

Fixing the tools to fight misinformation

By the time you read this, Valentine's Day will be a distant memory. But not for me. I spent that day on the street below my Kansas City office watching the Chiefs' victory parade for their Super Bowl win. It's one of the perks of where I have my office, something we've now enjoyed for three years.

After the parade, when the festivities in front of Union Station start, we always come in, sit in our conference room that overlooks that area, and watch the broadcast on a large screen television. So, we were all safe up on the 16th floor when the shooting broke out that afternoon.

But I'm not starting a discussion about gun control. Instead, I want to note something said by certain organizations and the outcome of those statements. Police did arrest several persons in the course of searching for the shooters.

Arrest records, as these readers know, are technically open under Missouri's Sunshine Law. The truth is that it often is difficult to obtain such information immediately. And, inasmuch as some of the parties detained in this situation were juveniles, that information was clearly closed.

Two situations developed that Wednesday afternoon as a result. First, one state legislator, name withheld to focus this thought on content rather than political party, posted on social media, "I'd hope this first-hand experience with violent illegal immigrants and repeat violent offenders ... will help them see the urgent need to close our borders, stop promoting Sanctuary Cities to violent illegal immigrants and end liberal catch and release policies for violent criminals."

At the time this statement was made, no arrest records were being released by law enforcement. Reporters who were seeking such information were no doubt told that arrest reports

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weren't available. Reporters struggled to refute a statement being made by someone who would seem to have legitimacy without actual law enforcement records being available.

Recent changes in Case.Net have made reporting on arrests, and the probable cause statements related to such arrests, nearly impossible to decipher. Redactions in probable cause statements often delete the where, when and who in such reports, and the further information explaining the basis on which the arrest was made. Reporters call me weekly to talk to me about the difficulties they are having in covering arrests in their communities.

Before public access was granted to such records, those reports were available to the media and the public from the local courthouse. Now, the amount of redactions that the court system is allowing in such reports makes them practically worthless.

Your association, joined by the Missouri Broadcasters Association, has advocated for changes to be made in the amount of redactions permitted in such documents. I realize the names of juveniles in any case are going to be closed until and unless a court deems that the juvenile will be prosecuted as an adult – a likely event in this situation.

But hundreds of other probable cause statements are, for all practical purposes, effectively closed and reporters cannot determine exactly what incident caused the arrest. Such secrecy results in entities with ulterior purposes making statements that are totally false (as above), while legitimate media are unable to locate truthful records to refute such false statements.

The second outcome of note is that photographs were circulating on social media of at least one person who was detained briefly for other reasons and then eventually released without being charged. One social media account accused him of being the shooter. That account was re-published by another social media account, one with a sizeable following in the state, questioning if the accusation was true and blaming others in the state for the violent acts if it were true.

Those accusations were false, but quickly spread among certain members of the state legislature who believed they should speak on the record on the subject. The victim of this speculation has now aggressively sought social media attention to clear his name.

And on what do we blame all this mess? On a lack of access to official, truthful information from law enforcement. Officers stepped up and were heroes in most acts on that dreadful day. But the lack of truthful information that day clearly led to these false statements. Our legislative leaders who participated in this social media blast, if nothing else, have egg all over their faces.



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