

Dear Mr. Osterreicher:

Your letter to the California State Parks and Recreation Commission dated May 6, 2013 regarding an incident at San Onofre State Beach that occurred on April 29, 2013 has been referred to me for response. Louis Nastro has also referred an email to me regarding another incident that apparently occurred today. I have made some initial inquiries into the incidents and reviewed the public safety report prepared by the State Park Peace Officer involved in the April 29, 2013 incident. The California Department of Parks and Recreation has always prided itself on its openness and positive relations with members of the press and media, and takes the concerns cited in your letter very seriously. I am preparing a formal response which I will get to you within the next two weeks. In the meantime, please direct all further inquiries to me rather than Mr. Nastro.

While we do not yet have all of the facts bearing on either situation, I would like to make a few observations based on our preliminary information. My information indicates that the news reporters/photographers did not identify themselves as media when they entered San Onofre State Beach, and were not driving vehicles that identified them as news media. Normally news media identify themselves upon entrance, and the Department does not require them to pay entrance fees. My information also indicates the filming did not occur on State Park property. The filming apparently occurred on San Onofre Nuclear Generating Station property adjacent to San Onofre State Beach. It should also be noted that the initial incident occurred only two days after the Boston Marathon bombing, when the nation was on high security alert. Finally, our officers did not initiate the contact independently, but in both instances were responding to a request from the San Onofre Nuclear Generating Station security personnel to detain unidentified persons filming in a secured area.

As I stated, these are preliminary observations only. We are taking your letter and emails seriously and will gather information and respond to your letter in the near future.

Claire P. LeFlore

Chief Counsel

California State Parks