

The state of California has joined the party. By “party” I mean the increasingly ambitious climate liability litigation against Big Oil. And when California shows up at the party, the volume goes way up. There’s already been a lot of smart analysis on the legal arguments (including by UCLA’s Cara Horowitz here). I’d like to take a moment to acknowledge that this case was made possible, in large part, by journalists.

“I didn’t know.” That’s how Gov. Gavin Newsom answered a question by the New York Times’ David Gelles, who leads the Climate Forward newsletter. Gelles was asking Newsom, on stage during the start of Climate Week, what it’s been like reading the litany of evidence in the case against Exxon Mobil, Shell, BP, ConocoPhillips, Chevron, and trade group the American Petroleum Institute. “I didn’t know. I thought I knew, a little bit. These guys have been lying since the 1950’s, the 60’s, 70’s, 80’s. They knew—and they knew what to do about it to make sure we didn’t do anything meaningful about it.”

It’s true that few outside of the oil industry knew the grand scale of things until 8 or 9 years ago. That’s when teams of journalists dug around seeking to answer, “What did the oil companies know, and when did they know it?” And the answer was a lot, a long time ago.

The timeline is laid out in California’s complaint, filed in San Francisco Superior

Court. “Beginning in 2015, journalists began to uncover mounting evidence of Defendants’ campaign of deception,” the complaint says. “In September 2015, journalists at Inside Climate News reported that, as far back as the 1970s, Exxon had had sophisticated knowledge of the causes and consequences of climate change and of the role its products played in contributing to climate change. Between October and December 2015, several journalists at the Energy and Environment Reporting Project at Columbia University’s Graduate School of Journalism and the Los Angeles Times also exposed the fact that, as far back as the 1970s, Exxon and other members of the fossil fuel industry had had superior knowledge of the causes and consequences of climate change and the role their products played in causing it.”

The state’s complaint borrows the same frame, as “the road not taken.” Defendants could have chosen a different path but instead they covered up the path, the complaint argues. “They could have refrained from undermining the global effort to mitigate the impacts of GHG emissions, or contributed to it.” From these stories and many that followed, we learned how their internal scientific research and sophisticated models were directly at odds with their public-facing messages. We learned the great lengths that oil companies had gone to protect their own investments—even redesigning their offshore oil platforms to guard against sea level rise—while thwarting efforts by others to protect themselves.

It’s not unusual for legal complaints to cite news stories in the fine-print citations. It’s less common for news stories to show up repeatedly in the factual background of a complaint. And it is notable that this 135-page complaint—alleging misleading advertising, failure to warn, public nuisance and unlawful, unfair or fraudulent business practices among other causes of action—relies heavily on this evidence.

As Amy Westervelt notes in her Drilled newsletter, California’s role in this litigation shouldn’t overshadow the important work being done by 7 other states and dozens of cities and counties that sued first. Nor should we forget the researchers working on attribution science who have helped connect the dots from extreme weather events to anthropogenic climate change. But let’s also not overlook the journalists, Westervelt included.

Inside Climate News embarked on an eight-month investigation of Exxon, interviewing former employees, scientists, and federal officials, while combing through thousands of documents from archives including those held at the University of Texas-Austin, the Massachusetts Institute of Technology and the

American Association for the Advancement of Science. LA Times reporters and their collaborators similarly dug through hundreds of documents housed in archives in Calgary's Glenbow Museum. If not for this investigative work, California's governor and attorney general could not pursue such a sweeping case. That was then. Climate progress in this next critical decade will depend on the work of climate journalists and investigative reporters too.

It's as good a time as ever to ask, what is the state of climate journalism now?

I would say the state of climate journalism is strong… if strange.

We can look first at the scope of coverage: Last year, mentions of "climate change" and "global warming" in global media were up 38% over 2020, making it the year with the second-highest climate coverage overall. Then there's the matter of front-page importance: Climate activists landed on the front page of the New York Times this week, taking up four columns of A1. The organization Covering Climate Now, which supports and trains journalists in telling the climate story, put it this way: *"The New York Times covered the demonstration with the seriousness it deserved, laying out the stakes of the climate crisis for readers, examining how protesters' strategic focus has shifted, and contextualizing the scale of this protest… We journalists should treat activists as newsmakers, covering them like we do politicians or CEOs — accurately, fairly, and above all not ignoring them. This Times coverage would have been unimaginable just a few short years ago."* In fact, Covering Climate Now just announced the 2023 CCNow award winners from 1,100 entries, and there's perhaps no better survey of climate journalism than to peruse the selections. Those 1,100 entries are up from 900 last year and 600 the year before.

If you seek out information on the climate crisis, your options as a consumer have never been better. Many of the biggest media outlets have expanded their climate change teams. Last month, Politico launched the California Climate newsletter with an expanded reporting team based in the Golden State. Last year, the Washington Post created a Climate & Environment Department and grew its team to 30 journalists. Last fall, NPR created a climate desk separate from the science desk (a growing trend and a welcome one), adding a climate solutions reporter among others. The Los Angeles Times has long had a robust energy and environment reporting team and the Boiling Point newsletter written by Sammy Roth has become

a particularly strong climate news publication, with a focus on energy in the west. There's been a dizzying explosion of climate newsletters. Besides the ones I've already mentioned, there's Down to Earth (the Guardian), Heated, Grist's The Daily, Climate Coach (the Washington Post), Politico's Power Switch, Environment & Energy Report (Bloomberg). Newer digital outlets like Canary Media and Heatmap also send out a great newsletter. Nonprofit public media that doesn't hide behind a paywall has also invested heavily in climate coverage. CalMatters has a large team covering environmental and climate issues. Capital & Main's reporting on climate has expanded dramatically. Most public radio stations in California, including both in Los Angeles—KCRW and LAist—have a dedicated reporter; the latter just launched Climate Wednesdays dedicating an entire day to the climate story. This list is not comprehensive; I've said nothing about podcasts, but you get the idea.

More acts of climate journalism are being committed on a daily basis than ever before. Will this translate into deep investigations? Will for-profit media outlets that have recently laid off journalists continue to invest in time-consuming investigations? Let's hope it pays off in the crucial years ahead whether it's sharp coverage of U.N. climate conferences, oil industry tactics, corporate net-zero pledges, as well as consequential elections and legislative sessions. Small, independent newsrooms and upstarts have shown they deserve the public's support for their contributions to accountability journalism.

But what if you're *not* actively seeking out climate journalism? Climate journalism may not reach you. Media Matters says a lot of mainstream coverage still misses reaching key audiences and fails to focus on polluters. The worst news is that cable news and local TV news do a really poor job of covering climate change because they rarely make the connection to extreme weather. For example, just 2% of TV network segments on Hurricane Idalia mentioned climate change.

One of the stranger things about the state of climate journalism in 2023 is knowing where on social media to find an engaged climate conversation. There seems to be a collective angst about whether to share stories on X/Twitter, Threads, BlueSky, or just give up.

To bring it all back to California's lawsuit against big oil, there is a darker legacy of the media's involvement in climate deception which is also laid out in the detailed complaint. That is the way in which pages of the nation's largest newspapers and magazines were bought by fossil fuel companies and their trade associations to tout their products in ads, advertorials, and full-page spreads. "These include

advertisements containing false or misleading statements, misrepresentations, and/or material omissions obfuscating the connection between the production and use of fossil fuel products and climate change" the complaint says.

Today, news executives may want to read the 135-page complaint and reconsider all those native advertising and underwriting messages they're still selling. Because honestly, who wants to read a newsletter covering California's lawsuit against Big Oil that is "presented by ExxonMobil"?