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*Affiliations appear only
for purposes of identification.*

December 21, 2017

Jessie K. Liu, Esq.
U.S. Attorney for the District of Columbia
Judiciary Center Building
555 4th Street, NW
Washington, D.C. 20530

Re: *United States v. Wood*

Dear Ms. Liu:

The Reporters Committee for Freedom of the Press writes to express its concern about statements made by an Assistant United States Attorney during closing arguments in the prosecution of Alexei Wood. Mr. Wood live-streamed the Inauguration Day protest here in Washington, D.C., on January 20, 2017, and was arrested and charged with various crimes stemming from his presence at the protest. On December 21, 2017, he was acquitted.

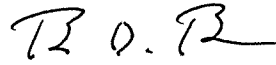
Specifically, we are troubled by statements made by Assistant United States Attorney Rizwan Qureshi during his closing argument that Mr. Wood could not be an “up-and-coming journalist” because of Mr. Wood’s familiarity with and use of certain words, such as “black bloc” and “kettle.” Transcript 79:12–80:5 (Dec. 14, 2017). To the contrary, familiarity with terms used by police and protesters during protests tends to demonstrate the opposite. Newsgatherers must be knowledgeable about the events they are covering, including the vocabulary used by participants and law enforcement. Indeed, the Reporters Committee regularly provides legal trainings and written materials to journalists who cover protests, including information about kettling, a common police tactic at protests. *See, e.g., Tips for covering protests*, The News Media & The Law 10 (Spring 2003), <http://rcfp.org/x?Oem8>; Emma Lux, *Journalists face charges in Inauguration arrests; one sees charges dropped*, Reporters Committee for Freedom of the Press (Jan. 27, 2017), <http://rcfp.org/x?lFDdb> (discussing “black bloc” protesters and “kettling”).

In addition, with respect to Mr. Qureshi’s comments during his closing arguments about Mr. Wood’s “fake press badge,” Transcript 80:3–5 (Dec. 14, 2017), the Reporters Committee emphasizes that there is no requirement that a journalist carry a “press badge” or “press pass” in order to cover a protest on public streets. Although the Reporters Committee advises reporters to carry credentials such as a photo ID and press pass if possible because doing so may help them avoid arrest or speed processing after an arrest, *see Tips for covering protests, supra*, reporters are not legally required

to carry a press pass to cover a public protest. Indeed, many freelance and independent reporters may carry limited or no credentials when reporting.

While journalists of course are not above the law and have no right to incite a riot or engage in acts of assault or vandalism, being near a newsworthy event is no crime for anyone, reporters included. In fact, journalists often head toward the center of any action so they can better serve the public by reporting events they personally witnessed, rather than something recounted by bystanders. Reporters belong in the field covering the news, not in a courtroom, and we will continue to do our part to ensure that journalists follow the law when covering protests and avoid the kinds of misunderstandings with law enforcement which can lead to mistaken detention or arrest.

Sincerely,

A handwritten signature in black ink, appearing to read "B. D. Brown". The signature is written in a cursive, slightly stylized font.

Bruce D. Brown