

WINDY CITY TIMES

Meister's attorney takes action against WTTW

News update Wed., Jan. 20, 2010

by Andrew Davis

David A. Axelrod, the attorney for openly gay U.S. Senate candidate Jacob Meister, is asking the Federal Communications Commission (FCC) to find public-television station WTTW Channel 11 in violation of FCC rules after it excluded him from a televised debate of Democratic opponents than ran Jan. 20 on the program Chicago Tonight.

In a press release issued Jan. 20 Axelrod said, "It is unfortunate that we must seek action, but we must because WTTW has continued to refuse to permit Mr. Meister to participate in the program, taking the position that he is not a viable candidate. We had hoped that there would have been a remedy at this juncture. Barring that, this action is the right course to take."

Axelrod added that WTTW's qualifications for candidate selection were not objective, saying " [t] he only fact, which appears to distinguish Mr. Meister from any of the other Democratic Party candidates, is that Mr. Meister is gay."

Meister said in the statement, "WTTW's decision to exclude me isn't based on any reasonable or accurate standard, whether in a court of law or the court of public opinion. My inclusion is about access. It is about fairness and the right of every Illinois voter to be given the opportunity to choose the candidate who he or she believes is best suited to hold the office of United States senator."

Jay Smith, the supervising producer of Chicago Tonight, e-mailed Windy City Times that "Chicago Tonight has a long history of inviting candidates to our studios prior to important elections. We invite candidates the same way we invite other guests, using our news judgment as to what races and candidates are of the greatest interest to our viewers. In addition, in some high-profile races like the Illinois governor's race or the race for the U.S. Senate, we often exclude candidates who have not reached 5% in any non-partisan, independent poll. We use that low bar in order to give more air time to those candidates whose campaigns appear to be viable.

"In addition to that statement, I'd also say that charges that Mr. Meister is being excluded from our forum because he is gay are ridiculous. WTTW and Chicago Tonight have a long history of coverage of and outreach to the LGBT community, and there are members of the community on our staff."

Upon being read Smith's statement, Meister initially laughed at the part regarding the poll, telling Windy City Times, "You realize the absurdity. There hasn't been a poll since [the] Dec. 2 [Chicago Tribune poll that WTTW relied on initially in barring Meister from the Jan. 20 debate, according to Meister's press release] . The argument is absurd."

Also in response to WTTW's statement, Meister said, "The effect of what they're doing is marginalizing a voice for the LGBT community, much like if a Black candidate were being excluded. That would never be tolerated. If you substituted some other minority for LGBT that would be tolerated, but it's OK to be dismissive of gays."

"Oh yeah, well we do coverage of you guys elsewhere.' This is the United States Senate debate; I'm not

talking about whether they do some nice little piece on gay marriage. I don't doubt they've done other things; that's not the issue."

Meister added that, by being denied inclusion, LGBT-related issues are being pushed to the side. "Matters like 'Don't Ask, Don't Tell' are things I bring up; they should be discussed and not avoided. If somebody doesn't like the fact that I discuss 'Don't Ask, Don't Tell,' and I can't talk, that's just political censorship.

"This is something I think the LGBT community needs to grapple with—how far do we allow somebody to push another member of the community to marginalize them? One of the LGBT community's big problems is [not exercising] political power in our own best interest. ... This is a civil-rights issue."

Meister—who described the exclusion from the debate as "damaging" to his own campaign—indicated that he would probably go out to Woodstock, Ill., to speak at an event that evening.