

What's Happening

IN CALIFORNIA ?

BY LAWRENCE GABLE

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Some photographers try to get photos of celebrities in private or unguarded moments. Often they are just a bother, but sometimes they invade the celebrity's privacy. In 2010 California has strengthened a law that

The Law Gets Tough with Paparazzi protects people from these photographers called "paparazzi." In 1999 California created the first law in the U.S. to control paparazzi. There was great public outcry against them then, because they had played a role in the car crash that killed England's Princess Diana. Her

brother criticized the press when he spoke at her funeral, which more than two billion people watched on television.

The law protects celebrities against invasion of privacy. That could be a trespass, when the photographer physically enters the celebrity's property. It could also be the use audio or video equipment from a distance. The State updated the law again in 2006. That made paparazzi responsible for altercations that they cause.

Now a new amendment strengthens the law. It makes it a crime to take and sell unauthorized photos of celebrities in "personal or familial activity." It also makes it a crime for newspapers, magazines and TV shows to buy those photos. It also holds them responsible for paparazzi's misbehavior. Finally, it increases the penalty for breaking the law to \$50,000.

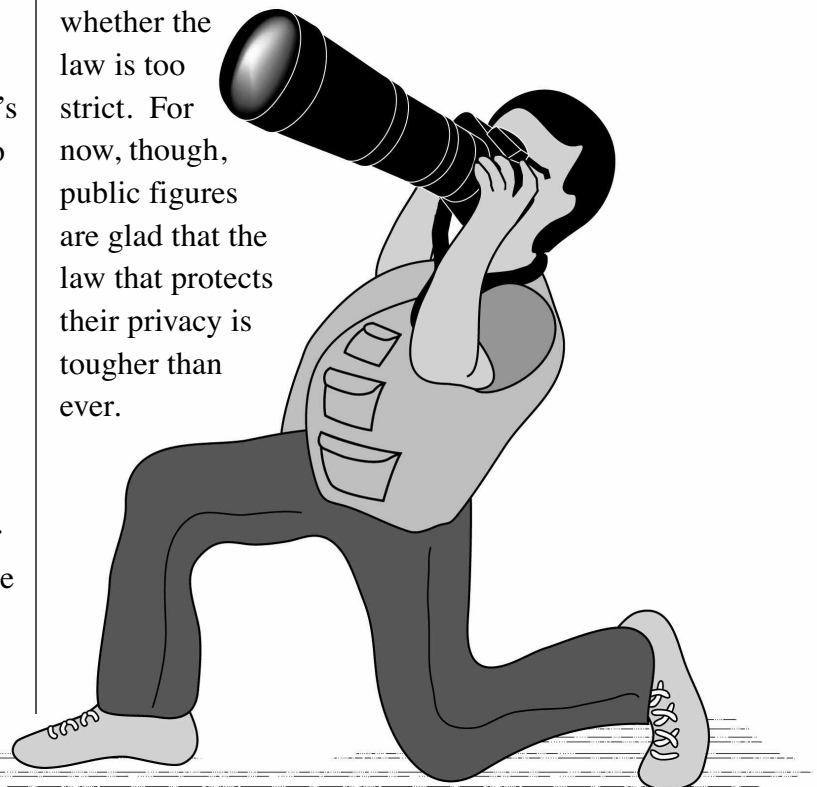
Photos of celebrities are big business. A photographer can get hundreds of thousands of dollars for a single photo. That makes them willing to invade someone's privacy. Paparazzi

have trespassed at homes and schools, and at private events like funerals and weddings. They also have used their vehicles to block celebrities' vehicles and to chase them at high speeds.

Celebrities fight paparazzi in a number of ways. They use false names and secret entrances at hotels. They hire security guards. Often they hire extra cars as decoys. Recently some stars have released their own photos of children or weddings. In that way the photos from paparazzi lose their value. Finally, of course, some have taken paparazzi to court.

Privacy laws cover people differently. Ordinary citizens have the right to be free from public exposure. However, the law is different for "public figures" like movie stars, athletes and politicians. It allows public exposure, but still gives them a "reasonable expectation of privacy."

No other state has a law quite like this. Experts think that someday a court will decide whether the law is too strict. For now, though, public figures are glad that the law that protects their privacy is tougher than ever.



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BIOGRAPHY

MARK BOSTER

STAFF PHOTOGRAPHER, *LOS ANGELES TIMES*

When Mark Boster was a boy, his parents did not especially like to take photos and movies. They let him do it instead. That interest in photography grew, and it even became a career. For 27 years he has been a photographer for the *Los Angeles Times*.

As a boy Mark played sports. In high school he did really well in football, wrestling and track. At CSU Fullerton he played football too. However, his playing days ended when he got a bad concussion. The doctor told him he had to stop playing, and he never played again.

When Mark thought about a career, coaching football was high on his list. However, even before his concussion he had taken classes in photojournalism. He worked for the college newspaper. In the early 1970s college campuses were busy places politically. He still has photos of famous activists like César Chávez and Jane Fonda.

After college Mr. Boster got a job at his hometown newspaper, the *Whittier Daily News*. His salary was awful, but he gained valuable experience. As a result, he was able to move to a larger newspaper, then another. Finally in 1983 he got his job with the *LA Times*, one of the best and largest newspapers in the U.S.

Mark Boster's workday begins around 5:30 a.m. He listens to the radio and to police scanners while driving to work. If he hears about

something interesting, he goes directly there. Normally the photo editor sends him somewhere, and he and the reporter will agree on what photo will work best. His day is supposed to end at 3:30, but it seldom does.

Mr. Boster spent a little time outside of California. In the late 1990s the *Times* asked him if he would go to Eastern Europe. A war there had just ended, but there was still danger. There were landmines and gunfire. He also saw some sickening things like mass graves. In the month he was there, he was tense the whole time.

The normal day has a lot of variety in it. He might drive 200 miles to different places, and

he meets some wonderful people. He dislikes courtrooms because the stories there are so sad. Mr. Boster has a photo in the newspaper almost every day, and on the *Times*' Web site too. With digital cameras and computers he can take a photo and send it to the *Times* within a minute.

Mark Boster has one photo framed and hanging on a wall at home. It shows the six U.S. presidents who were attending the funeral of President Richard Nixon. He has lots of other photos stored away, and someday he will go through them again. Until he does, all he has to do to see one of his photos is open up the newspaper.



"I see the best and the worst of life every day."

Background Information

Assembly Speaker Karen Bass (Los Angeles) introduced the amendment, Assembly Bill 524. Gov. Schwarzenegger signed it into law in October, and it took effect on January 1.

The law states that the rights of a free press “to report details of an individual's private life must be weighed against the rights of the individual to enjoy liberty and privacy.”

Taking a photo in public is almost always legal. However, it is not legal in emergency areas like crime scenes where police are involved. It is also illegal to take a picture of a person in a public place and use it to sell products.

The California Newspaper Publishers Association opposed the bill. It claims that the law now exposes people engaged in First Amendment activities to penalties that other people do not face.

As of 2006 the law also prohibits photographers from earning money from photos that they take during altercations.

California's law applies even to those media outlets that are not based in California.

Legal experts say that the law could have implications for people who post photos on the Internet. It could be argued that people who add photos to blogs and social-media sites are publishers. If so, they could face lawsuits, even if they unwittingly post photos that were taken illegally.

The term “paparazzi” apparently came from the famous Italian film director Federico Fellini. He gave that name to a character who was a photographer, and said that the name sounded like “a buzzing insect.”

Paparazzi are not usually considered professional members of the press. In contrast to them are photographers who are employed by magazines and newspapers. They get a salary, equipment and cars from the employer. Any photos that they take belong to the employer.

Gov. Schwarzenegger experienced an infamous moment with paparazzi in 1997 when he was still a Hollywood star. He and his wife, Maria Shriver, were driving their young son to school. Two photographers in separate vehicles wedged the couple's car and forced it to stop. A court later convicted the two of false imprisonment.

Topics for Discussion and Writing

Pre-reading:

- Why do people whose careers put them in the public eye need a law to protect their privacy?

Comprehension:

- How does California's law protect public figures?

Beyond the Text:

- How do tabloid newspapers at the grocery store differ from your local newspaper?
- What do you think the advantages and disadvantages are of being famous, or of being related to a famous person?
- Private citizens who have willingly become involved in a public controversy also become “public figures.” Give some examples of such people.

Vocabulary

Article-specific: celebrity; privacy; outcry; funeral; altercation; unauthorized; decoy

High-use: to invade; to criticize; equipment; to update; amendment; exposure; expectation; strict

Sources

Los Angeles Times December 30, 2009

Wall Street Journal October 29, 2009

Sacramento Bee October 22, 2009

CNN.com October 14, 2009

Christian Science Monitor October 14, 2009

Time June 24, 2001

CA Curricular Standards (4–12)

English - Language Arts

Reading 1.0 Vocabulary Development

2.0 Comprehension (Informational Materials)

Writing 1.0 Writing Strategies

2.0 Writing Applications

ELD—Intermediate and Advanced

Reading Vocabulary Development / Comprehension

Writing Strategies and Applications

Listening and Speaking