although the sales weren’t quite
85 as good as my first book, I was still content with the moderate acclaim that it received. I
86 have also written a textbook on ethics that is widely used at the country’s best journalism
87 schools.

88 I suspect my books were what caught the attention of County Commissioner
89 Hayden Brooks. Brooks contacted me shortly after Ellis Strobel’s article appeared in the
90 Cottondale Monitor. I asked the Commissioner to send me a copy of the article so that I
91 could look it over. Imagine my surprise when I saw Andy Diggins’s name as Editor-In-Chief
92 of the Monitor. I mean, last I heard of Andy, they were riding the wave of a Pulitzer Prize
93 nomination after totally disgracing themselves at the Boston Globe. Do you know, the day
94 I heard about what happened at the Globe, I had to resist calling everyone from the Daily
95 Northwestern and saying “I told you so!” But I thought that would be childish after all of
96 these years. As for the reporter, I had never heard of Ellis Strobel. I told Commissioner
97 Brooks that I needed to look into how Ellis’s article was investigated and sourced before
98 I could advise Brooks on whether there was a case against the paper. But I’m not going
99 to lie, the fact that Andy was involved already had me thinking that some ethical corners
100 had probably been cut in order to break a big, juicy story about a well-known and
101 respected County Commissioner.

102 Commissioner Brooks’s lawyer ended up retaining me to investigate Ellis Strobel’s
103 reporting. I had never worked on a court case before and had no idea what to charge. I
104 called some other folks in the field and contracted with Commissioner Brooks’s legal
105 team for \$300/hour for my investigation and research time and \$500/hour for testimony.
106 My understanding is that these are pretty standard rates. In fact, I suspect I may not be

107 charging enough because I've been overwhelmed with calls to help in other cases. I'm
108 lined up for five upcoming trials, sometimes working for the paper, sometimes working
109 for the article's target. I'm thinking that this may be a whole new direction for my career.

110 I don't even know where to begin about all of the problems with how this article
111 was handled. My analysis was done using the Society of Professional Journalists' Code
112 of Ethics, which I helped to write, and the witness statements of Ellis Strobel, Morgan
113 Ramsey, Andy Diggins, County Commissioner Hayden Brooks, and Shay Christoff. I guess
114 I will start with Strobel's mistakes.

115 First, a journalist should test the accuracy of their information from all sources and
116 exercise care to avoid inadvertent error. Deliberate distortion is totally impermissible.
117 Here, Strobel utterly failed to test the accuracy of the information given to Strobel by
118 Ramsey. Now, I am the last person to be critical just because Strobel's primary source is
119 a convicted criminal. But, like I said, the ethical standards are even higher when that's the
120 case, and Strobel had no one to corroborate even the smallest portion of what Ramsey
121 said. Strobel never confirmed Commissioner Brooks's whereabouts the night of the
122 alleged bribe and, more importantly, never found or talked to Johannes Weaving. Plus, I
123 could not find any evidence that Strobel tried to corroborate whether Commissioner
124 Brooks had, in fact, won a substantial sum of money gambling. Moreover, Strobel did not
125 follow up on their anonymous tip from the Cottdale Police that an investigation of the
126 bribery charges against County Commissioner Brooks was happening in Little Rock.
127 There is simply no dispute that confirming the existence of such an investigation and
128 learning the outcome of the police inquiries was vital to presenting this story in an honest,
129 even-handed way. Finally, Strobel's "confirmation" that Commissioner Brooks was
130 disciplined for their involvement in gambling was nothing more than the inference Strobel
131 chose to draw from the Arkansas Ethics Commission's comments. These failures are
132 unacceptable.

133 Second, because Strobel failed to follow up with some of the individuals and
134 entities listed above, Strobel was forced to rely on anonymous or simply unnamed
135 sources. This violates the journalistic standard that reporters should identify sources
136 whenever feasible because the public should be allowed to judge a source's reliability.
137 For example, Strobel used an unnamed police source as justification for reporting that
138 the bribery charges against Commissioner Brooks were being investigated. Because
139 Strobel failed to contact the BCA, the public was denied not only the details of any such
140 investigation, but also the ability to decide how serious the investigation was, whether it
141 was properly conducted, and what the outcome of the inquiry was. Such information
142 would have been far more helpful than one anonymous source giving a tip.

143 Third, Strobel did not avoid conflicts of interest. This problem is not readily
144 apparent from the article itself, but became obvious when I read Strobel's statement.
145 Strobel is clearly angry with County Commissioner Brooks for Brooks's alleged anti-
146 environmental supporter sentiments and, it seems, holds the Commissioner responsible
147 for Misha Stupinski's incarceration. Given this history, Strobel never should have written
148 this article. Strobel is, very simply, not objective where the Commissioner is concerned.

149 Now we move on to problems not only with Strobel's reporting, but Andy's editing.
150 So, the fourth issue with the article is that both Strobel and Andy failed to distinguish
151 between advocacy and news reporting. The fact that this article appeared on page one of
152 the news section does not change the fact that it is rife with opinion, innuendo, and
153 inference. Conclusions are drawn without evidence linking the dots. The most obvious
154 example of this problem is the pictures of Commissioner Brooks's recent purchases. The
155 fact that someone bought a boat, house and car with cash is not evidence that Brooks
156 took a bribe. And it was irresponsible to report and print an article that directly draws that
157 inference when the reporter never even investigated known alternative sources of income
158 for Commissioner Brooks. Andy never should have allowed that inference to appear and
159 never should have allowed those pictures to run based on such a minimal foundation.
160 The entire tone of the article is accusatory, not objective.

161 Fifth and finally, both Strobel and Andy failed to remember that newsgathering may
162 cause harm or discomfort and that pursuit of the news is not a license for arrogance.
163 Strobel and Andy seemed to forget this standard in their quest to break a big story. Andy
164 in particular allowed an article to appear that, in no uncertain terms, accuses a well-
165 respected commissioner with a spotless record of taking a bribe from a notorious
166 criminal, reneging on their promise, and living the high life on their dishonesty. It would
167 be one thing if that were the obvious outcome based on a thoroughly investigated,
168 properly sourced, objectively written article. But that is not what happened here. Instead,
169 a cursory investigation, shoddily sourced, obviously biased article went to press. And
170 Commissioner Brooks's reputation will be forever tainted with it. Just the implication of
171 it.

172 In the end, the only conclusion to be drawn is that both Ellis Strobel and Andy
173 Diggins violated at least five of journalism's cardinal rules. I think that it could safely be
174 said that the Cottdale Monitor, through its reporter and editor, showed a reckless
175 disregard for the truth when it printed the story about Commissioner Brooks.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

/s/ Blake Baker

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2022 Arkansas Mock Trial Competition.

_____/S/_____
Henry McDonald, Notary Public
State of Arkansas
My Commission Expires: 05/01/2023

Statement of Morgan “Mac” Ramsey

1 My name is Morgan Ramsey. In a previous life as a successful businessperson, I
2 went by “Mac” in my circle of friends. Currently I reside at 2300 County Road 29, which is
3 the Federal Correctional Institution in Sandstone. The Federal Bureau of Prisons
4 classifies Sandstone as a “low security” federal correctional institution; it’s often difficult
5 to see the humor in that.

6 Before I was imprisoned as part of my plea deal, I lived in Cottondale, Arkansas. I
7 also used to run my own business, popularly referenced under my umbrella company
8 Ramsey Real Estate, L.L.C., though I don’t miss much about that part of my life anymore.
9 What I miss are my children, who I haven’t seen in a year.

10 I didn’t grow up with much. My father worked for the railroad and my mother raised
11 me and my three sisters. But I caught a big break after graduating college. I’d been
12 working to pay my way through school by building houses. My boss convinced me to stay
13 on and work with him as a partner instead of going to business school for an MBA, so
14 that’s what I did. We worked side by side for nearly five years, and then he became sick
15 with a terrible illness I don’t like talking about. What made it worse is that his adult
16 children sued me when I took over and dissolved the company while he was still in the
17 hospital. The family made allegations of fraud against me, and I settled that case to make
18 it go away. The deal I worked out was that instead of admitting fraud, I admitted that I
19 exercised undue influence over my business partner while he was sick and mentally
20 impaired in the hospital, and I agreed to pay back a portion of the money his family
21 demanded. I understand how it may seem problematic to ask someone what they want
22 to do with a multi-million-dollar partnership in that state, but I didn’t have a choice. He
23 never wrote a will and was weeks from passing away, so I did ask him to sign over his
24 share of the partnership to me in that moment of crisis, and I paid dearly for that mistake.

25 Fortunately, I still had most of the money left over from winding down the
26 construction company. My spouse thought I was crazy, but I decided to use my money to
27 acquire two other home construction companies. Seems like back then everyone I knew
28 who had a little extra money wanted to own a big house. People who didn’t want to live
29 in Little Rock would drive an hour down the interstates to get to their jobs, so we just kept
30 building neighborhoods further out. By 1997, we were doing so well that I bought into a
31 home mortgage-financing company—my first of several. Not only was I in the home-
32 building business, but now I had a company loaning people the money to buy homes.

33 By the mid-2000s things were at their peak. My businesses looked small
34 individually, but I had so many that if you added them up I would have been in the top-five

35 for home real estate in Arkansas. We even started spreading into Texas with an affiliate,
36 Basting Construction Co. Thousands of people, from all the dedicated staff, contractors,
37 and subcontractors worked for me in one way or another. Buying up whole farms and
38 replacing fields with neighborhoods full of houses went from something to celebrate to
39 just another page in a stack to rubber-stamp. And frankly, I was doing a good job
40 transitioning away from building and focusing more on the mortgage financing angle,
41 which was almost as lucrative as my third venture, mortgage securities trading. Things
42 were so good we bought the naming rights to the stadium for the minor league baseball
43 team in Cottondale – the River Rats.

44 Not only were things great for my businesses, but they were great for me as well.
45 My spouse Cory and I had three lovely children and owned the biggest home in
46 Cottondale. It had two pools, a basketball court, and my own private driving range. We
47 owned vacation homes in San Francisco, Texas, and Miami. We had three butlers and a
48 personal chef who traveled with us everywhere. I started collecting vintage airplanes that
49 I stored in a hangar I purchased at the local airport. It was an expensive lifestyle, but
50 money was rolling in hand over fist.

51 In 2007, of course, things took a turn. By Fall 2008, the game was up, and the whole
52 real estate market plunged. Like many people in this business, I was not prepared for
53 what I should have seen coming years ago. All my eggs were in the real estate basket.
54 Revenue dried up overnight, and debts came due. Oh, and lawsuits. I lost count of the
55 lawsuits. People who signed up for loans on their own free will accused me of giving them
56 deals I knew they could not afford. While there is obviously truth to that, as there is with
57 much of the blame throughout the subprime mortgage crisis, I hired some good lawyers.
58 Savvy bankruptcy strategies allowed me to avoid liability to many of my clients and
59 creditors.

60 Besides bankruptcies, I made it out of the recession by buying up land while the
61 price was cheap during the downturn. A lot of real estate investors decided to get out of
62 the game after 2008. I went the other direction and doubled down. I knew it was risky, but
63 I also knew it was just a matter of time until the market improved and fields of grass or
64 crops became vibrant neighborhoods. In hindsight, this was not a good idea. I purchased
65 too many tracts of land. Barren parcels might have a high payoff years down the road,
66 but until they get developed, they earn nothing.

67 I just kept buying more land anyway. By 2015, I felt like not just a survivor, but a
68 mastermind for making it out of the recession in one piece. That made me cocky. I would
69 overbid on land just to lock down a community away from my competitors. Keep in mind,
70 most new neighborhoods you see now since the recession happened were not yet built

71 in 2015. The land prices were going up because we all knew the home builders and buyers
72 would come eventually, but I still hadn't earned on much of anything I'd purchased.

73 I spent a jaw-dropping \$8 million dollars on the Frazher Corridor plots of land. More
74 to the point, I did not buy those plots with my own money, but loans – loans with an
75 interest rate my credit deserved, which was not great. I would be unable to pay back the
76 loan for a while. In fact, the size of the loan actually increased over the years I owned the
77 land. At the time it was a solid purchase. The Frazher Corridor is a beautiful stretch of
78 land close to I-40, much of it on a noticeable slope with a great view of the river. A
79 fantastic place for building houses, and honestly the last spot in the world I expected an
80 oil pipeline to go.

81 You've probably heard of the concept of eminent domain before. Shockingly, it's
82 constitutionally acceptable for the government to come in and force you to give them
83 your land. All they have to do under the Takings Clause of the Constitution is pay you
84 "current fair market value" for the land they are taking by force – emphasis on "current."
85 You can probably see where this is going. When higher-ups announced their intent to ask
86 the county for passage through the Frazher Corridor in 2019, the fair market value of my
87 plots of land was not its true value. A few houses had popped up by then, but not as many
88 as there would have been – not by a long shot. The assessor believed my land was worth
89 just 8 million dollars, the same amount I'd signed onto it for in 2015, before my loan had
90 gained all of its interest.

91 Just like in 2008, the problems started as a trickle and then became a cascade. I
92 filed suit to get a better price on the Frazher Corridor, but it was clear I wasn't going to
93 win that suit. My lawyers advised me, correctly, that I had overpaid for the land in 2015.
94 And I had other land purchases nearby, too. Remember, this all happened in 2018 and
95 2019, during the controversies at the Standing Rock protests. Headlines about pipeline
96 spills and ground and water contamination filled my news feed on social media. No one
97 was interested in taking the Frazher Corridor off my hands for more than the
98 government's proposed price, and now my other purchases in the area were tanking in
99 value because home buyers weren't going to want to live within miles of a dangerous oil
100 pipeline if they could avoid it.

101 My chief accountant, Johannes, advised me that we had only one option – get
102 "political." Natural County did not have much choice in the fact that the oil pipeline would
103 run through the county, as that had already been determined by federal and state
104 politicians. But they did have veto power over certain locations within the county as to
105 where the pipeline would go. I knew it would be a split vote because of history. Four
106 commissioners had already publicly backed one side or the other, leaving three in play, and

107 I aimed to become friendly with one of them in particular. Jeb Farris was a well-known
108 environmentalist. He'd worked on park board crap for decades before getting relegated to
109 county commissioner status. I knew he would vote to move the pipeline away from the
110 Frazher Corridor. For crying out loud, you can't put a pipeline on a hill sloping down toward
111 a river! But then there was Kristina Olson. She was a former homeless outreach worker for
112 a nonprofit in Little Rock, and she wasn't a big fan of mine. She had once accused me in
113 a newspaper op-ed of being a mortgage fraudster, so I knew she would deliberately vote
114 against whatever I asked her. That left Brooks, one swing vote out of the seven that we
115 could "persuade."

116 I still had some liquid cash available for a rainy day. It wasn't enough to get me out
117 of my (by then numerous) holes, but it was enough to buy a miracle. I withdrew \$500,000
118 from a shell company account I'd saved since before the recession, and I gave it to
119 Johannes for his side of the plan.

120 I arranged for Johannes to meet Brooks at some sleazy motel in Hermantown at
121 about 11:45 p.m. on October 30, 2019. I remember the date of the meeting because it
122 was the night before Halloween. I hear that Brooks claims that the bribe could not have
123 happened that night because Brooks was at a conference in Diamond City. There's
124 supposedly a YouTube video of Brooks giving a speech at that conference. But I would
125 point out that you can fabricate anything these days, and there's no proof that I've seen
126 that the video footage posted on Brooks's website was footage captured from October
127 30, 2019. It could have been from any time before that. Finally, I specifically remember
128 Johannes complaining because he had to drive to some hotel out of town to give Brooks
129 the money. Why would he do that if he didn't actually drive there? Right after the bribe
130 occurred, Brooks announced that Brooks would retire at the end of 2019, as soon as the
131 contentious vote was over.

132 Everything was going perfectly. Until the blizzard hit and delayed the vote into
133 2020, rendering my payment irrelevant.

134 Johannes informed me that this was a problem because by New Year's Day Brooks
135 would be gone for the term and we would soon get a new guy in Brooks's place, a
136 disruptor anti-environmentalist who was unlikely to be sympathetic to anything we had to
137 say. Johannes and I called Brooks from Johannes's office on Christmas Eve to demand
138 that Brooks do something about this. Brooks told us that Brooks would see what they
139 could do. Brooks called us back that Friday and told me that I was out of luck. Brooks
140 wrote a letter to the county requesting that Brooks be allowed to remain in the seat to
141 cast a vote, but the other two commissioners could find no legal loophole to allow that to

142 happen. I demanded Brooks to return my money and Brooks refused, telling me Brooks
143 had already put it in the bank.

144 Eventually the County Board returned to hear matters for 2020, with Commissioner
145 Dehn in Brooks's place. Johannes told me we had no chance of winning with Dehn, who
146 was generally pro-business but particularly harsh on environmentalists. Since I was aligned
147 with the hippies on wanting to move an oil pipeline, Dehn was an eager stick in the mud to
148 my agenda. The vote was 4-3 to deny our request to choose a different location for the
149 pipeline, and just like that my business empire took another dive, this time for good.

150 When I declared a series of bankruptcies all over again in March 2020, the
151 investigators were already circling like vultures. They had a lot of questions for me –
152 questions about what they considered to be spurious behavior in 2019, but also questions
153 about 2008, which had not been asked to my face before. Questions like why I had
154 conveniently invested and donated so many millions of dollars during the market crash
155 that I did not report in my bankruptcy filings and how I conveniently came back into that
156 money in 2013-2015. Questions like how I could possibly afford overpriced land deals
157 when my credit had been in the toilet and I was supposed to be out of money to buy just
158 about anything.

159 I accepted a plea in July 2020 and was sentenced to ten years in prison for
160 bankruptcy fraud. Not that this will be a surprise to anyone, but prison is terrible. I was so
161 upset about everything that happened that I called the police within a month of settling in
162 prison. I told them everything that happened with Brooks. I told them about the oil pipeline
163 problems, the bribe and the threats. That investigator, Christoff or something, came by
164 one time. But Christoff didn't talk for very long and I never heard from Christoff again.
165 Later I found out Christoff got their job because of Brooks.

166 When the police angle went nowhere I tried the press instead. It is difficult making
167 calls from prison. You need money to pay for each call, and the calls are expensive. You
168 also don't have an internet phone directory. You have to use the old-fashioned Yellow
169 Pages. It took a day, but I found who I needed. Next thing I know on September 8, 2020,
170 someone from the Cottondale Monitor named Ellis Strobel is meeting me at the prison.
171 Ellis asked me what happened, and I was more than happy to tell Ellis. I wanted Brooks
172 to get what was coming to them.

173 Apparently, the story was printed in the paper because fairly soon everybody
174 wanted to talk to me. Several reporters tried to contact me about the story, but the warden
175 wouldn't let them all in. The story got picked up by the Star Tribune and Pioneer Press
176 and made big news all over the state. Everyone was saying Brooks would be put on trial.

Statement of Ellis Strobel

1 My name is Ellis Strobel. I am thirty-eight years old. My parents were forced to flee
2 to the United States before I was born because they were involved in the resistance
3 movement against an oppressive government. They had been publishing an underground
4 newspaper, but they were eventually discovered by the secret police. To protect
5 themselves, they escaped to the United States. To keep them safe, the American
6 authorities helped my parents settle in the small town of Cottdale, Arkansas. As a
7 result, I was born in Cottdale, not the old country.

8 My best friend was another kid from an immigrant family, Misha Stupinski. Misha
9 and I did everything together growing up, especially anything we could do outside. Misha
10 and I would spend hours hiking in the woods, sitting on a dock with our fishing poles in
11 the water, or just climbing trees. As we got older, Misha and I biked, four-wheeled, and
12 hiked all over. Of course, that was before Green Diamond Trucking built that huge garage
13 and loading facility. I know it was good for local business, but man I hated to see all that
14 beautiful open space that Misha and I used to explore fenced off. I don't think I ever swam
15 in Half-Mile Creek after Green Diamond started operation.

16 I had my heart set on journalism as a career fairly early on. Part of it was personal
17 – I wrote well, and the school newspaper was a place where I always felt accepted and
18 welcomed. Part of it, too, was an homage to my parents' struggles. They were forced to
19 leave the old country because they wrote the truth about what was happening. I worked
20 hard and was accepted with a full ride Northwestern University's journalism school.
21 Northwestern is consistently ranked as one of the country's highest ranked journalism
22 program. It was an honor to be admitted. The program was challenging, to say the least.
23 I had never written so much nor been held to such high standards. In every case but one,
24 I rose to the challenge. That one failure is the biggest mistake of my life.

25 I was in a class that required us to file daily stories from around campus, a
26 requirement that was perfect preparation for the demands of the newsroom in real life.
27 Toward the end of the semester I was having a particularly difficult week. I had two papers
28 due, I had fifteen hours of work to do to keep my work study job, and I was on the phone
29 late with Misha, who was trying to get out of a bad relationship. By Friday, I was frazzled,
30 and I had to file a story that I just hadn't done any work on. In my desperation to get the
31 assignment done, I made a terrible mistake. I made up a story and turned it in.

32 I screwed up, I know. I lied when I made up the story. The next morning, I called my
33 professor and confessed. The deal we worked out was that I would fail the class but not
34 get thrown out of the program since I had confessed. I eventually retook the class and

35 got an A, but the F stayed on my transcript. That error in judgment made it difficult for me
36 to get a job coming out of college, even with a journalism degree from a highly rated
37 school. No one wanted to take a risk on someone who had made such a bad decision.
38 Eventually, I landed a job with my hometown newspaper, the Cottdale Monitor. I had
39 known the then-editor, Anna Tobin, from an internship I did in high school.

40 Things went pretty well for me starting out. Tobin ran a traditional newsroom,
41 which meant you had to pay your dues in order to move up the ladder. I eventually got my
42 break in 2013 with a series of stories about some pollution on the outskirts of town. There
43 was a big agribusiness – Frederick and Sons – that was running some farms near town
44 and was dumping animal waste and feed products directly into the river. I spearheaded
45 an investigation that caught them in the act when they were dumping out at the old
46 Buckhold farm. The resulting investigation by the state shut down the company, and the
47 farm has been abandoned ever since.

48 I'd say that my biggest accomplishment as a reporter came during the Morgan
49 Phillips trial. I won the Orry, which is the local equivalent of a Pulitzer Prize, for my
50 coverage of the case. I thought it was pretty clear that the jury did the right thing by finding
51 him not guilty, but there are always folks who want to string someone up just on their
52 reputation. I get calls all the time asking me to join a bigger paper, but Cottdale is still
53 home, and I can't see leaving for anything.

54 Around that same time, I learned that the County was considering letting some
55 company build a pipeline through Cottdale. Can you believe it? They want to change
56 more open green space and turn it into a pipeline? You don't need to be a journalist to
57 know that those things are bad news. Even if the pipeline doesn't break, it can still leak.
58 They also take up a lot of space; it isn't just the 48-inch pipeline itself. The land around
59 the pipeline has to be fenced off for at least 50 feet on either side. Can you imagine? A
60 100-foot-wide corridor running along the edge of town? No more hiking or four-wheeling
61 across trails. No more walking to school if you live on the "wrong" side of the pipeline.
62 Not only would a proposed pipeline ruin the outdoors that I love so much about
63 Cottdale, but it would be terrible for the community as a whole.

64 After graduation when I moved back to Cottdale, Misha ran into trouble. He and
65 some friends from work stayed out too late one night. Misha swears he only had one beer,
66 but he got pulled over leaving his favorite local bar. When the police pulled him over,
67 Misha blew a .04. That's half the legal limit, except that Misha had a commercial driver's
68 license and was driving his work truck home from the bar. Because his truck was a
69 "commercial motor vehicle," I guess that means there is a lower limit. Anyway, he got
70 charged with driving under the influence. It was a first offense, and Misha had a totally

71 clean record before that. But then-City Attorney Hayden Brooks, who had a reputation for
72 being tough on young, blue-collar workers, decided not to offer any kind of plea deal.
73 Misha ended up losing his commercial driver's license for a while and getting the
74 maximum criminal penalty. Losing his commercial driver's license cost Misha his job at
75 Green Diamond, which really set him down a bad road. He has not been the same since.

76 Needless to say, I was pretty incensed about this whole affair. So, I did what I do
77 best. I started poking around, asking questions, and doing research. I didn't turn up
78 anything while Brooks was City Attorney, but I kept looking every once and a while. It
79 wasn't every day or anything like that, I just kept my ears open for anything about Brooks.
80 Eventually, after Brooks got elected County Commissioner, I learned that Brooks was a
81 big proponent of the pipeline. Brooks only saw the potential tax revenues. Of course, the
82 idea of a big installation near the pipeline and the prospect of even more industrial jobs
83 coming to the County – as if we need that kind of work here – appealed to Brooks too.
84 There was also a rumor that Brooks's aunt or uncle was a soil engineer who worked for
85 the pipeline company, but I never found any proof of that.

86 I wrote up what I found and ran it by my editor. Andy Diggins was new to the paper,
87 having just come into town from Detroit or somewhere. I had never really had much of a
88 problem with Andy, but Andy hadn't really been around all that long, either. Andy shot
89 down my story, saying that they didn't want to rock the boat this early into their tenure in
90 town. I think Andy also said something about being concerned about my reference to
91 Brooks's relative who allegedly worked for the pipeline company, but I don't think that
92 Andy understood the County dynamics just yet. That pipeline was just such a bad idea.
93 Also, it's not like I said that Brooks was receiving a kickback from their relative. I just
94 mentioned that there was a rumor that Brooks's relative worked for the pipeline company.
95 I can't say that I was particularly pleased about having the story killed, but it happens to
96 every good journalist. Maybe it shouldn't, but it does.

97 I first got involved with the article at the center of this whole mess in September
98 2020, when I got a voicemail from Mac Ramsey, the infamous head of Ramsey Wheels
99 who pleaded guilty to bankruptcy fraud. Ramsey's voicemail was pretty short. Ramsey
100 just said that Ramsey bribed a member of the County Board of Commissioners to vote
101 on having the pipeline run through a certain route, but the County Board still voted to have
102 it follow a different route, which cost Ramsey a fortune. I wish I still had the voicemail,
103 but I dropped my phone trying to take a call just after a City Council meeting a few days
104 later and stepped on it in the dark. I couldn't recover any messages.

105 Anyway, if what Ramsey said was true, it would be quite a story. So, in early
106 September I drove to the federal prison in Sandstone to visit with Ramsey. Like any good

107 journalist, I took notes on our conversation. Ramsey was initially a little hesitant to talk
108 about the situation, but eventually said, "Screw it. I'm already in jail. If I do more time
109 because of this, at least I can take that rat Brooks down with me."

110 I jumped when Ramsey said that Brooks was the County Commissioner involved.
111 I made sure that Ramsey meant Commissioner Hayden Brooks, who had just recently
112 retired. Ramsey confirmed that Brooks was exactly who Ramsey was talking about.

113 Ramsey told me the following story: When Ramsey found out that Brooks was
114 going to be on the committee that was going to initially consider the route the pipeline
115 was taking, Ramsey's accountant said that maybe there was a way to get the matter
116 settled before the other interested parties had a chance to talk to the County Board.
117 Ramsey's accountant, a person by the name of Johannes Weaving, worked for Brooks
118 several years back, and knew that Brooks was up to their ears in gambling debts. Weaving
119 said that if Ramsey happened to provide Commissioner Brooks with the way out of their
120 debts – say, half a million dollars – Brooks would express their gratitude by persuading
121 the pipeline committee to require the pipeline to follow the route that Ramsey wanted,
122 before the official committee meeting and before the other land owners had a chance to
123 talk about the route with the County Board.

124 Ramsey told me that they jumped at the chance. Ramsey gave Weaving the money
125 and Weaving reported back that everything had gone to plan. I asked Ramsey what had
126 gone wrong. Ramsey laughed bitterly and said that Brooks resigned from the County
127 Board before the first committee meeting about the pipeline. Ramsey said that the new
128 chair of the pipeline committee was their former business partner, so Ramsey knew they
129 could not approach that Commissioner about the pipeline or it would leave too much of
130 a trail. I asked Ramsey if they had anything that could help verify the story. Ramsey said
131 that they filed a complaint with the police a couple weeks prior in August, but that Ramsey
132 hadn't heard anything further.

133 I started working on verifying Ramsey's story the next day. My first call was to
134 Johannes Weaving. Weaving was not in, and his secretary Sara Pepper said that he was
135 out of the office for a little while. I followed up with another call a couple days later and
136 found that the number had been disconnected. I don't know where Weaving is, and I have
137 made no further attempts to contact him. At the same time, this made me fairly
138 suspicious. I mean, fleeing town clearly means that he has something to hide, right? I also
139 wanted to ask Weaving if Ramsey got a deal for coming forward about the bribery, but
140 again, I wasn't able to find him. I also looked at Ramsey's court records on the courts'
141 website, but there wasn't anything specific about Ramsey's guilty pleas, so I couldn't tell
142 if the sentence was reduced for saying anything about Brooks.

143 My next call was to the Cottdale Police Department. They didn't have any
144 answers for me immediately and told me that they'd call back. About ninety minutes later
145 the desk sergeant called me back and said that the Police Department's official
146 statement was a "no comment." He also said that he had been authorized to tell me that
147 there was an investigation, but it was being done by a cop over in Little Rock. That
148 information was strictly off the record, though.

149 I checked with a couple of my usual sources within the department. Only one of
150 them knew anything about it, and he said that he had maybe overheard someone saying
151 that they had done just a quickie investigation but hadn't really looked too hard for
152 anything incriminating. I never contacted anyone in the BCA, nor did anyone from the BCA
153 contact me.

154 I also put in a call to County Attorney Tim Kaminsky's office at the end of the day.
155 He said that he didn't know of any official investigations or actions currently active
156 against Commissioner Brooks. Then, almost as an afterthought, Kaminsky added that if
157 he was going to investigate something like this, he might put a call in to the Arkansas
158 Ethics Commission.

159 The next morning when I got into the office, there was an envelope addressed to
160 me without any sort of stamps or return addresses or anything. I opened it and inside was
161 a letter from the Arkansas Ethics Commission addressed to Commissioner Brooks. The
162 letter said that Brooks was being censured for Brooks's involvement in high stakes
163 gambling and sports betting. The letter stated that since Brooks had come forward to
164 disclose this involvement voluntarily and had sworn to have no further involvement with
165 the activity, the official Letter of Reprimand would be kept private. However, the letter
166 warned, if Brooks engaged in any further gambling activity, the Ethics Commission would
167 go public with its censure and maybe seek further action.

168 The letter was clearly identified as a draft letter and was also unsigned and
169 undated. I didn't even know if it had been sent at all. Heck, I didn't even know who had
170 given me a copy. However, Kaminsky's hint about the Ethics Commission kept coming
171 back to me as I thought about the draft letter. I figured that Kaminsky was showing a little
172 immigrant family solidarity and had slipped me a copy of the letter that he had gotten
173 from somewhere. I called Kaminsky up and asked him about it, but he said that he had
174 never heard of such a thing before. Of course, what else would you expect him to say?

175 Just to cover my tail, I gave the Ethics Commission a call to get confirmation that
176 such a letter had been officially sent to Brooks. Its reply was that there was no such letter
177 in the Commissioner Brooks's public file, and that it refused to comment on any past or

178 present investigations, whether those investigations existed or not. This is exactly what
179 the letter predicted that the Commission would say, so I took it as a confirmation of the
180 letter's authenticity.

181 By this time, word had gotten out in the newsroom that I was running down a story
182 on Commissioner Brooks. Someone mentioned that Brooks had been making some
183 extravagant purchases within the last year. I got Vickie Olson, an ace freelance
184 photographer who sometimes worked for the paper, to go check out how Commissioner
185 Brooks was living these days. Vickie came back with pictures of a lakeshore mansion, a
186 massive speedboat, and a shiny new Hummer. I got on the phone and started making
187 some calls and confirmed that Commissioner Brooks had purchased each of these within
188 the last year. More important, I thought, was the fact that the Commissioner had paid for
189 each of these purchases in cash.

190 At this point I had everything I needed to write the piece. Just to go through all the
191 motions, I knew I had to give Commissioner Brooks a call to give Brooks a chance to
192 refute the accusations and the associated evidence. I got through to the Commissioner,
193 but our conversation was extremely short. I identified myself and Brooks barked into the
194 phone that they knew who I was, and had nothing to say to me at this time or any time in
195 the future. It wasn't the first time I've had a phone slammed down by someone I've been
196 trying to interview and I'd be stunned if it was the last.

197 Having done all the work I needed to, I wrote up the article and ran it by Andy
198 Diggins. Whatever concerns Andy had about stepping on Brooks's foot earlier had
199 evidently evaporated. Andy appeared very excited about the article, saying that it was
200 another story for the paper for sure.

201 The story ran on the front page of the Monitor on September 22, 2020, and was
202 picked up by the Star Tribune and the Pioneer Press the next day. There was a media
203 furor over the story, and it turned into something of a media spectacle here. Things
204 quieted down until Brooks decided to sue the paper over the article.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

/s/ Ellis Strobel

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2022
Arkansas Mock Trial Competition.

_____/S/_____

Henry McDonald, Notary Public
State of Arkansas
My Commission Expires: 05/01/2023

Statement of Andy Diggins

1 My name is Andy Diggins and I am currently the Editor-in-Chief of the Cottondale
2 Monitor. I can't believe that I'm here today. The article that we published on County
3 Commissioner Hayden Brooks was a great piece of reporting. I know the Commissioner
4 is influential, but using a defamation suit to try and clear their name is nonsense. If the
5 Commissioner had a problem with Ellis's story, then Brooks should have commented
6 when Ellis called. Now they are trying to drag down a very talented young reporter with
7 this baseless case. This entire lawsuit makes me steaming mad.

8 My career as a journalist began in college. I attended the Medill School of
9 Journalism at Northwestern University, one of the top journalism schools in the country.
10 My big break with the school newspaper – The Daily Northwestern – came junior year
11 when I wrote an article about how campus crime statistics were being manipulated by
12 local police and the administration. My article won the award for Outstanding College
13 Newspaper Article from the Pew Center for Civic Journalism, and they also named me
14 College Reporter of the Year and The Daily Northwestern was also named Top College
15 Newspaper by the Society of Professional Journalists, based in no small part on the
16 popularity of my article. It was quite a ride. So, it came as no real surprise when my fellow
17 staffers selected me as Editor-in-Chief my senior year.

18 What is amazing is that my story almost didn't happen because of Blake Baker, a
19 classmate who was the Daily assistant editor the year my story ran. We used to have
20 weekly staff meetings to talk about upcoming stories. I told the staff about my crime
21 story and everyone was very excited. I had two sources – one in the administration and
22 one in the police department – who were willing to talk about the conspiracy. The sources
23 would only agree to be anonymous though. No matter how hard I tried they would not go
24 on the record. For me, and everyone else on the staff I might add, two anonymous sources
25 with obvious insider knowledge was good enough, but Blake didn't think so. Blake thought
26 that we needed someone named and on the record before we could run with the story.
27 Personally, I think Blake was miffed about being upstaged by a junior.

28 I understand that Blake was hired by Commissioner Brooks to testify about
29 whether Ellis and I violated the journalistic code of ethics. I'm not surprised. Blake's had
30 it out for me since college. And this is a good time to point something out. There are
31 newspaper reporters and then there are people who write about newspaper reporters.
32 They are not the same thing. Real reporters are in the field, getting stories, following leads,
33 making judgment calls. The people who write about them are normally safely enshrined
34 at some college, talking about "ethics" and "standards" and "public integrity." Those ideas
35 are all well and good, but if reporters and the editors who manage them were not

36 occasionally willing to go out on a limb, then enormously important stories would never
37 be reported. Let me put it this way: where would this country be if Woodward and
38 Bernstein had looked at one another and said, "Well, Deep Throat won't go on the record,
39 so I guess we should ditch this whole Watergate story"? If you look at any reporter's
40 history – even the ones who eventually join the ranks of academia – you will find some
41 sort of close call. Not everyone crosses the line, but I bet even Blake Baker has put their
42 toes in the chalk.

43 Anyway, after Medill I went to work at the Chicago Tribune. I was an assistant news
44 reporter assigned to cover City Hall. Early on, I realized that I had a knack for building
45 good relationships with people. I developed a great network of insiders – aides to the
46 mayor, staffers, clerks, secretaries, even maintenance people – who were my eyes and
47 ears. With the tips I heard, I was able to scoop some big stories. I moved up quickly and
48 pretty soon I was the reporter in charge of the City Hall beat. I stayed at the Tribune for
49 about eight years, before taking a job reporting for The Boston Globe. I stuck with the
50 news division, though, because that is where all the action is. At the Globe, I focused more
51 on state politics and worked my way up to being the reporter in charge of all state political
52 reporting. I had sources in the legislature, with the lobbyists, the lawyers, and the staffers.
53 Nothing happened that I didn't know about.

54 But I had best fess up to one mistake that I made when I worked for the Globe. I
55 heard through the rumor mill that the Speaker of the State House of Representatives had
56 used public funds to buy junk bonds in her own name. I began to pursue the story, and
57 contacted my main source in the Speaker's office, her secretary. The secretary confirmed
58 the rumors and told me that he would get me copies of answering machine messages
59 left for the Speaker by her stockbroker. And the secretary did produce the tapes, which
60 seemed genuine. But none of my usual sources would corroborate his story. In fact, they
61 denied it. Still, I convinced myself that people were staying silent because the Speaker
62 was, after all, a very successful person. I decided to write the story anyway. Somehow, I
63 convinced my editor to publish with just one source. The story ran. One week later, The
64 Boston Herald ran a story, corroborated by multiple sources, that the secretary had been
65 passed over for a promotion and had doctored the messages for revenge. After five years
66 with the Globe, I was fired. There is just no other way to say it.

67 After the Globe I had trouble finding a job and ultimately had to take a step down
68 in the ranks. In 2002, I went to work for the Detroit Free Press as a news reporter. No
69 special beat, no exceptional assignments. I spent the next five years covering a little of
70 everything. Crimes, car accidents, politics, scandals, trials, I did it all. Finally, I guess I'd
71 paid my debt because they promoted me. Once again, I focused mainly on politics and
72 was redeemed when, in 2012, I was nominated for a Pulitzer Prize for an expose I did on

73 pollution being dumped into local lakes by the automobile manufacturers. I didn't win, but
74 suddenly colleagues who refused to take my calls were willing to associate with me
75 again. I had a lot of other job offers, but stayed in Detroit. I felt like I owed the paper
76 something for taking a risk on me after I was fired.

77 In 2013, I learned that my mother had cancer. My father died a while ago and I am
78 an only child. Because my mom lived alone, my only real option was to move home to
79 Cottondale to take care of her. So that's what I did. There is no major market newspaper
80 nearby, and even if there had been, I could not have put in the hours needed and still taken
81 care of my mom. So, I resigned from the Free Press and moved home. I went to work for
82 the Cottondale Monitor and, as luck would have it, the former editor was looking to retire.
83 I was named Editor-in-Chief of the paper in 2016.

84 Ellis already worked for the paper when I arrived. It was clear almost instantly that
85 Ellis was the best reporter at the Cottondale Monitor. I spent a little while going through
86 back issues of the paper and the stories that Ellis wrote about the dumping by the 4N
87 Company in Woodland and the Smith trial were top-notch. Plus, I have to admit it; I am at
88 a point in my career where I am looking to mentor a young reporter, to pass on my wisdom
89 if you will. Ellis seemed like an excellent candidate because Ellis was talented and
90 ambitious. I'll admit, I really want to see Ellis succeed as a reporter. I've encouraged Ellis
91 many times to leave Cottondale in favor of a bigger market. I mean, why win Page Ones
92 when you could win Pulitzers? But Ellis is a lifer.

93 So, it was tough for me to shoot down Ellis's idea for an article on Commissioner
94 Brooks and Brooks's alleged bias against the environmental community. It really seemed
95 liked Ellis was on to something. The information on disciplinary actions against
96 employees Ellis dug up was pretty compelling. But I learned my lesson the hard way in
97 Boston and I simply was not willing to take on one of the most successful people in the
98 community so early in my tenure. It was just too risky.

99 The Cottondale Monitor, after all, was a long-time supporter of Commissioner
100 Brooks. Even before my time, the paper always endorsed the Commissioner in elections.
101 It has written dozens of editorials in support of tough decisions that Commissioner
102 Brooks has made and also commending Brooks for the charitable work that they do in
103 Cottondale. That is why this lawsuit really gets me steamed. After so many years of great
104 press, what makes the Commissioner think we made up stuff to get them now? It's nuts.

105 Regardless, Ellis didn't bring up the Commissioner for about six years. In late 2020,
106 I can't quite remember the date, Ellis mentioned to me in passing that they had a lead on
107 possible bribery about the location of the pipeline that is planned to run right through the

108 county. Ellis said that they heard that Mac Ramsey bribed a county commissioner to have
109 the pipeline run one way and County Board voted to have it run a different way. It sounded
110 juicy to me and I told Ellis to keep me posted. Big stories are tough to come by in a town
111 the size of Cottdale, so I was excited that Ellis could be on to something. Ellis spoke to
112 Mac Ramsey and when Ellis got back to the office was nearly giddy with joy.

113 In mid-September, Ellis and I sat down to talk about the Commissioner Brooks
114 story. Ellis filled me in on their interview with Mac Ramsey and Ramsey's allegations that
115 they had paid Commissioner Brooks \$500,000 to rig the County Board's vote. The deal
116 was for Brooks to rig the voting so that the pipeline ran the way Mac Ramsey wanted it
117 to run. Ellis identified Johannes Weaving, Ramsey's accountant, as the middle-man who
118 transferred the cash from Ramsey to the Commissioner. Immediately, I asked Ellis
119 whether Ellis had contacted Weaving. That was when I heard the bad news: Weaving had
120 skipped town. I didn't ask whether Ellis had exhausted every possible avenue for locating
121 Weaving. I presumed that Ellis did everything Ellis could to find the accountant. After all,
122 the accountant was the only possible person who could confirm Ramsey's story.
123 Weaving's disappearance left us with one source, which is always dangerous territory.

124 But Ellis remembered my hesitancy about the first Commissioner Brooks story, so
125 Ellis had done more investigating. Ellis heard Ramsey had made a complaint to the police
126 about the bribe. At first, I was skeptical of Ramsey's claim that Ramsey had complained
127 to the police. But Ellis informed me that a desk sergeant with the Cottdale Police
128 Department had confirmed, albeit off the record, that an investigation into Ramsey's
129 bribery charges was indeed being conducted through a BCA agent in Little Rock. And Ellis
130 had confirmed the existence of this investigation through an independent anonymous
131 source from the Cottdale Police. Additionally, Ellis told me that they had a letter from
132 the Ethics Commission reprimanding Commissioner Brooks for Brooks's involvement in
133 high stakes gambling and sports betting. This news didn't surprise me at all. It's one of
134 Cottdale's worst kept secrets that Commissioner Brooks has a serious gambling
135 problem. Not only does Brooks like to gamble, but Brooks always seems to lose. That is
136 just the sort of thing that is common knowledge in a small town like Cottdale.

137 But back to the letter. I never asked to see it. Ellis is too good a reporter to tell their
138 editor that they've got a letter if they don't. I didn't need to see it. I knew Ellis would call
139 the Ethics Commission to confirm and, in fact, Ellis told me that's precisely what they did.
140 And the photos. Wow. A few days after our meeting, Ellis came back with photos of some
141 recent purchases that Commissioner Brooks made in cash. Unbelievable. A huge new
142 speedboat, a swanky lakefront mansion at Greers Ferry Lake, and a new Hummer H3. I
143 hear that the Commissioner is claiming they won that money on some offshore cruise.
144 But anyone who has ever gambled with the Commissioner knows that the likelihood of

A DISHONEST THIEF: Retired County Commissioner Accused of Taking Bribe to Change Pipeline Location

By Ellis Strobel

Cottondale – Former Cottondale City Attorney and retired Natural County Commissioner Hayden Brooks has been accused of taking bribes in connection with the pipeline placement involving the property of Morgan Ramsey, the former President and CEO of Ramsey Real Estate, LLC. Ramsey, who is currently serving a ten-year sentence at the Federal Correctional Institution Sandstone, claims that Ramsey paid Commissioner Brooks \$500,000 in exchange for Brooks's vote to change the pipeline route.

Commissioner Brooks has refused to comment on this accusation.

Ramsey alleges that Johannes Weaving, their accountant and a former County Planning Manager and next-door neighbor of Commissioner Brooks, arranged the transaction on October 30. "It was supposed to be simple," Ramsey said. "I would pay Brooks half a million dollars, and Brooks would change the pipeline route."

According to Ramsey, Brooks received the payoff but failed to follow through with her/his/their part of the transaction. "Brooks retired before ever voting on the pipeline route. It's bad enough that Brooks was taking bribes, but Brooks wasn't even honest enough to hold up their end of the bargain," stated Ramsey. "There's nothing worse than a dishonest thief."



Commissioner Brooks enjoying their new boat on Greers Ferry Lake.

Since Brooks's retirement, Commissioner Brooks has made a number of luxury item purchases, including a new Hummer H3, a lake house, and a small yacht. Subsequent investigation has revealed that Commissioner Brooks paid for each of these purchases with cash.

Commissioner Brooks is also well known as a habitual gambler. Due to Brooks's involvement with this illegal activity, Brooks has been admonished by the Arkansas Ethics Commission.

Weaving, would not speak to the Cottondale Monitor regarding these accusations, and has left the country indefinitely.

The Cottondale Police Department refused to officially comment on this issue. However, Ramsey claims that after making a plea bargain to unrelated federal charges of bankruptcy fraud, Ramsey notified the

Cottondale police of the Commissioner's involvement with bribery. The department conducted a cursory investigation of the incident, but a source within the department, speaking on the condition of anonymity, stated that they decided not to pursue the matter.



A Hummer was just one of Commissioner Brooks's luxury purchases.

Ramada Inn
4421 West Highway 90
Diamond City, AR 72145
479-555-1234

CUSTOMER COPY

BROOKS, HAYDEN
123 Taconite Mining Drive
Cottdale, AR 72650

DATE	DESCRIPTION	CHARGE/PAYMENT	BALANCE
11/03/19	VISA CARD PAYMENT	(\$502.74)	(\$502.74)
11/03/19	SALES TAX	\$8.79	(\$493.95)
11/03/19	ROOM CHARGE	\$75.00	(\$418.95)
11/02/19	SALES TAX	\$8.79	(\$410.16)
11/02/19	ROOM CHARGE	\$75.00	(\$335.16)
11/01/19	SALES TAX	\$8.79	(\$326.37)
11/01/19	ROOM CHARGE	\$75.00	(\$251.37)
10/31/19	SALES TAX	\$8.79	(\$242.58)
10/31/19	ROOM CHARGE	\$75.00	(\$167.58)
10/30/19	SALES TAX	\$8.79	(\$158.79)
10/30/19	ROOM CHARGE	\$75.00	(\$83.79)
10/29/19	SALES TAX	\$8.79	(\$75.00)
10/29/19	ROOM CHARGE	\$75.00	(\$0.00)
CREDIT DUE:			(\$0.00)



_____, 20__

DRAFT LETTER

Hayden Brooks
123 Taconite Mining Drive
Cottdale, AR 72650

Dear Hayden Brooks:

It has come to the attention of the Arkansas Ethics Commission that you have been rumored to be involved in certain gambling and sports-betting activities, some of which may have involved relatively large amounts of money. If true, this would constitute a gross violation of your ethical duties as a commissioner and could be considered grounds for severe censure. As it stands, even the mere suggestion of such activities threatens to stain your reputation for fairness and evenhandedness.

Due to the fact that no official investigation has taken place, and as a professional courtesy, please regard this as an unofficial Letter of Reprimand. Its contents will not be made public or be placed in the public archives. However, should your actions continue, this Office will decline to extend you the same courtesy in the future.

Please consider yourself warned.

Sincerely,

Josephine Hamms, J.D.,
Executive Director

CODE OF ETHICS

Preamble

Members of the Society of Professional Journalists believe that public enlightenment is the forerunner of justice and the foundation of democracy. The duty of the journalist is to further those ends by seeking truth and providing a fair and comprehensive account of events and issues. Conscientious journalists from all media and specialties strive to serve the public with thoroughness and honesty. Professional integrity is the cornerstone of a journalist's credibility. Members of the Society share a dedication to ethical behavior and adopt this code to declare the Society's principles and standards of practice.

Seek Truth and Report It

Journalists should be honest, fair and courageous in gathering, reporting and interpreting information.

Journalists should:

- Test the accuracy of information from all sources and exercise care to avoid inadvertent error. Deliberate distortion is never permissible.
- Diligently seek out subjects of news stories to give them the opportunity to respond to allegations of wrongdoing.
- Identify sources whenever feasible. The public is entitled to as much information as possible on sources' reliability.
- Always question sources' motives before promising anonymity. Clarify conditions attached to any promise made in exchange for information. Keep promises.
- Make certain that headlines, news teases and promotional material, photos, video, audio, graphics, sound bites and quotations do not misrepresent. They should not oversimplify or highlight incidents out of context.
- Never distort the content of news photos or video. Image enhancement for technical clarity is always permissible. Label montages and photo illustrations.
- Avoid misleading re-enactments or staged news events. If re-enactment is necessary to tell a story, label it.
- Avoid undercover or other surreptitious methods of gathering information except when traditional open methods will not yield information vital to the public. Use of such methods should be explained as part of the story.
- Never plagiarize.
- Tell the story of the diversity and magnitude of the human experience boldly, even when it is unpopular to do so.
- Examine their own cultural values and avoid imposing those values on others.
- Avoid stereotyping by race, gender, age, religion, ethnicity, geography, sexual orientation, disability, physical appearance or social status.
- Support the open exchange of views, even views they find repugnant.
- Give voice to the voiceless; official and unofficial sources of information can be equally valid.
- Distinguish between advocacy and news reporting. Analysis and commentary should be labeled and not misrepresent fact or context.
- Distinguish news from advertising and shun hybrids that blur the lines between the two.
- Recognize a special obligation to ensure that the public's business is conducted in the open and that government records are open to inspection.

Minimize Harm

Ethical journalists treat sources, subjects and colleagues as human beings deserving of respect.

Journalists should:

- Show compassion for those who may be affected adversely by news coverage. Use special sensitivity when dealing with children and inexperienced sources or subjects.
- Be sensitive when seeking or using interviews or photographs of those affected by tragedy or grief.
- Recognize that gathering and reporting information may cause harm or discomfort. Pursuit of the news is not a license for arrogance.
- Recognize that private people have a greater right to control information about themselves than do public officials and others who seek power, influence or attention. Only an overriding public need can justify intrusion into anyone's privacy.
- Show good taste. Avoid pandering to lurid curiosity.
- Be cautious about identifying juvenile suspects or victims of sex crimes.
- Be judicious about naming criminal suspects before the formal filing of charges.
- Balance a criminal suspect's fair trial rights with the public's right to be informed.

Act Independently

Journalists should be free of obligation to any interest other than the public's right to know.

Journalists should:

- Avoid conflicts of interest, real or perceived.
- Remain free of associations and activities that may compromise integrity or damage credibility.
- Refuse gifts, favors, fees, free travel and special treatment, and shun secondary employment, political involvement, public office and service in community organizations if they compromise journalistic integrity.
- Disclose unavoidable conflicts.
- Be vigilant and courageous about holding those with power accountable.
- Deny favored treatment to advertisers and special interests and resist their pressure to influence news coverage.
- Be wary of sources offering information for favors or money; avoid bidding for news.

Be Accountable

Journalists are accountable to their readers, listeners, viewers and each other.

Journalists should:

- Clarify and explain news coverage and invite dialogue with the public over journalistic conduct.
- Encourage the public to voice grievances against the news media.
- Admit mistakes and correct them promptly.
- Expose unethical practices of journalists and the news media.
- Abide by the same high standards to which they hold others

From the Cottdale Monitor – November 2, 2019

Commissioner Hayden Brooks Announces Retirement

In a press release dated today and issued from Brooks's office, Commissioner Hayden Brooks announced their retirement after 10 years of service.

Commissioner Brooks has served Cottdale as a City Attorney and Commissioner for the past 35 years and is well known around town for their charitable endeavors, including service for the Red Cross and the Rotary Club. Commissioner Brooks is also very involved at their alma mater, Lillehaug University.

***Curriculum Vitae* for
DR. BLAKE BAKER**

Current Employment

Edward R. Murrow Emeritus Professor (2005-present)
Ernie Pyle School of Journalism at Indiana University
Currently teaching “Ethics in the Age of New Media” (fall semester 2021) and “The Pentagon Papers: Did the Courts Get It Right?” (senior seminar spring semester 2022)

Previous Employment

William O’Reilly Professor of Media Ethics (1990-2005)
Dean of Ernie Pyle School of Journalism (2000-2005)
Ernie Pyle School of Journalism at Indiana University

Courses: “Media Ethics”
 “Newspaper Presentation”
 “Reporting in the 21st Century”
 “Ethics in the Newsroom”
 “Feature Writing for Newspapers”

Professor of Journalism (1998-2000)
Philip Merrill College of Journalism at the University of Maryland

Courses: “Media Law and Ethics”
 “Advanced Newspaper Reporting”
 “Editing 300”

Associate Professor of Journalism (1993-1998)
E.W. Scripps School of Journalism at Ohio University

Courses: “Media Ethics in the 20th Century”
 “Beginning Reporting”
 “Beginning Editing”

Minneapolis Star-Tribune (1987-1989)

Reporter, News Department (City Transit Department)

Responsibilities included reporting on new transportation developments such as the location of new light rail system, traffic gridlock, crime on the transit system, and changes or improvements to the citywide transit system.

Little Rock Register (1985-1987)

Reporter, News Division

Responsibilities included reporting on crimes occurring in Little Rock, including homicides, robberies, assaults, and trials when applicable.

Education

Ph.D., The Ohio State University (1991-1993)

M.S.J., The Ohio State University (1989-1991)

GPA: 3.7 (*magna cum laude*)

B.S.J., Medill School of Journalism at Northwestern University (1981-1985)

GPA: 3.8 (*summa cum laude*)

Assistant Editor-in-Chief, *The Daily Northwestern*

Publications

(Note: Below is an excerpt of most recent publications. A complete list of publications will be provided upon request).

“Bloggers Are the Enemy: How New Media Outlets Are Undermining Journalistic Standards.” *American Journalism Review*, Vol. 207, October 2015.

“Lessons From the Front: What Reporters Can Learn From Jayson Blair & Stephen Glass.” *Columbia Journalism Review*, Vol. 45, September 2015.

“He Said What? Ensuring the Accuracy of Quotations and Attributions.” *The Ohio State Journalism Review*, Vol. 66, February 2015.

“The Necessity of the Anonymous Source: Journalism in the Age of the Whistleblower.” Simon & Schuster, 2014.

“The Truth is Behind Bars: Why America’s Reporters Should Spend More Time Talking to Inmates and Less Time Listening to the Establishment.” Simon & Schuster, 2011.

“Journalistic Standards 2010.” (Author: Chapters 1, 3, & 12) Simon & Schuster, 2010.

“Ethics in Journalism.” (Textbook) Simon & Schuster, 2005.

Awards & Honors

Pew Center for Civic Journalism Ethics Award (2016)

Columbia Journalism Review Best Article Award for “Lessons From the Front: What Reporters Can Learn From Jayson Blair & Stephen Glass.” (2015)

“The Necessity of the Anonymous Source: Journalism in the Age of the Whistleblower” recognized as a *New York Times* Notable Book. (2014)

Cokie Roberts Award for Outstanding Media Commentary for “The Necessity of the Anonymous Source: Journalism in the Age of the Whistleblower.” (2014)

“The Truth is Behind Bars: Why America’s Reporters Should Spend More Time Talking to Inmates and Less Time Listening to the Establishment” recognized as Top Ten Book of the Year by the *New York Times*, *Washington Post*, *Boston Globe*, and *USA Today*. (2011)

Ernie Pyle School of Journalism Professor of the Year Award. (2003, 2007, & 2015).

Benjamin Bradlee Award for Outstanding Doctoral Thesis “Journalistic Ethics in the Me Decade: How Today’s Wall Street Tycoons Are Buying Good Press” (The Ohio State University). (1993)

Aristotle Award for Outstanding Publication: “Why the Public Cannot Trust the Government: The Nixon Effect” (University of Chicago). (1990)

Abraham Lincoln Award for Excellence in Ethical Reporting (Medill School of Journalism at Northwestern University). (1985)

Professional Associations

Chairman, Society of Professional Journalists’ Committee on Ethics (2016-2017).

Member, Society of Professional Journalists’ Committee on Ethics (2002-2006 & 2010-2016).

Member, National Association of Newspaper Columnists (1985-present).

Committee Chairman, Association for Excellence in Journalism (1998-2001).



May 2, 1999

Captain Ron D. Ryan
Pulaski County Sheriff's Office
2900 S. Woodrow
Little Rock, AR 72204

Dear Captain Ryan:

I hope this letter finds you in good health and spirits. It was a pleasure seeing you again at the Cottdale Rotary Charity Auction last month. I trust you will be able to attend the charity poker event next month with the Lillehaug Athletics Booster Club.

I am writing on behalf of Lillehaug University basketball player Shay Christoff, who worked as an intern in my office for the past semester. As you know, our co-internship program with the Natural County Attorney's Offices provides students a well-rounded, "hands on" experience that is second to none. Shay Christoff has been a valuable addition to my support staff. Shay Christoff has also excelled under the direction of the Natural County Assistant Prosecutor Tim Kaminsky. It is my understanding that Shay's intelligence and common sense has impressed many in our offices.

A two-time MVP of the Congdon Classic, Shay is now interested in pursuing a career in law enforcement. I am pleased to recommend Shay's admission into the Police Academy. As you are well aware, your program can never have too many Lillehaug University graduates.

Sincerely,

H. B.

Hayden Brooks
Cottdale City Attorney