



CALIFORNIA NEWSPAPER PUBLISHERS ASSOCIATION
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January 4, 2012

Honorable Tom Ammiano
California State Assembly
State Capitol, Room 4005
Sacramento, California 95814

RE: **Support AB 1270 (Ammiano)**

Dear Assemblyman Ammiano:

I am writing to you on behalf of the California Newspaper Publishers Association to express the Association's support of your AB 1270, as proposed to be amended on January 4, 2012. As we understand the proposed amendments, AB 1270 would restore the ability of journalists to conduct prearranged interviews and exchange confidential correspondence with inmates incarcerated in California's prisons. The bill would also permit journalists to use pens, pencils, paper, cameras and other recording devices when conducting these interviews.

The regulations prohibiting prearranged interviews, which AB 1270 would overturn, were established in 1996 by the Department of Corrections in the wake of embarrassing news stories that chronicled gladiator contests between inmates at Corcoran state prison and the scalding of a prisoner at Pelican Bay state prison.

At first blush it may appear the regulations, that permit a journalist to interview an inmate after being placed on the inmate's list of visitors, pose a mere inconvenience for California journalists. In fact, the regulations have become an insurmountable burden for reporters to interview prison inmates. Journalists must compete with an inmate's family, friends, clergy and other visitors for the limited time available to visit an inmate. It is not uncommon for a journalist to wait overnight outside a prison facility only to be denied access because too many family members or friends are there to see the inmate. Journalist's access by visitation became even more onerous on January 1, 2004, when the number of visitation days was cut from four days to two at California's prisons. Faced with these obstacles, many newspapers have been unable to regularly cover the state's prisons.

In light of allegations of inmate mistreatment, cover-up and corruption inside several California prison facilities, AB 1270, as a vehicle for system reform, could not be timelier. Journalists require access to prison inmates in order to properly investigate newsworthy events that take place in California's prisons. For over twenty years, the department allowed journalists to conduct face-to-face interviews and to investigate leads inside prison walls. The publication of the resulting stories helped inform the public and initiate important policy changes necessary to achieve the efficient administration of the prison system and to provide accountability for one of California's largest and most expensive public institutions. Moreover, during this period there was not one incident in which a journalist's interview or use of confidential correspondence with an inmate posed a threat to the security of any of California's prisons.

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Opponents of the bill will argue that interviews with prisoners only serve to publicize or make celebrities of inmates. This argument is based on the assumption that journalists are little more than stenographers or public relations agents for the prisoners. On the contrary, the function of an interview is to subject a prisoner's claims to the same kind of effective, skeptical scrutiny to which all individuals in the system should be subjected. The majority of interviews may involve subjects wholly unrelated to any crimes that the inmate committed. Many interviews are conducted to obtain information and to inform the public about the policies and procedures of the Department of Corrections.

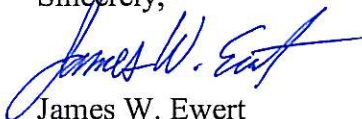
Prearranged inmate interviews would also lead to more secure prison facilities. In the absence of effective and impartial outside scrutiny, rumors and misinformation flourish and feed unrest inside prisons. Allowing press interviews with prisoners is a way to counter the rumors and misinformation and, in turn, provide for better, increased security within these volatile institutions.

In view of the recent realignment policy changes and the administrative decision-making that the changes involve, independent information from inside the prisons, through the press, is essential for the Legislature, the Governor and the public to fully understand the impact and effectiveness of these decisions.

Passage of AB 1270 would accomplish twin aims: to bring openness and full disclosure to the public's business; and to reform California's troubled prisons by making it much more difficult for systemic problems to continue to fester in secret. The free flow of information is an invaluable component -- and precursor -- of any effective reforms.

CNPA applauds your leadership in attempting to restore a policy that served California's taxpayers and the legislature well for over twenty years and we look forward to working with you to obtain the Governor's signature on AB 1270.

Sincerely,



James W. Ewert
CNPA General Counsel

cc: Ralph Alldredge, CNPA President, Publisher, *Calaveras Enterprise*
Karlene Goller, CNPA Governmental Affairs Committee Chairwoman, Vice President and Deputy General Counsel, *Los Angeles Times*
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