

## LESSON PLAN

# Can First Amendment Defenses Save Provocateur Alex Jones from the Sandy Hook Libel Suits?

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### Synchronous Classes



Alex Jones from the site Infowars speaks during a rally in support of Republican presidential candidate Donald Trump near the Republican National Convention in Cleveland, Ohio, U.S. July 18, 2016. REUTERS/Lucas Jackson

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**Duration:** If all teaching activities are used, this Teacher Guide provides sufficient material to support approximately 3 hours and 30 minutes of class time.

**Note:** *Time frame can be adjusted to meet needs of specific classes; discussion questions or activities can be omitted as needed.*

For graduate, undergraduate, or AP-level students

# Objectives

- Analyze how the libel law requirement for intentional or reckless falsehood applies to the statements made by Alex Jones.
- Assess the First Amendment protection of opinion and whether it applies to the statements made by Alex Jones.
- Analyze whether the First Amendment protection of rhetorical hyperbole applies to the statements made by Alex Jones.

## Prior to Class Meeting

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1. Select a source for context for the [Alex Jones libel suit](#). Some examples could be [Alex Jones, Infowars, and the Sandy Hook Defamation Suits \(firstamendmentwatch.org\)](#) other articles that provide context include: [Newtown Parents Make Gains In Court Cases Against Sandy Hook Deniers : NPR](#) or [Lawsuits Against Alex Jones Can Continue, Says Texas Supreme Court | TPR](#) and [New defense lawyer switches strategy in Alex Jones case - News - Austin American-Statesman - Austin, TX](#)

**Note:** *Students can also review resources and further readings on pages 17-22 of Teacher Guide for additional context.*

2. Students should read selected context articles and Teacher Guide content. Teacher Guide can be printed for distribution or the following link can be disseminated to students: [Compressed-AJ.pdf \(firstamendmentwatch.org\)](#)

**Note:** *should you prefer to provide students with the link to the teaching guide, students will be asked to register before they can download the guide.*

3. Students can prepare for class meeting by considering the discussion questions following each section of the teacher guide

# Class Overview

(Can be used with any of the teaching options discussed below; approximately 20 minutes)

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1. Students can review introductory content (pages 1-7 of the teacher guide) as context for discussion in small groups or together as a class

**Note:** *First Amendment Watch's video lesson "Talking Across Differences" may be useful to you as you set your ground rules for difficult conversation. It is available here: [Talking Across Differences - First Amendment Watch](#)*

**Note:** *For virtual class meetings, Zoom breakout rooms can be used to facilitate small group discussion.*

2. Students can summarize the Alex Jones libel suit – discuss the facts of the case, why it is being contextualized as a First Amendment issue (five minutes).

## Teaching Option 1:

### Discussion (75-90 minutes)

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This Teaching Guide helps students explore the question of whether the claims made by Alex Jones and his Infowars website pertaining to the mass shooting at Sandy Hook Elementary School represent protected speech. It does so by exploring the First Amendment issues relevant to the questions of libel and protections for opinions and rhetorical hyperbole in four sections. Each section concludes with discussion questions. We suggest the following process to structure discussion around each of the relevant First Amendment issues.

- Assign students to small groups to review guide content around each point.
- Discuss students' first impressions of the reading and significance of key points.
- Answer discussion questions associated with that key point as a class (approximately five minutes per question).

Upon completion of all discussion questions around each First Amendment issue, consider concluding the class with the following question: Should Alex Jones’s speech—and by extension misinformation and defamation—be considered protected speech? Why or why not?

## Teaching Option 2:

### In-Class Activities

(Approximately 75-90 minutes)

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This Teacher Guide supports a number of in-class activities that provide students with opportunities to engage deeply with the material. Three such activities are discussed below.

1. **Mock debate:** First, discuss Table 1 and Table 2 (pages 9-12 of the teacher guide), then give students the opportunity to debate this question: Given what we know about Sandy Hook and Alex Jones’ statements about the school shooting, do the statements made by Jones bolster the parents’ defamation claims?

When hosting a debate, we recommend using the following process:

- Assign students to one of two groups representing each side of the issue.
- Ask each group to prepare its arguments, ideally as an assignment before class or by providing time in class.
- Ask each group to begin by presenting its arguments in five minutes.
- Select several of the most interesting points that emerge in arguments and ask the students to debate each of them for five minutes.
- Discuss key takeaways from activity—which arguments seem most compelling, and why?
- Discuss final impressions of whether the statements made by Jones bolster the parents’ defamation claims.

**Note:** *We recommend assigning students to meet in groups outside of class to prepare their arguments in advance. This will enable you to proceed immediately to the debate when class begins.*

**Note:** *This question can be discussed without a debate as well.*

**2. Video activity:** show class the following video: [“Key moments from Alex Jones’ Sandy Hook deposition,”](#) (11:13 minutes), then discuss the following questions as a group:

- How will the families’ attorneys use this deposition to help make their case that Jones knowingly and intentionally promoted false information in reckless disregard of the truth?
- Jones claims that some of his statements were the result of the media’s misreporting. Why is that claim disingenuous?
- Since news evolves quickly, and reporters don’t always have the full picture when they file their stories, how important is the timeliness of corrections for defamation claims?

**3. Students As Judges Activity** (pages 14-15 of teacher guide): this activity invites students to reflect upon why the First Amendment protects expressions of opinion. When completing this activity, we recommend the following process.

**A.** Divide students into small groups of three or four.

**B.** Ask students to imagine they are judges in a court who must apply the four-part opinion test to Alex Jones’ statements as detailed in Table 2. Students will consider the following questions:

- Are the statements verifiable?
- Do the statements exhibit common usage of words to convey their meaning?
- Does the journalistic context in which Jones made his statements signal assertion of fact or opinion?
- What is the social context in which his statements were expressed?

**C.** Upon completion of the opinion test, students should compose a five-minute summary argument about whether Alex Jones’ deposition statements about the Sandy Hook massacre constitutes opinion rather than meant as expressions of verifiable fact and why to present to the class.

**D.** Present arguments (five minutes per group).

**E.** Discuss key takeaways from activity and class discussion as a group.

# Writing Activity

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Should you wish to assign a writing activity or are seeking examination questions, consider the following options:

- Use or adapt any of the guide's discussion questions, which can support writing assignments between 750 to 1,500 words.