

From: bob@ewumedia.com
To: [Interim Government Affairs](#)
Subject: Public Comments For Government Meeting On Thursday, February 22, 2024
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February 20th, 2024

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Joint Interim Standing Committee on Government Affairs
Assemblywoman Selena Torres, Chair
Senator Edgar Flores, Vice Chair
Senator Skip Daly
Senator Ira Hansen
Assemblyman Max Carter
Assemblyman Reuben D'Silva
Assemblyman Gregory Koenig
Assemblyman Richard McArthur

RE: Preventing Unlawful Redaction of Law Enforcement Body Camera
Footage; Preventing the Intimidation of Journalists; Enforcing First
Amendment Protections for Journalistic Speech

Dear Senators and Assemblymembers:

EWU Media LLC ("the LLC") is a news gathering organization, incorporated in the State of Nevada, with over 8 million subscribers, which as a journalistic entity produces critical and educational videos concerning interactions between law enforcement, suspects, witnesses, and the public at large.

Body camera footage represents part of the LLC's content since it portrays real-world, unscripted interactions between sworn and non-sworn citizens which many viewers find to be informative and educational. In the past year some Nevada police agencies have refused to release unredacted body camera footage under public records requests, claiming that posting or displaying online images of police officers violates state law.

In other instances, officers have wrongfully exercised their authority by threatening to detain, arrest, and charge individuals for making and sharing recordings of police officers in public places in the execution of their duties while simultaneously not interfering with those duties. These are, on their face, gross misapplications of state law.

By way of clearly established precedent, recording officers is held to be protected First Amendment activity, and it plainly follows that display of these lawfully recorded images is therefore protected speech, otherwise the right is hollow and without merit. Likewise, there is no

value in the mandated use of body cameras if footage is so heavily redacted by law enforcement agencies as to render it worthless in the pursuit of both reporting and commenting on the actions of public officials.

The LLC requests the Legislature amend and clarify these laws to protect journalists and journalistic organizations from police misapplication of the law, to forbid law enforcement intimidation tactics against journalists, and to command, by way of legislation, the unredacted release of footage not otherwise in violation of existing privacy laws.

Respectfully submitted,

Robert Forney
EWU Media LLC