



CALIFORNIA NEWS PUBLISHERS ASSOCIATION CNPA Services, Inc.

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March 15, 2021

Honorable Reginald Byron Jones-Sawyer Sr.
Honorable Tom Lackey
Honorable Rebecca Bauer-Kahan
Honorable Bill Quirk
Honorable Miguel Santiago
Honorable Kelly Seyarto
Honorable Buffy Wicks
California State Assembly
Legislative Office Building
1020 N Street, Room 111
Sacramento, CA 95814

RE: Oppose AB 253 (Patterson)

Dear Chair Jones-Sawyer and Members of the Public Safety Committee:

The California News Publishers Association and California Black Media strongly urges a “NO” vote on AB 253 (Patterson).

Under existing law, notice of animals rescued by authorities from abuse or activities such as dogfighting must be published in a newspaper of general circulation for three successive days. The purpose is to give the public a chance to reclaim and/or rescue pets prior to euthanizing. AB 253 eliminates this requirement and substitutes postings on law enforcement websites or social media accounts. The Bill is flawed in several key respects.

First, AB 253 presumes a media reality that does not currently exist in California.

AB 253 contemplates reliance on government websites and social media as a first resort for public information. Information consumption in the State contradicts this belief. More than 10 million Californians rely on home-delivered print newspapers or their e-editions for news. The weekly circulation, unique web visitor counts and social media following of newspapers is a thousand-fold police websites. The fact is, with AB 253, most people won't get notices and pet owners will have many fewer chances to be reunited with their beloved companions.

Second, AB 253 relies too heavily on broadband connectivity.

As the Committee is well aware, there are 24 bills introduced in this session which try to ensure adequate broadband coverage in the state. The volume of proposed legislation serves to affirm the inadequacy. Moreover, BroadBandNow.com reports that 30% of the state's

population does not have access to low cost, high speed internet facilities. This problem is particularly acute in rural areas of the state that depend on print publications for their news. If AB 253 proceeds, more pets could die because owners have not been adequately notified.

Third, AB 253 does not live up to the independence standard envisioned by public notices.

Newspaper public notices constitute a forum that is independent of the government. It gives an agency of government control over outcomes without adequate assurances that the public's right to know has been accounted for. However, a person who visits law enforcement sites or uses social media will not have any idea what to look for other than that information they are seeking. The State should not be a party to such potential limitations on freedom of information.

Finally, AB 253 could impact the entire system of public notices

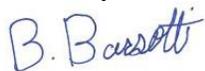
AB 253 sets a dangerous precedent by dismissing a public notice statutory scheme in effect since 1943 and today spans more than 1,7000 sections of code. AB 253's language states the notice may be published, "in a newspaper, online or in print, of general circulation," which could impact the system of public notices. The term "newspaper of general circulation" is a term of art that applies only to printed publications that have been legally deemed to distribute substantially to subscribers in the area. A twitter account cannot say the same.

Newspapers of general circulation remain the most effective means to convey public notices because they are legally deemed to reach a "substantial" number of readers in the area. To pass a bill with language that indicates there could be a newspaper of general circulation online would open the door to changes in this entire statutory scheme informing the public of important information since 1943.

Public notice newspaper advertising is an extension of journalism that protects the authenticity of and access public information. In this case it also helps protect the peace of mind of many millions of Californians. Please do not disrupt this vital aspect of service to the people.

For all of these reasons, CNPA strongly urges your "NO" vote on AB 253.

Sincerely,



CNPA General Counsel

Regina Brown Wilson

Regina Brown Wilson
Executive Director, California Black Media

cc: Simon Grieve, CNPA Chairperson, Publisher, The Grunion, Beach Reporter, Palos Verdes Peninsula News
Jeff Glasser, CNPA Governmental Affairs Committee Co-Chair, Senior Vice President and General Counsel, Los Angeles Times
Steve Falk, CNPA Governmental Affairs Committee Co-Chair, CEO Sonoma Media
Chuck Champion, CNPA President and Chief Executive Officer
Matt Fleming, Counsel, Assembly Public Safety Committee
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