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for purposes of identification.*

By Email

October 20, 2021

City Attorney Eric Mitton  
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Re: City of Medford v April Ehrlich, Case No. 20F16736-37

Dear City Attorney Mitton:

We are in receipt of your response to our letter of October 12, 2021, in which we urged you to dismiss with prejudice the pending criminal charges against journalist April Ehrlich given the serious First Amendment concerns raised by her continued prosecution—concerns that the undersigned news media organizations are uniquely qualified to address.

As an initial matter, to the extent you intended to suggest that our letter's recitation of facts in the public domain and views concerning the First Amendment implications of your prosecution of Ms. Ehrlich are somehow prejudicial to Ms. Ehrlich's ability to obtain a fair trial, we strongly disagree. In particular, your citation to an outdated Oregon State Bar Press Broadcasters Council "Joint Statement of Principles"—which was rescinded in 2008—is misplaced. *See* Robben, Janine, *Media Matters: Bench, Bar and Press Craft New Guidelines for the 21<sup>st</sup> Century*, Oregon State Bar Bulletin (Jan. 2009), <https://perma.cc/5Q5S-29SU>. For your reference, we have attached a copy of the current "Oregon Media and the Courts: a resource for lawyers, judges, and journalists handling high-profile legal cases," which makes clear, among other things, that the "publication of information which is already in the public domain" is, of course, unobjectionable.

The undersigned reiterate the request made in our October 12, 2021, letter that your office and the City of Medford consider the important First Amendment principles at stake when determining whether to continue to prosecute Ms. Ehrlich for trespass and resisting arrest, and that you take steps to prevent similar arrests and prosecutions of journalists from occurring in the future.

We appreciate your attention to this important issue. Please feel free to contact Bruce Brown, Executive Director of the Reporters Committee, with any questions at [bbrown@rcfp.org](mailto:bbrown@rcfp.org).

Sincerely,

The Reporters Committee for Freedom of the Press

ACLU of Oregon  
Advance Publications, Inc.  
The Associated Press  
BuzzFeed, Inc.  
California Broadcasters Association  
The Center for Investigative Reporting  
(d/b/a Reveal)  
Clackamas Review/Oregon City News  
Committee to Protect Journalists  
The E.W. Scripps Company  
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cc: Mayor Randy Sparacino  
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Enclosure