



January 17, 2025

An open letter to California law enforcement officials:

A coalition of 21 press rights and civil liberties organizations today call on California law enforcement agencies, officers, and their partners to obey the California law permitting the press to enter closed areas devastated by the greater Los Angeles wildfires. The press has the unique responsibility of informing the public about these fires, especially when entire neighborhoods continue to be closed to the public.

We understand and empathize with the difficult task firefighters and first responders are facing, and deeply appreciate their service. But we write because we have concerns about recent treatment of journalists who are covering the devastation with professionalism and compassion. We have learned of troubling instances where journalists have been illegally turned away from checkpoints and faced intimidation tactics and other interference with their newsgathering. These issues have occurred at numerous locations, across several days and involve multiple local and state agencies. Journalists must be allowed to do their jobs while first responders do theirs.

To assist law enforcement agencies and other first responders, we share these reminders and recommendations:

- The same California law that gives law enforcement the ability to close areas during emergencies explicitly exempts the press. “This section shall not prevent a duly authorized representative of a news service, newspaper, or radio or television station or network from entering the areas closed pursuant to this section.” [California Penal Code section 409.5\(d\)\(1\)](#).
- A government-issued “press credential” is not a requirement to show eligibility for press access to closed areas. Agencies must not turn away journalists who present other evidence demonstrating their eligibility for this exception through a variety of indicators, such as press identification issued by newsrooms, press clubs or journalism organizations, business cards, or letters from assignment desks. If there is any doubt about a reporter’s identity, it can also be verified by looking at common forms of identification and searching online for their name and media organization.
- It is especially critical that agencies do not require a government-issued press credential to permit access, given that journalists from all over the country — who would not have a local agency-issued press credential — are an essential part of the journalism community covering this disaster.
- We urge all responding law enforcement agencies, along with the California Governor’s Office of Emergency Services, the California Department of Forestry and Fire Protection

and CalGuard, to issue recurring directives to relevant personnel about following Penal Code section 409.5's media access provisions.

We note that Cal Fire has embraced the role of the press covering wildfires. When Americans see the infernos, they take the threats more seriously and are more likely to evacuate and otherwise take precautions, Daniel Berlant, formerly a top Cal Fire official and current California Fire Marshal, told the [Associated Press](#).

If representatives of your agency have questions or concerns, we welcome outreach to Ginny LaRoe, advocacy director, First Amendment Coalition, [glaroe@firstamendmentcoalition.org](mailto:glaroe@firstamendmentcoalition.org); Adam Rose, press rights chair, Los Angeles Press Club, [pressrights@lapressclub.org](mailto:pressrights@lapressclub.org); Mickey H. Osterreicher, general counsel, National Press Photographers Association, [lawyer@nppa.org](mailto:lawyer@nppa.org). Thank you for your attention to this important matter.

Respectfully,

FIRST AMENDMENT  
COALITION

NATIONAL PRESS  
PHOTOGRAPHERS  
ASSOCIATION

LOS ANGELES  
PRESS CLUB

Joined by:

Asian American Journalists Association, Los Angeles  
American Civil Liberties Union of Southern California  
California News Publishers Association  
CCNMA, Latino Journalists of California  
Freedom of the Press Foundation  
Media Alliance  
Media Guild of the West, The NewsGuild-CWA Local 39213  
National Writers Union  
NLGJA: The Association of LGBTQ+ Journalists, Los Angeles Chapter  
Pacific Media Workers Guild, The NewsGuild-CWA Local 39521  
PEN America  
Radio Television Digital News Association  
Reporters Without Borders (RSF)  
Student Press Law Center  
Society of Professional Journalists  
Society of Professional Journalists, Los Angeles Chapter  
Society of Professional Journalists, Northern California  
Society of Professional Journalists, San Diego Pro Chapter