

Nov. 14, 2025

VIA EMAIL

Assistant Police Chief James Beere
455 7th Street
Oakland, CA 94607

Mayor Barbara Lee
1 Frank H. Ogawa Plaza
Oakland, CA
94612

Re: Press exclusions from Oakland Police Department news conference

Dear Assistant Chief Beere and Mayor Lee:

We write on behalf of the First Amendment Coalition, Pacific Media Workers NewsGuild-CWA Local 39521 and the Society of Professional Journalists of Northern California to condemn the exclusion of journalists from today's Oakland Police Department news conference, pursuant to a policy that restricts access to only those who hold a city-issued media credential. This policy interferes with the ability of the press to keep the public informed, threatens press independence and hurts the community's ability to get news from a diverse range of sources. It is also unnecessary and violates the First Amendment. It must end immediately.

OPD today issued a media advisory announcing it would hold a news conference about "violent crimes in our community" at the police administration building. The advisory said anyone wishing to cover it must have an OPD media credential and warned that "no exceptions will be made." As we understand it, this restriction is pursuant to a policy adopted on Jan. 1, 2024, excluding journalists from news conferences for failing to possess an OPD-issued press credential, per an announcement from OPD Strategic Communications Manager Paul Chambers, which is attached for your convenience.

Today's news conference included updates about the shooting death of Laney College's athletic director and former football coach John Beam, a news story that news organizations across the Bay Area and beyond have an interest in covering. We understand that journalists on assignment for the San Francisco Chronicle, The Citizen and The Oaklandside were unable to attend the news conference because of this policy. Others, including journalists with the Bay Area News Group and The Citizen, news organizations that are closely covering the Coach Beam story, were only permitted to attend after agreeing on the spot to apply for an OPD press credential.

OPD interfered with journalists' ability to do their jobs for no reason. There were no security threats, space limitations or other lawful justification to exclude or erect barriers to access.

This policy and today's actions serve no one. Newsrooms must have the ability to send any journalist they choose to cover the news, and must not be limited to sending only those who have chosen to apply for and been granted a particular government credential. As a practical matter, news organizations rely on a range of staff and contributors — reporters, photographers, editors, interns, fellows and others — to do the important work of keeping communities

informed. Additionally, independent journalists, student publications, and journalists are part of the news ecosystem that serve different audiences. It is unrealistic to expect that all news organizations and individual journalists who may at any point have an interest in covering an OPD news conference obtain an OPD credential.¹

For the reasons discussed below, it is unnecessary and inappropriate for the city to require an OPD-issued press credential in order to attend news conferences.

As a practical matter, we understand that attendance at OPD's press conferences has never exceeded the capacity of the location in which they have been held. Even if limited space might be a valid concern, it can be addressed through simple measures such as a first-come, first-served system that do not present the legal problems of discriminating against certain members of the press.

We are also not aware of any security risks presented by any reporters attending press conferences, but to the extent there might be security concerns connected with persons entering OPD's restricted facilities or attending its events, any such concerns apply to the public generally, and they can be addressed with appropriate measures other than imposing an improper credentialing system on the press. Otherwise, OPD must acknowledge that a journalist is anyone who gathers information for the purpose of disseminating it to the public, and no particular credentials are or should be required to establish that fact.

As the Supreme Court has long held, "[t]he press in its historic connotation comprehends every sort of publication which affords a vehicle of information and opinion." *Lovell v. City of Griffin*, 303 U.S. 444, 452 (1938). The First Amendment does not require that a reporter be "associated with the institutionalized press." *von Bulow ex rel. Auersperg v. von Bulow*, 811 F.2d 136, 145 (2d Cir. 1987). The "intended manner of dissemination may be by newspaper, magazine, book, public or private broadcast medium, handbill or the like," and "prior experience as a professional journalist" cannot be "the sine qua non" of "present intent to gather for the purpose of dissemination," which can be shared "by one who is a novice in the field." *Id.* at 144.

Therefore, the press includes not only "the institutionalized print or broadcast media" but also any person "gathering news for dissemination to the public," regardless of circulation, audience size, longevity, business model, or corporate or employment status. *Shoen v. Shoen*, 5 F.3d 1289, 1293 (9th Cir. 1993). Under the First Amendment, "it makes no difference whether the intended manner of dissemination [was] by newspaper, magazine, book, public or private broadcast medium, [or] handbill." *Id.* (cleaned up).

The same is true for digital media. *O'Grady v. Superior Court*, 139 Cal. App. 4th 1423, 1467–68 (2006). There is "no sustainable basis to distinguish" reporters for digital publications "from the reporters, editors, and publishers who provide news to the public through traditional print and broadcast media," because they all "gather, select, and prepare, for purposes of publication to a mass audience, information about current events of interest and concern to that audience." *Id.* at 1467.

The First Amendment prohibits improperly discriminating between different segments of the press, regardless of whether the government intends to censor speech based on its content.

¹ For the purposes of this letter, we take no position on whether OPD should continue operating a credential program for legitimate and lawful purposes. And for the purposes of this letter, we do not address additional concerns with the credential application and decision-making process itself.

Ark. Writers' Project, Inc. v. Ragland, 481 U.S. 221, 227–28 (1987); *Minneapolis Star & Tribune Co. v. Minn. Comm'r of Revenue*, 460 U.S. 575, 591–92 (1983). Therefore, with respect to attendance at press conferences, OPD may not discriminate against an entire segment of the press that happens not to possess an OPD-issued credential. If one identifies as a person who is gathering information for the purpose of disseminating it to the public, one is a journalist under the First Amendment who is generally entitled to attend a press conference or other event generally open to the media.

The decision in *Sherrill v. Knight*, 569 F.2d 124 (D.C. Cir. 1977) did not hold otherwise. In that case, the plaintiff did not question the need for a White House press pass program or the “professional credentials” required to obtain such a pass, and the court did not address those issues. *Id.* at 120 n.19. *Sherill* also concerned the issue of ongoing access to White House press facilities on a regular basis and did not address attendance at occasional press conferences held by local agencies. Therefore, the decision does not stand for the proposition that any government agency may require credentials to attend press conferences in all circumstances.

Nor does the decision in *Los Angeles Free Press, Inc. v. City of Los Angeles*, 9 Cal. App. 3d 448 (1970) suggest that OPD may properly require credentials to attend press conferences. In that case, law enforcement agencies issued “press identification cards” that were used by reporters “to cross police lines and enter areas closed to the general public and thus provide access to information at certain locations, as for example, the scene of crimes, fires or natural disasters and press conferences by policing authorities, where such access is denied to the public generally.” *Id.* at 451.

After “the chaos which accompanied a major train wreck ... when rescue operations were seriously impeded by the presence of too many authorized onlookers at the scene of the accident,” the agencies limited their officially issued press passes to reporters whose “regular course of business” was “gathering and distributing spot police-beat and fire news.” *Id.* at 452. The agencies thus issued their press passes only to reporters who showed a “need to cross police lines in the regular course of their business,” and the court found that “the purpose of granting priority to some to cross police lines is to allow the public to gain information about crimes, fires, disasters, and the like, without jeopardizing public order and safety in the process.” *Id.* at 456–57.

Notwithstanding an offhand reference to press conferences, the decision discussed press passes only in the context of crimes, fires, and natural disasters. The plaintiff did not question the need for an officially issued press pass in those circumstances but instead argued only that it was wrongly denied such a pass. Therefore, the case does not stand for the proposition that media credentials can be required to attend routine press conferences.² See *Brown v. Kelly Broadcasting Co.*, 48 Cal. 3d 711, 734–35 (1989) (“[T]he language of an opinion must be construed with reference to the facts presented by the case, and the positive authority of a decision is coextensive only with such facts.”).

Imposing a credentialing scheme on individuals who wish to attend OPD’s press conferences impermissibly restricts access to these important events and could exclude members of the media who do not fit the mold of a traditional journalist, or any journalist who happens not to

² It should be noted that under California law, officially issued press credentials are not necessarily required for reporters to cross police or fire lines. See Penal Code §§ 409.5, 409.6, 409.7; 67 Ops. Cal. Atty. Gen. 535, 539 (1984).

cover police issues regularly. Ultimately, it is the public that suffers when governments attempt to gatekeep and control access to information. OPD has numerous ways to handle any security issues or space limitations, should an issue arise, without a restrictive and problematic policy conditioning access to press conferences on possession of official credentials.

We urge you to promptly rescind this policy and publicly commit to respecting the role of the press in keeping communities informed. Given the importance of the ability of the press to be able to perform its important role in society, we urge you to respond in writing within 14 calendar days. Please do not hesitate to reach out to discuss these issues.

FIRST AMENDMENT COALITION

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SOCIETY OF PROFESSIONAL JOURNALISTS OF
NORTHERN CALIFORNIA

Ben Trefny
Interim President
spjnorcal@gmail.com

cc: Ryan Richardson, City Attorney, Oakland
Paul Chambers, Oakland Police Department
Justin Phillips, Communications Director, Office of Oakland Mayor Barbara Lee

From: **Chambers, Paul** <PChambers@oaklandca.gov>

Date: Fri, Dec 1, 2023 at 2:23 PM

Subject: Media Credential and Parking Pass Application Requirements

To:

Good afternoon,

As we prepare for upcoming events and news conferences, we want to ensure a smooth and efficient process for media representatives seeking access to our facilities.

Starting January 1, 2024, anyone wishing to attend a news conference inside the Oakland Police Department in areas that are not accessible to the public, must have an OPD media credential.

This requirement is in place to maintain security protocols and ensure the safety of all attendees.

All individuals inquiring about media credentials or parking passes should carefully fill out the attached application form(s) and return the form(s) to this email.

If you have already started the application process, please proceed with it.

Thank you for your understanding and cooperation.

Paul Chambers

Strategic Communications Manager

Oakland Police Department

Email: pchambers@oaklandca.gov

#OPDCARES initiative is about working together as a community to help stop the tragic loss of life and reduce the level of violence in our city. Collectively, we want to ensure Oaklanders and our visitors are safe in our community.

Follow OPD on [Twitter](#), [Facebook](#), [Instagram](#), and [YouTube](#)



Oakland Police Department
Media Relations
455 7th Street
Oakland, CA 94607

NEWS MEDIA IDENTIFICATION CARD APPLICATION

This is for: ☐ New Applicant ☐ Renewal - Card # _____ Exp Date ____/____ ☐ Change of Employer

PRINT OR TYPE CLEARLY BELOW

Date ____/____/____

Last Name _____ First Name _____ Middle _____

Sex ____ Hair ____ Eyes ____ Height ____ Weight ____ Date of Birth ____/____/____

Driver's License No. _____

Residential Address _____

City, State, Zip _____

Employer _____
(If you are self-employed, PLEASE indicate)

Position/Job Title _____

Business Address _____

City, State, Zip _____

Contact Phone No.: _____ Work/Mobile No.: _____

Email: _____ Alternate Email: _____

Facebook: _____ Twitter: _____

**ALL PRESS IDENTIFICATION BADGES REMAIN THE PROPERTY
OF OPD AND MUST BE RETURNED UPON DEMAND.**

Applicant's Name _____

Date ____/____/____

Provide a brief description of the applicant's job duties as it applies to the need for a OPD media card:

Employees of Department-Identified News Organizations:

1. Complete the News Media Identification Card Application. The application must be complete and signed in order to be considered. Failure to do so could result in delays or denial of an application.
2. Provide a letter on original business letterhead, signed by news director, editor, or person in charge, stating the applicant is an employee of the news organization who regularly cover news events at which police and/or fire lines within the city of Oakland are established.
3. Scan the application and letter, and e-mail to opdmedia@oaklandca.gov
4. The application and letter will be reviewed by the Department Press Pass Coordinator, and the applicant will be contacted regarding the next part of the application process.

Self-Employed, Freelancers, Employees of Non-Department Identified News Organizations:

1. Complete the News Media Identification Card Application. The application must be complete and signed in order to be considered. Failure to do so could result in delays or denial of an application.
2. Provide three (3) letters on original business letterhead, signed by news director, editor, or person in charge, stating the applicant has completed assignments requiring the need to cover news events at which police and/or fire lines within the city of Oakland are established OR provide three (3) examples of work credited to the applicant from the last six (6) months. The samples must show the applicant performed work that required access beyond established police or fire lines. Such examples can include articles, photographs, videos, or other forms of media. The examples can be in print, PDF format, or through links to sites where the example can be viewed.
3. Scan the application, letter and samples, and e-mail to opdmedia@oaklandca.gov.
4. The application, letter and samples will be reviewed by the Department Press Pass Coordinator, and the applicant will be contacted regarding the next part of the application process.

Has the applicant ever been arrested and/or convicted of a crime; or entered a plea of 'Guilty' or 'No Contest'? _____

If yes, please explain below. Also any known warrants, but do not list traffic citations:

TO BE COMPLETED BY APPLICANT ONLY:

I certify that I have carefully read the information submitted on this application, and that it is true and complete. I understand any false information or withholding of information is grounds for the denial or revocation of my OPD News Media Identification Card.

Applicant's Signature

Date

IMPORTANT NOTICE: To the holders of a OPD News Media Identification Card:

The exclusive purpose of OPD News Media Identification Cards (media card) shall be to enable the bearer to pass through established police and/or fire lines within the City of Oakland in order to cover news events occurring behind such lines.

The OPD media card does not grant the bearer the right to cross established police and/or fire lines at the bearer's discretion. The Public Information Officer (PIO) or Incident Commander, in compliance with Penal Code 409.5(d), may deny public and/or media to pass established police and/or fire lines in the exercise of his/her reasonable discretion. Such discretion may be exercised when public or personal safety may be jeopardized, to preserve the integrity of a crime scene, or to provide clear and safe access to first responding personnel, but shall not be limited to these examples.

DENIAL OR REVOCATION OF A MEDIA CARD

The media card remains the property of OPD, and is subject to denial or revocation by the Department. The Department, in the exercise of its reasonable discretion, may deny or revoke a media card for reasons including, but not limited to, the following:

- A. Past revocation of a OPD media card.
- B. False or misleading statement(s) on the media card application.
- C. The media card applicant/holder has been arrested and/or convicted for offenses including but not limited to, those involving use of force or violence on the person of another, lewd conduct, forgery, embezzlement, vagrancy, or interfering or otherwise impeding the activities of law enforcement officers.
- D. If the Department deems the media card holder abused his/her media card authority.
- E. If the media card holder uses his/her media card to deceive another person, or for the purpose of committing or attempting to commit a crime.
- F. If the media card holder terminates his/her employment with a news agency, or his/her job duties no longer require maintaining a OPD media card.

LOSS/THEFT OF MEDIA CARD, CHANGE OF EMPLOYMENT, NO LONGER EMPLOYED BY NEWS AGENCY

If the media card is lost or stolen, the media card holder or his/her employer must report the media card lost/stolen with a policing agency. A copy of the report must be provided to the OPD media card coordinator before a new media card will be issued.

If the media card holder changes employer, the holder must notify the OPD media card coordinator of the change. If the media pass holder is no longer employed with the news organization, the media card must be surrendered to OPD immediately.

Signing below indicates the News Media Identification Card applicant has read and understands the above information.

Applicant's Name (Print)

Applicant's Signature

DO NOT WRITE BELOW THIS LINE

Date _____	Media Card# _____	Exp Date _____	Issued By _____
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Oakland Police Department
Media Relations
455 7th Street
Oakland, CA 94607

NEWS MEDIA PARKING PASS APPLICATION

This is for: ☐ New Applicant ☐ Renewal - Card # _____ Exp Date ____/____ ☐ Change of Employer

PRINT OR TYPE CLEARLY BELOW

Date ____/____/____

Last Name _____ First Name _____ Middle _____

Sex ____ Hair ____ Eyes ____ Height ____ Weight ____ Date of Birth ____/____/____

Driver's License No. _____

Residential Address _____

City, State, Zip _____

Employer _____
(If you are self-employed, PLEASE indicate)

Position/Job Title _____

Business Address _____

City, State, Zip _____

Contact Phone No.: _____ Work/Mobile No.: _____

Email: _____ Alternate Email: _____

Facebook: _____ Twitter: _____

**ALL MEDIA IDENTIFICATION PASSES REMAIN THE PROPERTY
OF OPD AND MUST BE RETURNED UPON DEMAND.**

Applicant's Name _____

Date ____/____/____

Provide a brief description of the applicant's job duties as it applies to the need for a OPD parking pass:

Employees of Department-Identified News Organizations:

1. Complete the News Media Parking Pass Application. The application must be complete and signed in order to be considered. Failure to do so could result in delays or denial of an application.
2. Provide a letter on original business letterhead, signed by news director, editor, or person in charge, stating the applicant is an employee of the news organization who regularly cover news events at which police and/or fire lines within the city of Oakland are established.
3. Scan the application and letter, and e-mail to opdmedia@oaklandca.gov
4. The application and letter will be reviewed by the Department Media Pass Coordinator, and the applicant will be contacted regarding the next part of the application process.

Self-Employed, Freelancers, Employees of Non-Department Identified News Organizations:

1. Complete the News Media Parking Pass Application. The application must be complete and signed in order to be considered. Failure to do so could result in delays or denial of an application.
2. Provide three (3) letters on original business letterhead, signed by news director, editor, or person in charge, stating the applicant has completed assignments requiring the need to cover news events at which police and/or fire lines within the city of Oakland are established OR provide three (3) examples of work credited to the applicant from the last six (6) months. The samples must show the applicant performed work that required access beyond established police or fire lines. Such examples can include articles, photographs, videos, or other forms of media. The examples can be in print, PDF format, or through links to sites where the example can be viewed.
3. Scan the application, letter and samples, and e-mail to opdmedia@oaklandca.gov.
4. The application, letter and samples will be reviewed by the Department Media Pass Coordinator, and the applicant will be contacted regarding the next part of the application process.

Has the applicant ever been arrested and/or convicted of a crime; or entered a plea of 'Guilty' or 'No Contest'? _____

If yes, please explain below. Also, any known warrants, but do not list traffic citations:

TO BE COMPLETED BY APPLICANT ONLY:

I certify that I have carefully read the information submitted on this application, and that it is true and complete. I understand any false information or withholding of information is grounds for the denial or revocation of my OPD News Media Parking Pass.

Applicant's Signature

Date

IMPORTANT NOTICE: To the holders of a OPD News Media Parking Pass:

The exclusive purpose of OPD News Media Parking Pass (parking pass) shall be to enable the bearer to pass through established police and/or fire lines within the City of Oakland in order to cover news events occurring behind such lines.

The OPD parking pass does not grant the bearer the right to cross established police and/or fire lines at the bearer's discretion. The Public Information Officer (PIO) or Incident Commander, in compliance with Penal Code 409.5(d), may deny public and/or media to pass established police and/or fire lines in the exercise of his/her reasonable discretion. Such discretion may be exercised when public or personal safety may be jeopardized, to preserve the integrity of a crime scene, or to provide clear and safe access to first responding personnel but shall not be limited to these examples.

DENIAL OR REVOCATION OF A PARKING PASS

The Parking Pass remains the property of OPD and is subject to denial or revocation by the Department. The Department, in the exercise of its reasonable discretion, may deny or revoke a parking pass for reasons including, but not limited to, the following:

- A. Past revocation of a OPD Parking Pass.
- B. False or misleading statement(s) on the parking pass application.
- C. The parking pass applicant/holder has been arrested and/or convicted for offenses including but not limited to, those involving use of force or violence on the person of another, lewd conduct, forgery, embezzlement, vagrancy, or interfering or otherwise impeding the activities of law enforcement officers.
- D. If the Department deems the parking pass holder abused his/her parking pass authority.
- E. If the parking pass holder uses his/her parking pass to deceive another person, or for the purpose of committing or attempting to commit a crime.
- F. If the parking pass holder terminates his/her employment with a news agency, or his/her job duties no longer require maintaining a OPD parking pass.

LOSS/THEFT OF THE PARKING PASS, CHANGE OF EMPLOYMENT, NO LONGER EMPLOYED BY NEWS AGENCY

If the parking pass is lost or stolen, the parking pass holder or his/her employer must report the parking pass lost/stolen with a policing agency. A copy of the report must be provided to the OPD parking pass coordinator before a new parking pass will be issued.

If the parking pass holder changes employer, the holder must notify the OPD parking pass coordinator of the change. If the media pass holder is no longer employed with the news organization, the parking pass must be surrendered to OPD immediately.

Signing below indicates the News Media Parking Pass applicant has read and understands the above information.

Applicant's Name (Print)

Applicant's Signature

DO NOT WRITE BELOW THIS LINE

Date _____	Parking Pass# _____	Exp Date _____	Issued By _____
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Oakland Police Department Media Team

For Immediate Release: November 14, 2025
OPD NEWS: Media Advisory:

Oakland Police Department News Conference

The Oakland Police Department (OPD) Media Unit will hold a news conference to discuss the arrests in connection with a series of violent crimes in our community, including homicides and shootings.

When: Today
12:00 p.m.

Where: Oakland Police Department
455 7th Street

Reminder:

Anyone wishing to attend a news conference inside the Oakland Police Department in areas not accessible to the public must have an **OPD media credential**. This requirement ensures compliance with security protocols and helps maintain the safety of all attendees.

No exceptions will be made.

OPD will strictly enforce the media credential policy.