



FIRST AMENDMENT COALITION

NW20566854

CITY OF LOS ANGELES SEARCH WARRANT AND AFFIDAVIT

[REDACTED] AFFIANT, swears under oath that the facts expressed by her in this Search Warrant and Affidavit and the attached and incorporated Statement of Probable Cause are true and that based thereon she has probable cause to believe and does believe that the property described below is lawfully seizable pursuant to Penal Code

IMPACT REPORT



2023 [REDACTED]

property or things used as the means of committing a felony;

NOV 12 2020

property or things in possession of any person with the intent to use it as a means of committing a public offense, or in possession of another to whom he or she may have delivered them for the purpose of concealing it or preventing them from being discovered;

[REDACTED] OUR FIGHT FOR [REDACTED]

[REDACTED] GOVERNMENT TRANSPARENCY, [REDACTED]

There is a warrant to arrest a person;

YOU ARE THEREFORE [REDACTED]
Colima Road, Whittier [REDACTED]

[REDACTED] A FREE PRESS, [REDACTED]

This Search Warrant incorporates the Affidavit and Statement of Probable Cause upon which it is based and were sworn to as true and subscribed before me on this 9 day of Sept, 2020, at 10pm AM/PM. WHEREFORE, I find probable cause for the issuance of this Search Warrant and do issue it.

[REDACTED] PROVED: YES [X] NO []
[REDACTED] PROVED: YES [X] NO []

[REDACTED] AND FREE EXPRESSION.



FROM THE EXECUTIVE DIRECTOR

Dear Friends,

Last May, FAC marked 35 years of fighting for free speech, press freedom, and government transparency. That's a long time, spanning five decades. We're proud of that longevity.

But more important than time is impact. Reflecting on that, three trends stood out:

- 1 FAC takes on essential fights that others cannot or will not. Representing journalists with no resources or connections. Suing the powerful to hold them to account. Providing free legal consultations to all. Educating our community where they are. Overarching all of this is our commitment to ensuring our work reaches and includes a broad range of diverse voices throughout California.
- 2 FAC advocates for rights — not causes or particular political goals. Our democracy functions best when government intrusions on core rights are held in check. FAC provides that check — irrespective of politics. Our only sacred cows are the First Amendment and the laws providing public access to government.
- 3 FAC is here for you — the public. The polestar for our work has always been whether and how the public at large will benefit.

True in 1988, these themes are, with FAC's recently expanded staff, even more so now. We've added a vibrant press-freedom defense practice and launched custom trainings for journalists; we've dramatically expanded the number of people we help on our Hotline, from 775 in 2020 to 900 in 2023.

But we remain the organization we've always been — fighting for you, the First Amendment, and our democracy.

Thank you for 35 years — here's to 35 more.



DAVID SNYDER

Executive Director
First Amendment Coalition

POWERING THE LOCAL PRESS



Public officials don't get to decide who gets to cover them. When Alameda County District Attorney Pamela Price's office blocked The Berkeley Scanner's Emilie Raguso — who covers that office closely — from attending a press conference in November, FAC sprang into action, pointing out the DA's actions violated the First Amendment. DA Price soon relented, welcoming Raguso back in a public announcement. We hope the swift backlash to this attack on a free press sends a strong message to public officials everywhere.



This is a single example of how FAC served as an indispensable resource to journalists in 2023. Whether they're fighting to keep confidential newsgathering materials private, threatened with litigation, or are just facing a recalcitrant bureaucrat's refusal to follow the law, FAC has their backs — deploying our legal expertise and public advocacy to ensure the free press remains just that.

SUPPORTING LOCAL JOURNALISTS



Participants from the October 3 workshop for the California Local News Fellowship.

Communities need local journalists. And local journalists need allies who have their backs.

In 2023, FAC hosted or participated in 13 educational programs, including classroom appearances and custom workshops in support of journalists throughout California. We were especially proud to partner with early-career journalists, including those in the California Local News Fellowship as they cover important stories in underserved communities around the state.

For the California Local News Fellowship, FAC Advocacy Director Ginny LaRoe and FAC Legal Director David Loy hosted in-depth sessions on accessing public records and covering public meetings.

Michelle Zacarias, a news fellow reporting for CALÓ NEWS, a project of the Latino Media Collaboration, said she appreciated FAC's session "Unlocking Public Records in California."

"That was probably one of the trainings that I enjoyed the most because it didn't feel like we were just conceptualizing or talking about things in theory," Zacarias said. "It felt like a tangible skill that I could use and apply right away."

In addition to providing an overview of the California Public Records Act and the Brown Act's open-meeting protections, FAC's sessions offered watchdog reporting strategies and insights from rising-star journalists. Omar Rashad, government accountability reporter for

Fresnoland, shared tips for using public records to tell important stories through an equity lens. And the Washington Post's Trisha Thadani gave insights from her years of covering local government in San Francisco.

Monserat Solis, a news fellow reporting for BenitoLink in Hollister in San Benito County, said the trainings will be useful as she reports on how rapid growth and development affect the longtime Black, brown, and indigenous county residents. She envisions using public records to examine how campaign contributions from developers might influence the city council races.

"I think connecting us with organizations like the FAC is really great," Solis said.

A goal of the fellowship program is to add reporting resources in underserved communities and recruit fellows with a range of professional and personal backgrounds.

Philip Salata, a fellow covering environment and energy in San Diego and Imperial Counties for inewssource, was raised by parents who emigrated from Poland as political refugees in 1984.

After participating in FAC's trainings, Salata said: "What moves me about the work of the coalition is they're a reminder that you're not alone in that process."

REB REBELE, 1930-2023: AN APPRECIATION



Rebele at the 2019 California Press Foundation Winter Meeting in San Francisco. Photo courtesy of California Press Foundation.

BY DICK ROGERS

In 2004 the First Amendment Coalition was at a crossroads. The executive director had abruptly quit. Newspapers — FAC’s financial lifeline at the time — were consolidating, slashing budgets, or closing altogether. The outlook was dim.

But there was Reb.

Rowland “Reb” Rebele, a longtime FAC board member who died Nov. 25 at 93, was rooted in journalism, accomplished in business, and committed to community.

FAC found a candidate for executive director, Peter Scheer. But he was wary.

“When I was thinking about accepting the ED job for FAC, I had serious doubts that the organization could survive a year or even six months,” Scheer said. “Reb told me not to worry, he had my back, and that I should not be afraid to take big risks to put FAC on the map.”

Since then, Scheer has pivoted to the board, David Snyder has taken the reins as executive director, and FAC is stronger than ever before.

Reb got his start in journalism as editor of the Stanford

Daily in 1951, his senior year. Over time, with his business partner, he purchased many small papers.

His community contributions are legendary, including the Rebele Journalism Internship Program at Stanford, the Rebele Chair in Art History at UC Santa Cruz, and the Rowland and Patricia Rebele Family Shelter in Santa Cruz.

REB’S PHILOSOPHY, SAID HIS SON CHRIS, WAS TO “MAKE A LOT OF MONEY AND GIVE IT ALL AWAY.”

Beyond his generosity, Reb was committed to a free press, freedom of expression, and the people’s right to know.

“He was one guy who had a complete understanding of FAC’s mission and its core roots of helping newspapers and individuals trying to figure out how to use the Public Records Act,” said Karl Olson, a media lawyer and FAC board member. “It’s like Reb was FAC.”

Dick Rogers serves on FAC’s Board of Special Advisors and was a member of the Board of Directors from 1997 to 2023.

BATTLING ABUSES OF POWER

Public officials sometimes forget their power is vested in them by the people. In 2023 we saw numerous examples of public officials abusing their positions of power to advance their own agendas, riding roughshod over residents’ objections and rights in the process. FAC was there to remind these officials that their actions will not go unanswered.

OPPOSING BOOK BANS

FAC believes parents — not the government — have the right to decide when and how to let their kids decide what to read, and the government should not deprive young people of the right to read. So when local officials abuse their power by forcing their personal beliefs upon entire communities and trample First Amendment rights in the process, we were there with our allies to fight back.

In 2023 we saw the nationwide book banning trend take hold in California. Public officials in Huntington Beach and Fresno County voted to prohibit anyone under 18 from accessing certain content without parental or guardian consent — as verified by the government. FAC is helping lead the charge against these book bans, which replace parents’ right to decide which library books their children can decide to read with a handful of politicians’ beliefs about what is “appropriate.” FAC, along with allies from the ACLU of Northern California, ACLU of Southern California, Freedom to Read Foundation, and PEN America, sent letters to both the Fresno County Board of Supervisors and the Huntington Beach City Council urging them to reject these unconstitutional bans. As our letter to the Fresno County Board of Supervisors states, its resolution “transforms the government into both nanny and censor while perverting the public’s civil liberties. The government has no business interfering with the decisions of young people and their families about what library books to read.”

FIGHTING BACK AGAINST A BULLY SCHOOL BOARD PRESIDENT

Joseph Komrosky, president of the Temecula Valley Unified School District board, ejected public meeting attendees with a flip of the wrist and a flash of a red card — a system he modeled after soccer matches — for any speech or behavior he deems potentially “disruptive” or threatening.

California law doesn’t allow this. And neither does the U.S. Constitution.

The Ralph M. Brown Act, the state’s main open meetings law, permits the presiding board member to remove meeting attendees only if their behavior “actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting.” With limited exceptions, the law also requires that the individual must be first warned they’re being disruptive and can be removed only if they don’t stop.

Despite a warning his conduct was unlawful, he continued. So FAC and the ACLU of Southern California filed a lawsuit on behalf

of school teacher Julie Geary and Upneet Dhaliwal, two Temecula residents who have been removed from school board meetings without causing actual disruption or first being warned. They sued Komrosky and the district for violating their rights under the First Amendment and California law.

This case isn’t just about one heavy-handed (or card-waving) elected official. Public meetings are at the heart of civic engagement, and conduct like Komrosky’s chills speech and public participation, striking at the heart of our democracy. We’re proud to fight for the rights of engaged community members like our clients.

FAC LEGAL HOTLINE

In 2023, FAC’s Legal Hotline fielded 900 requests from people in 44 of California’s 58 counties.



“Thank you, thank you. You gave me the push and guidance I needed when I was discouraged and about to give up on these requests.”

CANDICE NGUYEN
TV INVESTIGATIVE JOURNALIST

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"I'm honored to express our deep gratitude to the hundreds of 2023 donors who made gifts large and small, one time or monthly. You share our commitment to leading this fight with integrity and passion. FAC couldn't do this critical work without you!"

KATHERINE ROWLANDS

FAC BOARD PRESIDENT AND
PUBLISHER OF BAY CITY NEWS

2023 BY THE NUMBERS

19

EDUCATIONAL EVENTS
FEATURING FAC STAFF

16

PIECES OF STATE OR FEDERAL
LEGISLATION INFLUENCED
BY FAC

900

SERVED BY THE
LEGAL HOTLINE

228

MENTIONS
IN THE MEDIA

FIGHTING GOVERNMENT SECRECY

Government transparency is essential to a democratic society. It provides the oxygen for all dissent, protest, and critique. Without understanding what the government is doing, the public cannot hold those in power accountable.

Yet year after year, the First Amendment Coalition fields numerous inquiries to our Legal Hotline from activists, journalists, and concerned Californians that is some version of the question: “Can they do that?”

All too often, our answer is no. When that’s the case, FAC works to push back – to stand up for transparency in court, in government agencies, and in the media. Some examples of FAC’s fight against government secrecy in 2023:

Can a public official skirt transparency requirements by using personal email?

Former San José Mayor Sam Liccardo often conducted official business on personal email accounts and devices. FAC’s lawsuit, along with San José Spotlight, forced the disclosure of numerous documents the city had previously (and unlawfully) withheld, and in 2023, the court ruled the city violated the Public Records Act, reaffirming that city business is the people’s business, no matter which device or account officials use. Ramona Giwargis, co-founder and CEO of San José Spotlight summed up the stakes well: “Government cannot operate in the shadows, and public officials should not and cannot conduct stealth government through texts on their private phones, as Mayor Liccardo tried to do.”

Thanks to our case, a California lawmaker in 2024 introduced a bill that would reform the public records laws to keep up with the digital habits of public officials.

Can a city hold secret budget negotiations?

Public officials have a duty to spend taxpayer dollars

in an open and transparent manner. But in Fresno, the opposite was happening. Since at least 2018, the Fresno City Council’s Budget Committee has negotiated the city’s annual budget behind closed doors, violating California’s law on open public meetings and depriving the people of their fundamental right to transparency in local government. FAC has stepped in, along with the ACLU of Northern California, to ask a court to force Fresno to comply with the Brown Act’s open meeting, notice, and public comment requirements.



Can a county charge exorbitant fees to fulfill a public records request?

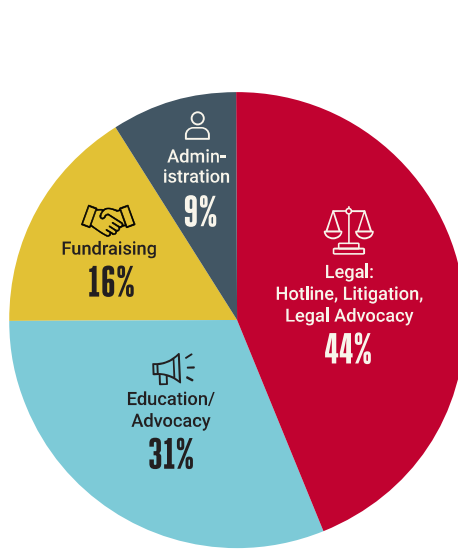
If the public can’t afford to pay for public records, those records are essentially secret. In Mendocino, the county was imposing fees from \$20-150 per hour of staff time to locate, review, and redact records, in violation of the Public Records Act. For one local journalist, that totaled \$84,001.22 to respond to a pair of public records requests. With the ACLU of Northern California, FAC attacked this practice, and the county relented. Citing our advocacy, nearby Siskiyou County voted to repeal a similar fee regime.

But we’re not done: We’ve taken the fight to Shasta County.

FINANCIALS: 2023 OPERATING EXPENSES

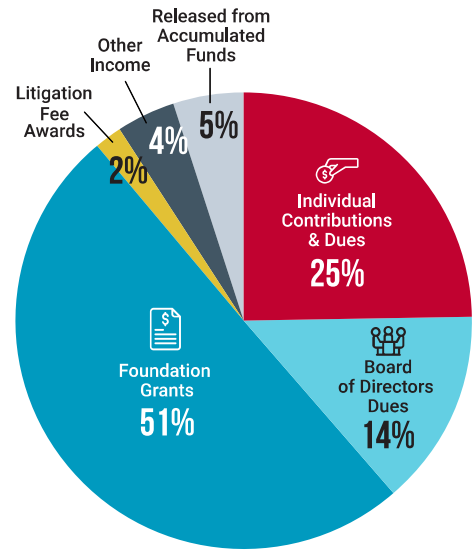
FAC'S FUNDRAISING EFFORTS IN 2023 ECLIPSED OUR BUDGETED GOALS BY **\$86,063** OR 18.4%

OUR STEADY ANNUAL GROWTH OF 6% TO 7% ACCELERATED TO **8.59%**



EXPENSE CATEGORY

OTHER INCOME: Interest Income, Unrealized Gain/Loss



INCOME CATEGORY

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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.

First Amendment Coalition

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