



# CALIFORNIA NEWS PUBLISHERS ASSOCIATION CNPA Services, Inc.

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Promoting cross cultural communications



July 13, 2022

- Honorable Chris R. Holden
- Honorable Frank Bigelow
- Honorable Isaac G. Bryan
- Honorable Lisa Calderon
- Honorable Wendy Carrillo
- Honorable Megan Dahle
- Honorable Laurie Davies
- Honorable Mike Fong
- Honorable Vince Fong
- Honorable Jesse Gabriel
- Honorable Eduardo Garcia
- Honorable Marc Levine
- Honorable Bill Quirk
- Honorable Robert Rivas
- Honorable Akilah Weber, M.D.
- Honorable Lori D. Wilson



**RE: Support SB 1000 (Becker)**

Dear Chair Holden and members of the Committee,

I submit this letter on behalf of the California News Publisher’s Association (CNPA), which represents 850 publications, are proud to co-sponsor your SB 1000, with the California Broadcasters Association, which would ensure the press access to radio transmissions, which is vital to transparency. Additionally, California Black Media, Ethnic Media Services, the First Amendment

Coalition, National Press Photographer's Association, Radio Television Digital News Association, Orange County Press Club, Pacific Media Worker's Guild, San Diego Pro Chapter of the Society of Professional Journalists, Media Alliance, National Association of Black Journalists Los Angeles, Asian American Journalists Association of Los Angeles, Society of Professional Journalists LA, Online News Association Los Angeles, LA Press Club, and National Writers Union have signed on to this letter in support of this important legislation.

### Monitoring Radio Transmissions is Essential to Reporting Critical Information to the Public

The public relies on news outlets to report on developing stories in their communities, including criminal activity, such as active shooter situations, and natural disasters, such as wildfires. To fulfil this duty to the public to provide accurate and timely information, journalists across California – and throughout the United States – monitor police and first responder agency scanners.

The public has turned to their local publications for the latest updates on raging wildfires, mass shootings, and other major news events, a public service that is made possible by monitoring radio transmissions. In a recent survey of our members, CNPA found that 78 percent of our members find monitoring police radio transmissions is very valuable in reporting on breaking news or developing situations.

There have been documented cases of agencies blocking media from accessing the encrypted systems. The Eastern Riverside County Interoperable Communications Authority (ERICA) – which includes the law enforcement agencies for the cities of Beaumont, Cathedral City, Desert Hot Springs, Indio and Palm Springs – last year revoked media access to their scanners.

### Full Radio Encryption is Not Necessary to Protect Privacy Interests

We understand and respect privacy concerns that are laid out to access certain databases via CLETS, but we believe there are better options to balance individuals' right to privacy with the public's genuine need to know. The Department of Justice issued an informational bulletin in October of 2020, providing guidance on encryption and compliance with privacy requirements, which provided two options to protect personally identifiable information. The first is to only encrypt certain transmissions that contain Personally Identifiable Information. However, some law enforcement agencies have used this as a justification to encrypt all radio transmissions, cutting off necessary transparency.

The California Highway Patrol policy on unencrypted radio transmissions is an excellent example of how to strike the appropriate balance between protecting private information, while ensuring access to transmissions that are critical to reporting. Moreover, there are successful examples across the country of ways to access the federal databases, without requiring full radio encryption because the terms of use only require specified information remain confidential.

Further, SB 1000 provides for an exception so as not to interfere with specified police activity such as undercover or tactical operations, ensuring safety of officers engaged in these activities. Again, striking an appropriate balance between protecting privacy and the public's right to know.

For all reasons, CNPA, California Black Media, Ethnic Media Services, the First Amendment Coalition, National Press Photographer's Association, Radio Television Digital News Association, Orange County Press Club, Pacific Media Worker's Guild, San Diego Pro Chapter of the Society of Professional Journalists, Media Alliance, National Association of Black Journalists Los Angeles,

Asian American Journalists Association of Los Angeles, Society of Professional Journalists LA, Online News Association Los Angeles, LA Press Club, and National Writers Union, strongly support SB 1000 and respectively urge your “AYE.”

Sincerely,

A handwritten signature in blue ink that reads "B. Barsotti". The signature is written in a cursive, slightly slanted style.

Brittney Barsotti  
General Counsel, CNPA