

ARREST OF AWARD-WINNING JOURNALIST RULED UNCONSTITUTIONAL; CHARGES DISMISSED

April Ehrlich was arrested in a public park on September 22, 2020, in Medford, OR, while she was doing her job as a reporter for Jefferson Public Radio.

Ms. Ehrlich was reporting on the City of Medford and law enforcement's handling of "illegal camping" in Hawthorne Park, a public park in Medford. On September 19, 2020, Ms. Ehrlich contacted the then-Chief of Police at the Medford Police Department to inquire whether law enforcement was planning to take any action in Hawthorne Park in the near future. Unbeknownst to Ms. Ehrlich, then-City Manager Brian Sjothun had already ordered that Hawthorne Park be closed starting on September 22, 2020, for a sweep. The then-Chief of Police at the Medford Police Department concealed from Ms. Ehrlich law enforcement's plans for the park.

On September 22, 2020, Ms. Ehrlich went to Hawthorne Park to report on the interactions between law enforcement and people "illegally camping" in the park. Law enforcement knew that Ms. Ehrlich was a reporter for Jefferson Public Radio, and that she was doing her job by covering the "illegal camping" sweep of Hawthorne Park.

Despite that knowledge, several members of the Medford Police Department, and a probation officer employed by Jackson County, arrested Ms. Ehrlich on a charge of trespassing.

Ms. Ehrlich was also arrested on a charge of resisting arrest. Bystander videos, as well as police bodycam footage, clearly showed that Ms. Ehrlich did *not* resist arrest. Furthermore, the bystander videos and police bodycam footage contradicted the claims contained in the police reports.

After being led out of Hawthorne Park in handcuffs, Ms. Ehrlich was taken to jail where she was confined for hours.

Thereafter, the City Attorney's Office prosecuted Ms. Ehrlich on one count of trespassing and one count of resisting arrest.¹ According to the [U.S. Press Freedom Tracker](#), Ms. Ehrlich is one of eleven journalists to be prosecuted in the country.

Jacob Houze, Ms. Ehrlich's Portland-based criminal defense attorney, filed a motion to dismiss the trespass charge because the City Manager's order closing the public park, and law enforcement's implementation thereof, violated Ms. Ehrlich's rights under the First Amendment.

An *Amicus* brief was filed by the Reporters Committee for Freedom of the Press also urging the Court to dismiss the trespass charge on Constitutional grounds. That brief was signed by 52 news media organizations, including: The New York Times Company, The Washington Post, The Associated Press, Gannet Co., Inc. (owner of USA Today),

¹ Ms. Ehrlich is referred to as April Fonseca in the pleadings. Fonseca is Ms. Ehrlich's married name.

National Public Radio, Inc., Politico LLC, Bloomberg L.P., The Los Angeles Times Communications LLC, Mother Jones, The Oregonian, Oregon Public Broadcasting, and Oregon Association of Broadcasters.

On August 26, 2022, Judge William P. Haberlach granted the motion filed by Jacob Houze to dismiss the trespass charge as unconstitutional. Four days later, on August 30, 2022, the City Attorney's Office moved to dismiss the resisting arrest charge, and Judge Haberlach granted that motion. Nearly two years after her unconstitutional arrest, Ms. Ehrlich's case was finally dismissed.

April Ehrlich earned a National Edward R. Murrow Award in 2020 for her reporting on wildfires in Northern California. Ms. Ehrlich also earned Regional Edward R. Murrow Awards for her reporting in 2019 and 2021. Ms. Ehrlich is now the Weekend News Editor at Oregon Public Broadcasting. Ms. Ehrlich is a Member of the Board of Directors at the Society of Professional Journalists Oregon Chapter.

"I was humiliated and traumatized that day, and for the last two years, the City of Medford has forced me to relive those events by prosecuting me. My arrest and prosecution were an attack on our Constitution's First Amendment and our democratic freedom of the press." – April Ehrlich

Attachments:

- Motion to Dismiss Trespass Charge and Memorandum in Support Thereof (with Exhibits)
- *Amicus* Brief
- Order Granting Motion to Dismiss Trespass Charge
- Motion and Order Dismissing Resisting Arrest Charge