

Barbra Streisand Sues to Suppress Free Speech Protection for Widely Acclaimed Website: www.Californiacoastline.org

Seeks Special Treatment to Remove Photo of Malibu Coastline That Includes Her Blufftop Mansion

Barbra Streisand, known for espousing pro-environmental views and criticizing those who don't, has sued the California Coastal Records Project, a landmark photographic database of over 12,000 frames of the California coast shot since 2002, asserting that the inclusion of a single frame that includes her blufftop Malibu estate invades her privacy, violates the "anti paparazzi" statute, seeks to profit from her name, and threatens her security. Other defendants in the case are the Project's Internet Service Provider, Layer42.NET, and Pictopia.COM, who provides finished prints of the photographs.

Streisand, whose address is easily accessible on any search engine web site and whose numerous estates, including her current Malibu residence, have been featured on numerous web sites that contain similar aerial shots of her estate, interior shots with James Brolin, and links to detailed driving instructions to her Malibu address, filed suit in LA Superior Court on May 20, 2003. In contrast to such other web sites, the www.Californiacoastline.org web site contains just one aerial shot, of which a small portion contains her blufftop estate and does not include the address of Streisand's estate, interior shots of the home, or driving instructions nor is the site or photo linked to web inquiries associated with the Streisand name.

The California Coastal Records Project is the brainchild of successful Silicon Valley entrepreneurs and retired dot-com millionaires Ken and Gabrielle Adelman. The Adelmans self-funded this massive and historic database of the California Coast and used their personal helicopter and the latest computer and photographic equipment to take the photos. Gabrielle pilots the helicopter while Ken leans out the side, camera in hand, taking shots roughly every three seconds. The photos are then made available to the public on www.Californiacoastline.org. The Adelmans are committed environmentalists and strong supporters of solar energy and electric vehicles. Their home is powered by the largest residential solar energy system in California and they own four electric vehicles. Within the environmental community, they are best known for their lawsuit against PG&E when PG&E refused to let them use their solar system during the energy crisis.

The Adelmans do not profit from the web site. Their single goal is to advance the cause of coastal protection by enabling the public to access "truth in pictures." The public is entitled to download pictures from the site for free. Pictures are also available for purchase, but any revenues derived from purchases of the photographs are donated to a nonprofit that is dedicated to protecting the California coast. The site has been hailed by Paul Hawken, a California-based tech entrepreneur and author of business and ecology books as a "breakthrough that will remake government planning." So far, numerous federal, state and local agencies and scientists have received permission to use the photos in their reports and scientific research, including National Oceanic and Atmospheric Administration (NOAA), United States Geological Service (USGS), National Park Service (NPS), California Department of Conservation, California State Lands Commission, California Coastal Conservancy and others.

Streisand's actions have been met with disbelief by committed coastal activists. "It is inconceivable to me that someone who proclaims herself an environmentalist would threaten to dismantle one of the greatest high tech projects to protect the California coast in all time just because they chose to place their backyard on a coastal bluff," said Mark Massara of the Sierra Club's Coastal Program. "At some point, someone needs to sit her down and tell her the public interest is at stake here."

Streisand, who is in the process of doing extensive development on her blufftop estate, seems to be traveling the path paved by local government officials and private property rights activists in Malibu who bristle at having to comply with the regulations that govern development along the coast of California and who object to the web site on the grounds that it would allow people to document their numerous violations. Streisand isn't alone in her concerns about the web site; the Pacific Legal Foundation's Harold Johnson said that he has received calls from oceanfront homeowners about pictures of their property on the web site complaining that the pictures invade their privacy. One resident, who is reported to have violations on her property, even downloaded pictures from the web site and mailed them to high profile Malibu residents insinuating that "big brother was watching them" in an attempt to round up support for closing down the web site. The Adelmans are considering a lawsuit based on copyright infringement and slander against this individual and others.

The Adelmans refuse to be intimidated by the tactics of Streisand, whom they now view as attempting to undermine the constitutional protection of free speech and the voter-approved Coastal Act of 1976. "We are profoundly disappointed that Ms. Streisand chose to attack such an important public resource over one out of 12,000 images of the California Coast," said Ken Adelman. "Streisand moved to the California Coast because of its beauty, and now she seeks to deny the public the right to see and protect

the same coast that she enjoys."

"The California Coastal Records Project is a labor of love," said Gabrielle Adelman. "As pilots, Ken and I get a bird's eye view of the continuing environmental degradation that threatens the California coast. There used to be salmon runs on the Pajaro, abundant condors and pristine beaches anyone could walk on. Now we have irrigation ditches, channelized rivers, seawalls, sand starved beaches strewn with garbage and arrogant wealthy homeowners trying to claim that the Pacific coast belongs to them alone. Our web site documents what exists now, and unless we fight everyday to protect it, the degradation will only get worse."