



## **Institute: #KirbyDelauter missed chance to stem controversy**

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By Andy Knight

A newly elected county councilman in Maryland has become the subject of ridicule across the Internet after he threatened a reporter with legal action in a Facebook post.

Kirby Delauter was elected to a seat on the Frederick County Council late last year and took office last week. After [a story was published in the Frederick News-Post](#) detailing his concerns over parking spaces designated for county council members, Delauter called the story a “hit piece,” tagging reporter Bethany Rodgers in a Facebook status update saying, in part: “...do not contact me and do not use my name or reference me in an unauthorized form in the future.”

Reaction — including a comment left by Rodgers attempting to “answer a few of these accusations” — was swift and almost completely one-sided.

A subsequent comment by Delauter threatened Rodgers with legal action. “Use my name again unauthorized and you’ll be paying for an Attorney,” Delauter wrote. “Your rights stop where mine start.”

Delauter’s outburst on Facebook is the latest episode in an ongoing feud with the local press, according to Walter Olson, a senior fellow at the Cato Institute’s Center for Constitutional Studies and a columnist who writes frequently about First Amendment issues. Olson, who also lives in Frederick, says Delauter, a Republican, has held multiple elected offices over the years and “has been upset at newspaper coverage over much of that time.”

He says it’s not uncommon for politicians to reveal their true feelings near the end of their time in office toward the journalists who cover them, but not, as Delauter is doing, immediately after being sworn in.

“For most people who are successful in public office, mastering the temptation to lash out at journalists is something that you learn pretty early,” Olson said. “That’s something most of his

colleagues have done. With Kirby, you have to wonder if he got past this realization that he has to be careful what he says, knowing that so many people are watching.”

Garnering almost as much attention as Delauter’s initial outburst is the News-Post’s response, which includes [an editorial](#) — published online five days early — that mentions Delauter’s name 28 times. A close reading of the missive reveals an additional dig at Delauter in the first letter of each paragraph.

“They were having fun with it,” Olson said, “but they knew there was a point of principle. By the time they wrote it, of course they knew they had overwhelming public opinion behind them. That kind of puts the wind at their back.”

Now that the [News-Post’s story](#) on Delauter’s petulant Facebook post has gone viral, Olson says there’s not much the councilman can do to alter the public’s perception of the matter.

“He’s missed his best chance, which was to say ‘Sorry’ early,” Olson said. “I guess the advice most people would give him would be get the apology out there and then lie low for awhile. He needs to say something short and apologetic and then try to turn the page, work on county issues and build trust. Four years is a long time to have to mend fences.”