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***Joint Statement on Federal Judge's Decision to Deny Motion to Dismiss
Constitutional Challenge to Texas Drone Statute***

Upon a federal judge's [decision to deny](#) Texas state officials' motion to dismiss the lawsuit seeking to overturn the state's drone statute that prohibits pivotal journalism, the plaintiffs' legal team had this reaction:

That our constitutional challenge to one of the most restrictive drone statutes in the country will continue is a victory for the First Amendment, and for tenacious and innovative visual journalism. Texas Government Code Chapter 423 makes it a crime and imposes civil penalties on journalists' use of drones to capture images of a person or privately owned real property, regardless of where the drone is located.

The drone law carves out exceptions for private industry - including oil and gas, real estate, and agribusiness - but not for visual journalists using drones to report on hurricanes, immigration detention facilities, environmental degradation, and other stories of fundamental public interest. We hope to see the law struck down as unconstitutional soon.

- The legal team representing the clients in this legal challenge (The National Press Photographers Association, the Texas Press Association and an independent journalist), which consists of Yale Law School's Media Freedom and Information Access Clinic (MFIA), Public Justice, and Jim Hemphill of Austin law firm Graves Dougherty Hearon & Moody, P.C.