A background image of a woman with a joyful expression, smiling broadly with her mouth open, showing her teeth. She is wearing a yellow lei. The image is slightly faded and serves as the background for the text.

F A C

FIRST AMENDMENT COALITION

IMPACT

REPORT 2022

FROM THE EXECUTIVE DIRECTOR

After six years as FAC's executive director, I feel I can tell you with some authority that everybody – and I mean everybody – says they love the First Amendment. That transparency in government is paramount. That the people have a right to know what their government is up to.

But in practice? Well, that can be a very different story. Government officials at all levels and of all parties put political objectives ahead of the people's right to speak their minds. They obfuscate. They obstruct. And they attack those who devote their lives to the only profession specifically called out in the Bill of Rights – the press.

All of which is why I'm happy to report to you – the First Amendment true believers, FAC's community of supporters – that FAC has your back. That we push back. Against efforts to silence dissent. Against systems designed to keep people in the dark.

In 2022, FAC served record numbers of constituents. We armed journalists with essential knowledge and tools and empowered them to do the important work of informing their communities. We provided custom workshops to empower Californians in their pursuit of facts and justice. We stood up for people being silenced and intimidated by government.

I hope that as you read the pages that follow you will see that, while the First Amendment's promise may be far from reality, FAC is doing more than ever to make it so.

For that, the First Amendment doesn't need love – it needs fighters.



DAVID SNYDER

Executive Director
First Amendment Coalition

19

**COMMUNITY
EDUCATION EVENTS**

15

**LEGAL CASES AND
FRIEND-OF-THE-COURT
BRIEFS**

FROM THE BOARD PRESIDENT

At a time of deep political polarization, the collapse of local news outlets, and general volatility in the world, FAC is something we can all get behind as we support free speech, a free press, and the public's right to know.

As a local news publisher, I'm acutely aware of how important FAC's work is to journalists and the communities they serve – and how heartening it is to see the organization thrive. No fewer than 875 queries to our Hotline were answered in 2022, providing expert guidance to journalists and others. With the Hotline and FAC's other programs, FAC's experts helped journalists do their important work of informing our communities and holding governments accountable.

FAC's staff, budget, and impact are all much bigger since I joined the Board of Directors in May 2018. We have gone from two full-time staffers to eight – an exponentially stronger force for good in California and beyond. This growth is a testament to the community of supporters who have rallied to FAC's work, who have recognized the irreplaceable role this organization plays.

And we're just getting started. Join me in celebrating the work highlighted in this Impact Report and strengthening our efforts in the year ahead.



KATHERINE ROWLANDS

President, FAC Board
Publisher, Bay City News

9

BILLS FAC ACTED ON

875

SERVED BY THE LEGAL HOTLINE

163

MENTIONS IN THE MEDIA

CHALLENGING GOVERNMENT SECRECY & DEFENDING THE FIRST AMENDMENT

People have the right to access public information and criticize their government. But often, public officials need to be reminded of this.

In 2022, FAC enforced these rights through strategic litigation, policy advocacy, and educational programs. This included:

- Work on **15** legal cases and amicus curiae briefs in state and federal courts.
- Sending **16** advocacy letters to local and state agencies to change policies or practices.
- Taking public positions on **9** pieces of state or federal legislation.

In San Jose, we partnered with the nonprofit news organization San José Spotlight to bring more transparency to City Hall. Our joint public records lawsuit forced the disclosure of newsworthy documents. In Bakersfield, we stood up for a resident facing a speech-chilling threat by Kern County officials after he complained about government secrecy. In the Southern California city of Cypress, we advocated for a community member's right to criticize the city in social media comments. "Critique of government is democracy, not defamation," FAC Legal Director David Loy wrote multiple times to government agencies.

ADVANCING POLICE TRANSPARENCY

FAC continued to push for greater access to records, such as body-camera footage and internal investigations, to shine a light on policing in our communities.



This involves work in the courts, halls of power, and in the community. In 2022, it included:

- Legal advocacy that forced the release of previously secret recordings of a controversial police shooting of a woman in mental distress in San Diego.
- A California Public Records Act case that FAC successfully settled after the Ventura County Sheriff's Office disclosed previously secret records about officer use of force and misconduct.
- Partnering with the nonprofit newsroom Knock LA to force the Los Angeles Superior Court to unseal search warrant records related to police mistreatment of protesters.
- Hosting workshops that empower the press and public to use the state's sunshine laws to hold law enforcement accountable.



**Visit our website to use our updated
Police Transparency Handbook**

EXPANDING PUBLIC KNOWLEDGE

The right to information. The right to dissent. And to participate in your government's decision-making process. These rights are fundamental — the oxygen of our democracy. Which is why FAC offers community education events, custom trainings, and live public forums to empower people to use them.

Police Accountability and Participating in the Democratic Process

In Imperial County, at California's southern border, racial justice groups, local organizers, and other community members participated in FAC's "Know Your Rights" webinars on police transparency and open meetings. Hosted in partnership with the ACLU Foundation of San Diego and Imperial Counties, FAC's experts showed how to navigate California's complex police disclosure laws and participate in local public meetings. Those were among 19 custom trainings or community educational events FAC hosted or participated in.

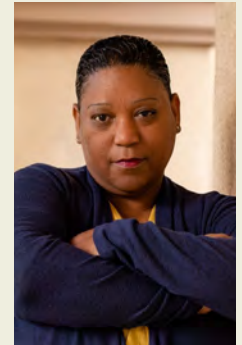
Access to Experts

For more than 30 years, FAC has operated a free Legal Hotline open to all and staffed by legal experts on government transparency and the First Amendment. In 2022, FAC responded to 875 questions from people all over California and beyond.

PARTNER SPOTLIGHT

TASHA WILLIAMSON, EXHALING INJUSTICE

In summer of 2022, FAC partnered with San Diego social justice activist Tasha Williamson, founder of Exhaling Injustice, for a three-part community education series.



Attended by nearly 200 people from across the state, the sessions showed how to use the California Public Records Act to expose injustices, the First Amendment to protest injustices, and the Brown Act's open-meetings protections to prevent injustices.

"I wanted more community members to know their rights, and FAC was very supportive of more community members understanding their First Amendment and public access rights," says Williamson. "It was a success, and today in San Diego there is an increase in people using their First Amendment rights."

FAC also partnered with Williamson to secure the release of previously secret body camera footage showing police shooting a woman during a mental health crisis. "Most of the time activists are seen in the streets and at meetings. but being able to make government information available to the public, it's huge," says Williamson.



"FAC has been a great partner and provided an outstanding training program on journalists' rights in California. In addition to its educational programs, the FAC team moves quickly to advocate for press rights and is an important voice on free expression and the public's right to know."

JIM BOREN, Executive Director, Institute for Media and Public Trust, California State University, Fresno

POWERING A FREE PRESS

Through education, legislation, and litigation, FAC has reporters' backs

A healthy democracy is not possible without a robust and independent press. Journalists serve as government watchdogs, shining a light in dark places. But too often, they face severe obstacles to accessing information, threats to their independence, and declining resources.

Protecting Press Freedom

An incarcerated journalist covering a prison killing in Northern California. A reporter for an upstart news service in Fresno writing about local government. A book author and a documentary filmmaker who covered a high-profile murder trial.

Different stories, different journalists – but one common challenge to journalistic independence: Each of these journalists faced the threat of a subpoena to force them to divulge their confidential sources or notes. And each turned to FAC for help. Through our Subpoena Defense Initiative, we ensured that all of these journalists were protected under California's shield law so none had to testify in court or disclose unpublished materials. By providing direct legal representation or referrals to counsel at no cost to the journalists, SDI creates a key link, thus protecting journalism's central role in our democracy.

BOOKMARK OUR FREE LEGAL HOTLINE:
<https://firstamendmentcoalition.org/legal-hotline/>

Fighting for Pro-Press Policies

FAC's litigation and policy advocacy seeks to expand and defend newsgathering rights and access to information. In 2022, FAC influenced numerous pieces of state and federal legislation. In the courts, FAC joined forces with newsrooms to successfully force the release of public records. And we participated in friend-of-the-court briefs all over the country to advance press rights.

Empowering the Press

FAC's experts offer press freedom and open-government workshops to arm journalists with an understanding of their legal rights. By equipping reporters and editors with crucial information on topics such as filming police in public, recording government meetings, and protecting confidential sources, we empower them to do their best work. In 2022, we launched Press Rights 101 workshops to meet the needs of California press; provided public records training for nonprofit newsrooms, journalism associations, California Black Media, and Ethnic Media Services; partnered with college campuses and student publications to reach the next generation; and continued to provide mentorship as part of a nationwide initiative called the Journalists of Color FOI Bootcamp program.



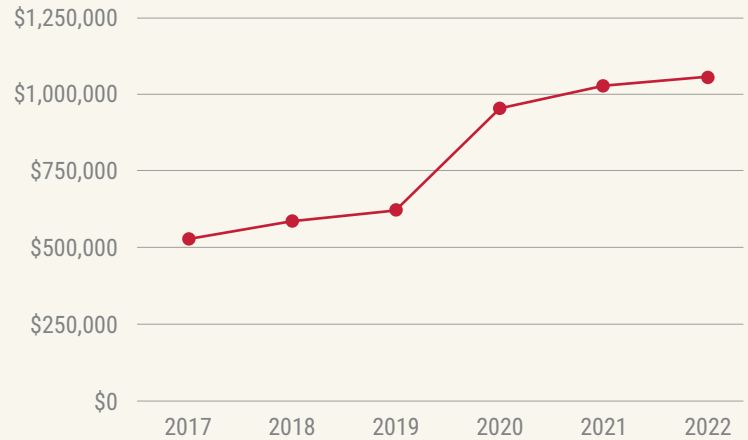
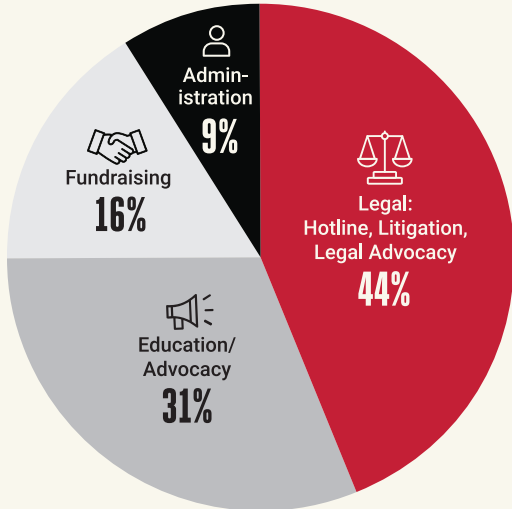
"I want our publications to remember their special role in the community and continue the tradition of holding public bodies and officials accountable. That's why I turned to FAC's experts to lead our educational workshops on accessing public records and government meetings."

REGINA BROWN WILSON, Executive Director, California Black Media

FINANCIALS: 2022 OPERATING EXPENSES

We are proud to be a lean and frugal organization that prioritizes Investment in high-impact programs.

Thanks to our generous donors and loyal supporters, FAC has experienced steady, planned growth over the past five years.



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We express our deep gratitude to the hundreds of donors who made gifts large and small, one time or monthly. We hope you have seen in this report the value of your support and our commitment to leading this fight with integrity and passion. We couldn't do this critical work without you.

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And special thanks to our volunteers and other collaborators!

FAC is a 501(c)3 organization supported by individuals like you. We rely on our entire community of stakeholders, including donors and our statewide network of partners, to power our fight for government transparency and free speech. To join our fight, please contact Kathleen Morgen, Philanthropy Director, at kmorgen@firstamendmentcoalition.org or (415) 460-5060.

OUR MISSION

The First Amendment Coalition protects and promotes a free press, freedom of expression, and the people's right to know. Nonpartisan and nonprofit, FAC believes that engaged and informed communities are essential to the health of our democracy, and that the values expressed by the First Amendment provide a blueprint for an inclusive, equitable society, and a responsive, accountable government. To that end, FAC educates, advocates, and litigates to advance government transparency and First Amendment protections for all.

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