

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

NEXSTAR MEDIA, INC. d/b/a KFOR-TV, et al.,

Plaintiffs,

v.

RYAN WALTERS, et al.,

Defendants.

Case No. **24-CV-00980-J**

DECLARATION OF NATALIE HUGHES

I, Natalie Hughes, declare the following based on my personal knowledge:

1. I am employed as News Director for KFOR-TV and KAUT-TV.
2. KFOR-TV is an NBC-affiliated television station (channel 4) and news website in Oklahoma City, Oklahoma, United States, owned by Nexstar Media Group.
3. As Oklahoma's first television station, KFOR-TV has been keeping Oklahomans informed of the news since June 1949.
4. KFOR-TV produces 11 newscasts every weekday. According to Nielsen data, KFOR-TV had 105,878 viewers during one week (Monday to Friday) between 6:00 a.m. and 6:00 p.m. in July 2024. This makes KFOR-TV one of the strongest NBC affiliates in the country. Among the market's local

television newscasts, KFOR-TV has consistently placed first or second for the past 40 years.

5. KFOR.com and KFOR's social media presence are dominant in the Oklahoma City area as well. KFOR.com gets over 44,000 website-visitors daily and has over 519,000 Facebook followers, 126,000 X followers and 52,000 Instagram followers. The stories posted on KFOR.com are frequently linked to by other major media websites such as CNN, ABC, MSNBC and FOX.

6. KFOR-TV has received widespread recognition for its excellence in journalism and reporting over the years. It has won three national Emmys and dozens of regional Emmys for its transformational journalism. It has also won several Edward R. Murrow awards, given to those who demonstrate journalistic ethics and technical expertise as well as exemplify the importance and impact of journalism as a service to the community.

7. In 1995, KFOR-TV won the Peabody Award (one of the highest honors in journalism) for its coverage of the Oklahoma City Bombing that same year. KFOR-TV was nominated for another Peabody Award for its coverage of the wrongful conviction of a man who spent 48 years in an Oklahoma prison. KFOR-TV's coverage of his case helped lead to his exoneration. He is now a free man and is the longest serving exoneree in America.

8. Additionally, earlier this summer, KFOR-TV received a citation of

recognition from the State of Oklahoma in appreciation of the journalism and community work it has done for the past 75 years.

9. KFOR-TV reports both national and local news stories.

10. As part of its local coverage, KFOR-TV reports on the Oklahoma State School Board and Superintendent Walters. To do so, KFOR-TV reporters, including Brown, Josefy and Shaw, must attend Walters' press conferences, and the monthly state school board meetings run by Defendant Walters and other State Board Members, which take place in various buildings on the state capitol complex.

11. Walters frequently holds press conferences following board meetings, in which he discusses recent OSDE events and takes questions from reporters.

12. These board meetings and press conferences occur in the Capitol Complex at the Oliver Hodge Building in Oklahoma City.

13. The Oklahoma State Board of Education is comprised of five State Board Members and Superintendent Walters, who acts with the Board Members' consent.

14. The Legislative Services Bureau is responsible for receiving press credential applications and choosing which news media to provide press credentials to. The press credentials permit news media into numerous areas of the Capitol Complex, including where board meetings and Walters' press

conferences take place.

15. This credentialing system began in 2022, and the Legislative Services Bureau has granted KFOR-TV press credentials each year since, including this past year.

16. The Legislative Services Bureau provides two passes to KFOR-TV directly. Then, the credentials are shared by any KFOR-TV employees who cover stories within the Capitol Complex.

17. Despite having press credentials and access to the Capitol Complex, KFOR-TV has been repeatedly denied the ability to access and report on board meetings and participate in Walters' press conferences. Defendants permit other members of the media in the room where the board meetings occur, however, they require KFOR-TV reporters to sit in an "overflow" room and watch the meeting via video feed.

18. This past year, Defendants Isett and Walters have placed KFOR-TV reporters in the overflow room during board meetings on March 28th, June 27th, July 31st, and August 22nd.

19. As for Walters' press conferences, Isett also denied KFOR-TV reporters' access to Walters and the room where those press conferences take place on March 28th, June 27th, July 31st, and August 22nd.

20. Other than Isett insisting KFOR-TV is not "legitimate news," Defendants have not provided KFOR-TV or its reporters with notice of the

reasons behind these denials discussed above.

21. Neither Walters nor Isett have articulated or published explicit and meaningful standards that govern the denial of live access to board meetings or any access to Walters' press conferences by reporters.

22. The State Board of Education meets once a month and, historically, Superintendent Walters always holds a press conference immediately thereafter. There are four board meetings remaining in 2024, with the next meeting set to occur on September 26, 2024. *2024 Regular Meeting Calendar*, Oklahoma State Board of Education, <https://perma.cc/GS6A-AQNC>.

23. I expect that KFOR-TV's reporters will be excluded from the next board meeting scheduled for September 26, 2024 and at meetings indefinitely into the future.

24. I expect that KFOR-TV's reporters will be excluded from any press conference in conjunction with the September 26th board meeting and at any future press conference held by Walters.

25. I have no reason to believe that Superintendent Walters or Isett will permit KFOR-TV reporters and photographers to attend these events alongside other credentialed members of the media without immediate Court intervention.

26. Every day that KFOR-TV is denied access to the board meetings and Walters' press conferences is another day that the KFOR-TV audience is

being deprived of the ability to be informed and receive comprehensive news coverage.

27. If the KFOR-TV cannot provide reporting on the events that occur at board meetings or Walters' press conferences to its audience, members of that audience will inevitably seek out that information from other media sources whose reporters *are* allowed to attend those events. This loss of viewership would be an additional harm to KFOR-TV.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 22, 2024.

Natalie Hughes

Natalie Hughes
News Director
KFOR-TV/KAUT-TV