



OFFICE OF THE GOVERNOR

SEP 30 2020

To the Members of the California State Senate:

I am returning Senate Bill 629 without my signature.

This bill would allow authorized representatives of any news service, online news service, newspaper, or radio or television station or network to enter areas that have been closed by law enforcement due to a demonstration, march, protest or rally, including the immediate area surrounding any emergency field command post or any other command post. This bill would, additionally, prohibit a peace officer from intentionally assaulting, interfering with or obstructing these duly authorized representatives who are gathering, receiving or processing information for communication to the public.

Media access to public gatherings – especially protests – is essential for a functioning democracy, and law enforcement should not be able to interfere with those efforts. But I am concerned that this legislation too broadly defines a "duly authorized representative of a news service, online news service, newspaper, or radio or television station or network." As written, this bill would allow any person who appears to be engaged in gathering, receiving or processing information, who produces a business card, press badge, other similar credential, or who is carrying professional broadcasting or recording equipment, to have access to a restricted law enforcement area. This could include those individuals who may pose a security risk – such as white nationalists, extreme anarchists or other fringe groups with an online presence.

Law enforcement agencies should be required to ensure journalists and legal observers have the ability to exercise their right to record and observe police activities during protests and demonstrations. But doing so shouldn't inadvertently provide unfettered access to a law enforcement command center. In fact, the police reform advisors that I appointed in the wake of the nationwide protests this summer to advise me on what more California can do to protect and facilitate the right to engage in peaceful protests and demonstrations made concrete recommendations on protecting journalists and legal observers exercising their right to record and observe police activities

during protests and demonstrations. I plan to implement these recommendations at the state level and am encouraging every California law enforcement agency to do the same. I also plan to work with the Legislature on providing access to journalists in a way that addresses the security concerns and accomplishes the intent of this bill.

Sincerely,



Gavin Newsom