

October 28, 2024

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Senator Nathan Wesenberg
Capitol Office
95 University Avenue W.
Minnesota Senate Building, Room 2325
St. Paul, MN 55155
sen.nathan.wesenberg@senate.mn

VIA EMAIL AND U.S. MAIL

RE: Demand for Retraction/Removal

Dear Senator Wesenberg:

As you have already been informed by commentors to your post, the October 14, 2024, entry on your “Senator Nathan Wesenberg” Facebook page that starts with “This is John Shipman,” and includes Mr. Shipman’s photo is clearly libelous. This letter is sent as a demand for a retraction/removal as a way for you to minimize future damages.

In your post, you knowingly and with malice published several untrue statements, specifically creating a new, abhorrent, and blatantly false allegation against Mr. Shipman. We expect that this statement will be withdrawn immediately upon receipt of this demand letter. In order to attempt to address the damage caused by this false and malicious statement, it is very important that this retraction be made as close in time to when the false statement was published as possible.

The specific libelous statement we are focused on is this one: “Mr. Shipman went on to say if he (a public school teacher) doesn’t teach your boys how to give each other blow jobs, who will.” As you know and has been previously reported, the actual comment made in that meeting with you was by Mr. Shipman’s colleague who said that they teach students about acceptance of differences. No one in that meeting, other than you, referenced anything about teaching how to give blow jobs. You also previously admitted that the books you object to have not been found in any of the Milaca school libraries, and, as you also know, there is no way Mr. Shipman personally is teaching this subject to 9th grade physical science students.

There are two options for addressing this defamation. You can either remove the post in its entirety, or you could create a RETRACTION post and correctly state that Mr. Shipman never made any comments to you about teachers teaching boys to give other

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boys blow jobs, but instead that it was you who without evidence accused this group of teachers of doing so, and then when they corrected you that their teaching is one of tolerance, you screamed at them and kicked them out of your office.

Complete removal of the post would eliminate your invitation to the public at large to comment on this lie, share the mistruth, and perpetuate the false claims.

Removal would also rectify your additional libelous statement calling Mr. Shipman a “predator,” presumably based on the earlier false and malicious statement. In that comment, you are responding to the commentor who believes you posted Mr. Shipman’s picture and revived the 2023 discussion because you were triggered by her comments that you were projecting, and you again defamed Mr. Shipman, by publishing in relevant part: “You are gaslighting and trying to stand up for a predator. Teaching kids to give each other blowjobs is not sex education. Our schools are failing, our government is corrupt and and [sic] everyone knows it. We need to protect our children.” Calling Mr. Shipman a predator based on your knowingly false accusations is per se damaging to his reputation as an educator and community member.

Despite the outrageous nature of this libel and the many, many commentors who see through the fearmongering, there are also many who believe your lies. These people are owed the truth. The fact that Mr. Shipman has a stellar reputation does not mean you can falsely and maliciously attack his reputation with impunity.

The saddest part of this situation is that when impressionable students are exposed to this type of outrageous misconduct, they believe they, too, can act in a similar fashion and target others for their sexuality or religion (which has already happened after your post). As you know, however, the Minnesota Legislature saw fit to prohibit bullying and specifically cyberbullying by students, understanding the importance of educating students in civil behavior. It determined that students who were still learning and developing were capable of following these expectations as bullying is conduct that cannot be tolerated in schools. Bullying conduct should similarly not be engaged in by elected officials. You will note that Minnesota Statutes § 121A.031, subdivision 1(3) (2022) specifically prohibits bullying: “by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.”

In addition, subdivision 2 defines bullying and cyberbullying, which would absolutely prohibit a student from doxing another the way you did Mr. Shipman:

(e) “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

(1) there is an actual or perceived imbalance of power between the student engaging in prohibited conduct and the target of the behavior and the conduct is repeated or forms a pattern; or

...

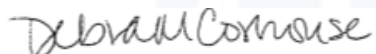
(f) "Cyberbullying" means bullying using technology ... including a post on a social network Internet website or forum...

(g) Intimidating, threatening, abusive, or harming conduct may involve, but is not limited to, conduct that ...violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student;

Intentionally doxing a public employee by naming him and including his photo, along with salacious lies, can have no other purpose than to attempt to ensure that those who believe the posted lies can recognize him out in the community and intimidate him or direct additional false accusations against him.

Constituents, even those who may be lobbying for causes you disagree with, deserve to be safe in those conversations. It cannot be condoned that as soon as one of those constituents identifies as being a member of Education Minnesota, they are harassed, bullied, libeled, and doxed. In order to restore the safety of these members, specifically, Mr. Shipman, we will await the immediate removal or correction of the offensive post and expect that you will cease and desist from all defamation and doxing going forward.

Sincerely,



Debra Corhouse

Attorney

c: John Shipman
Senate Majority Leader Erin Murphy
Senate Minority Leader Mark Johnson
Rachel Arens, MEU President