



FALSE ALLEGATION CAMPAIGN MANAGER WAS HOLOCAUST DENIER

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WHAT HAPPENED:

KRCG (channel 13) is a television station offering news, sports, weather and local events in the Columbia and Jefferson City, Missouri area, including the community of New Bloomfield. It is part of the Sinclair Broadcast Group. On 9 December, it republished a syndicated [Associated Press report](#) that "A Missouri House Democrat has been removed from her committee assignments after posting a photo on social media showed her with a man cited by the Anti-Defamation League as a Holocaust denier." This report was correct. However, on the station's official social media "X" account (formerly Twitter) they incorrectly reported that State Rep. Sarah Unsicker of St. Louis County was seen with "two" men cited as being "Holocaust deniers", when in fact, the second man who was her campaign manager, Mr Eric Garland, who QC has confirmed is not a Holocaust denier.

WHERE WAS THE ARTICLE PUBLISHED:

[Social Media Platform "X" – formerly known as Twitter.](#)

WHAT COMPLAINTS PROCEDURE IS IN PLACE:

Nowhere on the KRCG website is there a clearly identifiable location where complaints or corrections can be filed, and there needs to be a specific code of conduct. Given the apparent contradiction between the Associated Press report indicating there was one man and the social media posting saying that there were two, and coupled with the fact that an online search reveals nothing linking Mr Garland with anti-Semitism, **KRCG (channel 13)** appears to be in breach of section 1 of the editor's code of conduct on the question of "Accuracy" where clause 1-3 state:

- i) The press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.*
- ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and – where appropriate – an apology published.*
- iii) A fair opportunity to reply to significant inaccuracies should be given when reasonably called for.*

REACTION:

QC contacted the station on behalf of Mr Garland and, on more than one occasion, called and sent email requests for the social media post to be checked and removed if confirmed incorrect. When Chase A. Bales, Director and Associate General Counsel at Sinclair Inc., responded, despite promising to look into it, the incorrect remark remained in place for several weeks before it was finally removed. No correction was published, no explanation, and no message was sent saying the incorrect tweet had been removed.

ADDITIONAL NOTES:

In the United States, Section 230 of the Telecommunications Act of 1996 is notorious for exempting social media platforms from all liability for content their platforms post online. This was aimed at correcting illogical court decisions in order to protect organisations like AOL, CompuServe, and Prodigy that allowed paying members to post comments on chat groups. The motivation was the fact that CompuServe had in 1991 been cleared from liability for a posting because it did no check of what was published and therefore could not take the blame, but four years later, Prodigy was held to be responsible for another posting because it did moderate, but had missed the offensive nature of a post. This contradiction meant doing nothing meant no liability, but attempting to stop racist or hate content was penalised. As a result, Section 230, called the "Protection for Good Samaritans" Act, was unveiled to ensure those who screen or do not screen would be equally immune.

The problem with this emerged when social media later replaced dial-up platforms, which then used Section 230 to make themselves immune from liability when their algorithms steered people to inflammatory conspiracy theories, misinformation, state-sponsored disinformation, and other harmful content. In an article on the subject in NewsGuard by Steven Brill, he revealed what he had been told by the then-Federal Communications Commission Chairman Reed Hundt some 25 years later: *"We saw the internet as a way to break up the dominance of the big networks, newspapers, and magazines who we thought had the capacity to manipulate public opinion. We never dreamed that Section 230 would be a protection mechanism for a new group of manipulators — the social media companies with their algorithms. Those companies didn't exist then."*

As a result, when legal representatives for media companies like Mr Chase A. Bales are contacted about mistakes in editorial content, they react swiftly, yet when it turns out that it's a mistake on a social media platform, even one which carries the media branding, it can be ignored without consequences. As [NewsGuard points out](#): *"It's a best (or worst) of both worlds, enjoyed by no other media companies. For example, last year, Fox News was held liable to the tune of \$787 million for defaming Dominion Voting Systems by putting on guests meant to pander to its audience by claiming voter fraud in the 2020 election. The social media platforms' algorithms performed the same audience-pleasing editing with the same or worse defamatory claims. But their executives and shareholders were protected by Section 230."*

As a further footnote, Mr Garland is also a security advisor with clients in Germany and Austria, where it is a criminal offence resulting in jail time to be a Holocaust denier.

CONCLUSION:

The main KRCG (channel 13) report, which was from the Associated Press, was correct, and when QC reached out to the station, we even noted that mistakes like this can happen in a busy newsroom. It is unusual, therefore, that the incorrect posting on "X" remained in place for so long after the station's editorial team and their senior legal counsel were made aware of it. This elevates the complaint to a more severe level where despite damaging the reputation of Mr Garland and the candidate who he was helping on the campaign trail with the suggestion that he was a Holocaust denier, the request to correct it was seemingly ignored at the highest level. Therefore, KRCG (channel 13) are in breach of the editor's code of conduct, not only in publishing misleading information about Mr Garland but also compounding that by failing to correct it, failing to publish an apology, and failing to give him the opportunity to reply.