



# OREGON DEPARTMENT OF EMERGENCY MANAGEMENT

## House Bill 4087 Guidance

Media access to active disaster sites involves balancing personal safety and responder resources with the need for media to share timely information with the public.

HB4087 allows public safety responders to provide media access, with confidence they have received basic training in how to safely conduct themselves around disaster sites, without placing additional burdens on first responders and incident commanders.

HB4087 created a committee charged with developing training content and a credentialing process. The committee of public safety professionals and media created a training outline that agencies, professional associations, trade associations and others may use to teach best practices for media access. Those who complete training receive credentials that they may show to front-line incident personnel. Current proof of training is not a guarantee of access, however. Incident commanders and their delegates still have ultimate authority to deny access to ensure the safety of response personnel, effectiveness of operations and integrity of investigations.

Examples of when access may be denied based on the on-scene commander's assessment regarding the safety of response personnel, safe and effective emergency response, or the integrity of an investigation:

- Access may be denied to immediate areas where heavy equipment or aircraft are in use, both of which require their operational areas to be clear of non-essential, unauthorized personnel to avoid injuries or death and prevent further damage/loss.
- Access to the scene by way of drone or personal/commercial aircraft use may endanger response personnel and limit operations and, as such, may be restricted. If drones or other aircraft are in the vicinity of a fire or rescue operation, incident aviation operations may be suspended for the safety of pilots, crews, and response personnel on the ground.
- Access may be denied to the entire scene of a wildfire to avoid destruction of evidence needed to determine the fire's cause and origin point.

These examples are not all-inclusive. On-scene commanders should use their best judgment to determine whether granting unescorted access could interfere with the safety of response personnel, safe and effective emergency response, or the integrity of an investigation. The likelihood of interference must be balanced with the critical need for media to keep the public informed. ***Concerns about the safety of media representatives cannot be a determining factor when deciding whether to grant access to the scene of a disaster site.***

Training allows members of the media to become knowledgeable, safe observers. Training focuses on safety and establishing appropriate lines of communication with on-scene emergency personnel. Training should be thorough, but not to the level of expertise and capability of a firefighter or other first responder. The suggested

timelines for initial and refresher training are maximums, to encourage participation without overwhelming participants.

Important notes regarding media without training credentials, such as national media who travel to Oregon to cover a major incident:

- Any member of the media may request escorted access to a scene.
- Incident commanders or their designees may require training credentials to grant unescorted access. If an incident commander is satisfied that a media representative has sufficient knowledge of safety protocols, then access may be granted at the media members' own risk.

### **Training Components for Media Who Desire Unescorted Access to Disaster Scenes:**

1. Initial training, of which a large portion may be done online.
  - Training should include:
    - Scope of HB4087:
      - The access requirement doesn't grant access through every roadblock and to every scene of a natural disaster, but specifically those that meet both of the following criteria:
        - The scene is on non-federal public lands **and**
        - The public is blocked from accessing the scene.
      - Access does not include:
        - Public schools, community colleges, or university properties.
        - Private property. Access to private property can only be granted by the property owner.
        - Federal lands.
      - Applies to scenes of "wildfires and natural disasters," which may include floods, earthquakes, ice storms, or landslides. It **does not include** a wide variety of other incident types, such as car crashes, shootings, line-of-duty deaths, hazardous materials/oil spills, etc.
    - Wildfire in Oregon:
      - Oregon's coordinated fire response system.
      - How to find and check in with incident commanders and/or public information staff before entering an area closed for a natural disaster. Check-in is not required, but it is strongly encouraged.
    - Entrapment avoidance, fire shelter training and deployment.
    - Understand basic fire behavior and terminology:
      - How fires burn/spread.
      - The fire environment: pre- and post-fire environments.
      - Recognizing when conditions create potential for extreme fire behavior.
    - Understand Fireline Safety:
      - [The 18 Watch Out Situations.](#)
      - LCES (Lookouts, Communication, Escape Routes, and Safety Zones) – A System for Operational Safety.
      - Lessons learned.
      - Hazards associated with aerial operations.
      - Driving and safety.

- Personal Protective Equipment (PPE) use and limitations.
- Risk Management in the Wildland Urban Interface (portions of NWCG S-130 Unit 13).
- All risk training for landslides, earthquakes, ice storms, flooding with ODOT and OEM partners—COMING SOON.

**2. Annual refresher.**

**3. Training Records:**

- Each organization or agency that does training must keep a record of the training, including presenters, participants, location, and date. The presenting organization signs off on completion of an individual’s training and reports trainee information to the Oregon Chapter of the Society of Professional Journalists (SPJ).

**4. Other Recommendations:**

- It is strongly recommended that experienced media presenters are included in training programs, whether recorded or in person.
- Presenting organizations and issuers of training credentials may charge fees to cover costs of training and any printed materials.

**Personal Protective Equipment Requirements**

Media representatives must carry PPE appropriate for the scene they wish to access. Public agencies are not required to provide PPE to media representatives, nor are they responsible for assessing the appropriateness or condition of the PPE carried by media representatives. Incident commanders may deny access to media representatives who aren’t carrying PPE appropriate for the incident.

The PPE items needed to be safe on a site depend on the conditions on the ground and where a reporter wants to go. A reporter who does not wish to get close to a fire line or other active site only may need basic, all-hazards gear, while someone venturing close to an active fire or its probable path will need additional equipment, including a fire shelter.

**REQUIRED ALL-HAZARDS CORE GEAR (includes non-wildland areas impacted by wildfire)**

- High visibility safety vest.
- Long pants.
- Enclosed shoes or boots (steel toe not recommended for wildfire).
  - *If planning on covering wildfires, media representatives may consider investing in boots that meet wildland fire PPE standards to fulfill both all-hazards and wildland PPE requirements.*
- Hard hat.
  - *If planning on covering wildfires, media representatives may consider investing in a helmet that meets wildland fire PPE standards to fulfill both all-hazards and wildland PPE requirements.*
- N95 mask or respirator or dust mask (dust or smoke).

**REQUIRED ACTIVE WILDLAND FIRE ZONE PPE**

Required wildfire PPE is outlined in Chapter 7 of the [Interagency Standards for Fire and Fire Aviation Operations](#), also known as “Red Book.” The PPE listed below is required when entering a wildland area where fire is actively burning. Maintaining sufficient PPE and knowing how to use it is solely the media representative’s responsibility. Required wildland fire gear includes:

- Wildland fire boots: leather exterior, lace up, are at least 8 inches high (measuring from heel to the top of the boot), and melt-resistant, lug soles.
- Helmet with chinstrap.
- Goggles or safety glasses.
- Ear plugs or another type of hearing protection.
- NFPA-compliant (1977) long-sleeved, flame-resistant shirt.
- NFPA-compliant (1977) flame-resistant pants.
- Leather, or leather-and-flame-resistant, gloves.

*Media should avoid wearing clothing made of synthetic materials, including polyester, polypropylene, and nylon materials. Most synthetic fibers melt when exposed to flame or extreme heat. Undergarments should be made of 100% or the highest possible content of natural fibers, aramid, or other flame-resistant materials.*

A fire shelter may be required PPE under certain circumstances. Fire shelters are the last resort when trapped by a wildfire. Initial certification and annual recertification of proficiency in fire shelter use are required. Fire shelters typically cost \$500-\$600 each.

### **Proof-of-Training Credentials**

- Credentials certify that a media representative has successfully completed the required training.
- Credentials do not certify whether someone is a member of the news media or member of the public.
- Credentials are individual and not transferrable to others.
- Credentialed media cannot act as an escort for uncredentialed media or members of the public.
- Credentials are annual and may be renewed by completing a half-day refresher training. (See training outline above.)
- Credentials must be presented as either a physical card, which may be a wallet card or luggage-tag type printed card, or phone-accessible image or file carried by the media representative.
  - A common card design will be used by all issuers of credentials.
  - Carrying a physical card is strongly recommended, because incidents often occur in areas without cell service or cell service is not available due to the incident itself.
  - Credentialed media will also be provided with printed parking placards. Placards must be visible when on scene in a vehicle.
- Credentials will be issued by the agency that provides training or by the Oregon Chapter of the Society of Professional Journalists, upon presentation of proof of training completion.
- Incident commanders and other first responder agencies will be trained on what credentials mean.
- SPJ will maintain a list of trained media. OEM will post a list on the already-established web page.
- SPJ will follow up with journalists and/or their employers on any reported issues of non-compliance with training or incident ground rules.