2-04/070.110 - Media Access to Command Posts During Civil Disorder Events

When a command post has been established at any demonstration, march, protest, or rally where individuals are engaged in an activity that is protected pursuant to the First Amendment of the United States Constitution or Article I of the California Constitution, any Duly Authorized Representative of the Media may have access to the closed immediate area surrounding any command post, police line, or rolling closure. (California Penal Code section 409.7(a)(1)).

Department members shall not intentionally interfere with, obstruct, or assault a Duly Authorized Representative of the Media who is gathering, receiving, or processing information for communication to the public. (California Penal Code section 409.7(a)(2)).

A Duly Authorized Representative of the Media who is in a closed area described in this section shall not be cited for the failure to disperse, a violation of a curfew, or a violation of Penal Code Section 148(a)(1), for gathering, receiving, or processing information. (California Penal Code section 409.7(a)(3)).

Department members shall ensure the media do not have direct observation of or access to confidential information. Such confidential information includes, but is not limited to:

Phone numbers, not for public release;

Names of victims, witnesses, informants, or suspects;

Confidential information about Department members;

Confidential operational plans;

Law Enforcement-only databases and information sources; or

An individual’s personal medical information.

Department personnel responsible for the safety and security of the media behind a closure or surrounding a command post shall be constantly aware of all evolving threats and issues. The threat of individuals posing as members of the media is real and has been used as a tactic by criminal elements.

Threats to personnel may include but are not limited to: the launch of a violent attack on unprotected Department members, the gaining of access to confidential information, or disrupting the activities of emergency personnel performing their duties.