

Testimony to OPPOSE HB19-1110

“Concerning implementing media literacy in elementary and secondary education, and, in connection therewith, making an appropriation.”

HB19-1110 dares to “trump” the First Amendment of the US Constitution

The US Constitution and US Supreme Court have never distinguished “journalists” from any other citizens under First Amendment freedom and protection.

This very point is at the heart of the Julian Assange Wikileaks indictment today, which has “professional” journalism itself on trial.

If our public school curriculum is not encouraging and fostering critical thinking skills in math, literature, writing, science, art, sports ... then what *are* they teaching in K-12, if not critical thinking skills? Do students blindly accept everything that is in their textbooks without question? They can’t approach media — social or otherwise — the same way they approach any other information?

Citizen media elected Obama and Trump — both non-traditional non-institutional candidates. A Democrat. A Republican. Citizen media, just as the First Amendment set out and the framers intended, is a genie that is not going back into the bottle.

The Rule of Law is all we have to protect us from, as well as to allow us to celebrate our cultural biases. Surely on this point we can all — Democrats, Republicans, Independents — agree.

All politics are local, but all culture *begins* at home.

Is the State of Colorado prepared to open the door to implementing a burden of proof journalism approach to all information, including faith-based media (the Bible, religious television programming, church tweets, etc) as part of its Committee-approved media literacy curriculum?

The State, with this bill, is determining what is and is not “appropriate” or “responsible” “behavior” when students exercise their rights to free speech engagement on Citizen (social) media. I’m concerned this is an attempt to legislate morality *a la* Soviet era transition tactics.

For all the important good work professional media has done and continues to do, anyone who thinks that it is some bastion of holier-than-thou fair-and-balanced demi-gods has never been bullied, threatened, coerced or traumatized by a newspaper publisher in a position of assumed public trust.

Media organizations are businesses, like any other business, in the business of making money for their stockholders — whether they choose to care about the rights of ALL their stakeholders, not just their stockholders, is a branding decision, not a legislative one.

Colorado’s continued preferential support of the newspaper lobby (despite the First Amendment that gives them no more publishing rights than anyone else) is simply bizarre in the internet age.

- Requiring legal notices be posted in "newspapers" even though many states have already done away with this newspaper subsidy precisely because the notices can be published or posted on municipal websites. Guaranteed State-required steady income for those newspaper businesses.
- Requiring that magazines pay sales tax on subscriptions, but exempting newspapers from the same tax, thereby burdening magazine publishers with additional programming and administrative costs not imposed on its First Amendment equal.

Again, the US Supreme Court and the US Constitution do not distinguish journalists — professional or otherwise — from anyone else. All have the same rights and protections under the First Amendment. Yet, too many of us have had to subjugate our rights under the law over State and cultural bias that favors one media segment over all others.

Our children deserve to determine their own future with all the First Amendment freedoms to which they're entitled.

Thank you for your consideration.

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