



Written by [Alex Newman](#) on June 19, 2020

Tax-funded Fake News Weaponized Against Lone Conservative Professor

A tax-funded college newspaper is under fire after launching a dishonest attack on the University of Wisconsin's most prominent conservative professor, Dr. Duke Pesta, without adhering to even the most basic recognized standards of journalistic ethics.

The scandal raises serious concerns about the quality of the university's journalism department, and the institution's stewardship of public money.



Among other problems, the student reporter and student editor did not even mention a dozen witness statements contradicting the primary allegation contained in the hit piece. This glaring omission occurred even though Dr. Pesta personally handed the documents to the student reporter before the story ran.

Perhaps even more troubling is that the newspaper's faculty advisor, a left-wing activist who doubles as a "journalism" professor, saw nothing wrong with the failure to mention the exculpatory evidence. The university itself refused to comment on the scandal.

The Story

On December 5, 2019, the tax-funded student paper known as *The Advance-Titan* published an article about an "investigation" of Dr. Pesta over alleged "hate speech" and "gender identity discrimination" against a student who rarely showed up to class.

Of course, Dr. Pesta is nationally known as a conservative leader who calls out liberal bias on college campuses. He has appeared on Fox on multiple occasions, has given hundreds of speeches across America, hosts his own talk show, and regularly appears in other media. He also has among the highest student ratings of any professor at the university.

That made him an enemy to more than a few people. Writer M.D. Kittle put it this way in [a piece published by Townhall.com](#): "As an outspoken conservative on a liberal campus, it's not a stretch to say Dr. James 'Duke' Pesta has a target on his back."

The original complaint by a "transgender" student accused the conservative English professor of "political" discrimination. However, since no such investigative offense exists, it was apparently changed by administrators to a complaint about "gender identity" discrimination — a key fact *The Advance-Titan* failed to mention.

Dr. Pesta was not even notified of the altered charges by the university when he was under investigation.

The story involved a formal 2017 complaint filed with the Equal Opportunity, Equity & Affirmative Action Office at UW-Oshkosh alleging, among other things, that Dr. Pesta had referred to students as "snowflakes" and had declared that "girls are girls and boys are boys."



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Under the headline “[Hate speech or big misunderstanding?](#)”, student “journalist” and managing editor Joseph Schultz purported to tell the story about the complaints filed against Pesta. However, calling the article shoddy journalism would be an understatement.

After reading numerous witness statements refuting the allegations leveled against Dr. Pesta, it is clear that the entire premise of *The Advance-Titan’s* reporting was a fraud.

Instead of the transparently false complaint, what comes through repeatedly in the student testimony is a picture of a professor who genuinely values free expression, even when an opinion is different from his own, or from the opinion held by the writers of the texts being taught.

The student letters also lament that such open-mindedness is not often found in other classes across campus. “It is a sad truth that many of my classes at UW-Oshkosh have been intolerant of differing opinions,” explained Shannon Radcliffe, one of the students who debunked the accusations against Dr. Pesta.

“Although I am a female and a person who, for various reasons, is often marginalized in other classes, Dr. Pesta allowed me to have a voice without silencing or discouraging the voices of those who did not share my beliefs,” she added.

All twelve statements reviewed by this reporter were filled exclusively with praise for Dr. Pesta and his strong belief in promoting diversity of thought and an open exchange of views. Indeed, the documents show that not only does Dr. Pesta tolerate all views, he encourages students to express themselves.

The Problem

While student reporter Schultz gave Pesta the chance to respond, the article did not even mention the most important exculpatory evidence: 12 witness statements conclusively debunking the original complaint, from students who were actually in the classroom along with the complaining student.

Dr. Pesta gave copies of these statements to Schultz, along with contact information for each of the witnesses who were actually in the classroom with the complaining student. The statements were obtained by this writer, and the students have been more than willing to speak about what they heard and saw.

When reached for comment, Schultz himself acknowledged the problem. “Honestly I regret that I didn’t include at least a graph in there that we had the 12 documents,” he said in a phone interview.

“We’re really strapped for resources. We don’t have a large staff,” Schultz continued. “If we had time and manpower we would have called the students to verify the statements.”

Claiming that “hindsight is 20/20,” Schultz said repeatedly that he should have mentioned the exculpatory evidence in the article.

“I should have at least mentioned it in the article,” he added, saying he was not “out to get” Dr. Pesta and had “tried to quote him accurately and fairly.”

“I did learn from the experience,” Schultz said.

However, when pressed on whether the paper would do the right thing and set the record straight, Schultz said no.

“There’s nothing factually inaccurate,” he said, apparently forgetting that not telling the “whole truth” in cases like this is almost universally regarded as tantamount to lying — and for good reason.



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“He got to deny everything,” Schultz said about Pesta, ignoring the fact that a person denying something is far less persuasive than 12 witnesses backing up those denials.

Parroting what he learned in journalism school, Schultz added: “If you quote government documents fairly and accurately, it’s OK.”

Schultz also said that the matter had been investigated internally, that the “copy chief” had looked over the documents, and that there was “no bias” in the story.

Pesta was not buying the excuses, though. “Not only did Joe [the reporter] have the student letters in his hand, but I also offered to connect him to those students that very day,” he said, adding that some of the students were ready and waiting for a call.

“It is especially galling when you realize that this so-called journalist didn’t just write a purposely slanted and sensationalized story about me, but the entire *Advance-Titan* staff silenced the voices of a dozen other students,” Pesta said.

“Further, I brought a graduate student with me during my interview with the reporter,” said Pesta, referring to Andrea Toms, a black female student who has taken seven classes with Pesta and confirmed that the student complaint was bogus.

The Advance-Titan has “a history of shoddy reporting and political bias,” continued Pesta, “so I wanted the interview to take place with a witness present.”

“Joe was not interested in what she had to say at all, and didn’t even take a statement from her, despite her desire to comment,” Pesta added.

On top of all that, the reporter waited until the very end of the story — the most likely part to be skipped by a reader — to acknowledge that even the university had concluded that Pesta did not discriminate against the complaining student.

Dr. Pesta called on *The Advance-Titan* to do the “right thing” by acknowledging the existence of the 12 documents and apologizing for misleading readers by failing to mention them in the hit piece.

Journalism and Ethics

Aside from Schultz, both the editor-in-chief and the faculty advisor also defended the decision to ignore the most important exculpatory evidence undermining the validity of the accusations.

“In short, the story gave both sides of the issue and was not only factual, but also unbiased,” claimed Carter Uslabar, the top editor at the paper, after discussing word counts.

Meanwhile, UW Journalism Professor Barbara Benish, the faculty advisor to the paper, tried to blame the students for the scandal, while still maintaining that the story was unbiased, using the exact same language as Uslabar.

“*The Advance-Titan* student staff aims to be factual and unbiased in its coverage,” she said. “But like all media organizations, student reporters and editors must decide what can be included due to space limitations.”

“In short, the story gave both sides of the issue and was not only factual, but also unbiased,” concluded Benish.

She did not respond to follow-up questions on whether she believed omitting any mention of exculpatory evidence from an article was appropriate.



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However, even the most elementary understanding of basic journalistic ethics reveals glaring misconduct and gross ethical violations in the way the paper reported this issue.

Indeed, the reporting violates even the most basic journalism-ethics standards that would typically be taught to a first-year student journalist in any journalism college.

According to Scripps' very concise [Journalism Ethics Guidelines - Introduction](#), for instance, there are multiple journalistic norms that were violated.

"We make every effort to be fair to all sides regardless of deadline. If a response requires specific research, our deadlines should be extended to reflect that whenever possible," the guidelines state under Fairness. "We seek documents, public statements or testimony that may support or explain the person or organization's position or defend their side."

Clearly, *The Advance-Titan* did not adhere to those basic standards.

Dr. Duke Speaks Out

Pesta noticed as well, saying the response "shows an incredible ignorance of basic journalistic protocols."

Responding to the claims that there was "no bias" in the story, Pesta was flabbergasted.

"It does not require a high intellect to realize that the bias is what he intentionally left out, not in what he included," the popular English professor said.

"He knew that there was potentially exculpatory evidence, and willfully ignored it, as he himself admits, creating instead a false narrative about a he said/she said that painted me in a horrible light," Pesta said.

"Even the title of the article skews the narrative: there is another option between 'hate crime' and 'misunderstanding' that is purposely ruled out: the possibility that the student was lying, a possibility reinforced by significant evidence from a dozen other students ignored by *The Advance-Titan staff*," Pesta continued.

While the editors claimed the story was "factual" and "unbiased," Pesta disagreed. And so would readers, if they had not been deprived of the facts.

"The 'facts' include, unequivocally, the exculpatory evidence, not just the complaint," Pesta said. "To not even mention the existence of such material is, by definition, bias."

"If someone accuses another person of murder, and a reporter writes a version of that accusation, but leaves out the fact that presumed murdered person is actually alive, well, that's bias," Pesta remarked. "Unbelievable."

UW-Oshkosh communications chief Peggy Breister refused to comment on questions involving the use of taxpayer money to publish biased hatchet jobs against conservatives, who are an endangered species on college campuses.

She did, however, provide the paper's financial information. The great majority of its funding is from "student fees" (taxes) and taxpayers.

When asked if the university would have any comment on university oversight over the paper to ensure that taxpayer and student dollars and interests are protected, Breister responded with just one word: "No."



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Pesta summed up the situation by remarking that “it is a sad commentary on the state of student journalism that student reporters and editors have so little accountability.”

“Schultz and Uslabar should be ashamed of their behavior, and media outlets should be wary of hiring such dishonest brokers in the future,” continued Pesta.

He concluded: “This is also an indictment of the incompetent faculty advisor and feckless university administrators who cannot be bothered with actual oversight of the resource-sucking tax-payer money pit that is *The Advance-Titan*.”

Full disclosure: Alex Newman works with Dr. Pesta regularly on matters related to education through FreedomProject Media and FreedomProject Academy.

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