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*Affiliations appear only
for purposes of identification.*

Re: *State v. Tisdale*

Dear Judge Christian:

The Reporters Committee for Freedom of the Press writes this letter in support of Nydia Tisdale, a journalist who was arrested while filming a political rally in 2014 and convicted of obstructing an officer on December 4, 2017. The Reporters Committee is a national association of reporters and editors that defends the First Amendment freedoms and newsgathering rights of journalists. Since 1970, we have worked with reporters across the country who, like Tisdale, faced arrest for their work.

We write because we are deeply troubled that a journalist would face jail time stemming from her newsgathering activities, and we ask you to consider Ms. Tisdale's important work in informing the public and impose the most lenient sentence possible.

Journalists seek to inform citizens about their community, their government and their elected officials, and they function as surrogates for the public within the political process by monitoring public officials and candidates for public office. That is exactly what Tisdale does. Her work filming city council meetings, government press conferences, and other community events has undoubtedly helped numerous residents learn about the activities of their government. Her camera serves as their eyes and ears at public proceedings they may not be able to attend themselves. Indeed, for this reason, she was honored for her work with the Georgia First Amendment Foundation's "Open Government Hero Award" in 2015.

Tisdale performs this public service while engaging in a constitutionally protected activity. Democratic societies depend on an informed electorate, and this country has long recognized a tradition of openness in the political process. The citizens of Georgia have a right to know what is happening at public campaign events, and a free, unrestrained news media is essential to that process. That a journalist was removed from a public event by a police officer, arrested, and charged based on her presence at the event, is contrary to the very idea of open government and a free press.

We understand from news reports that the officer involved believed Tisdale did not have permission or the right to film. Even if that were true,

the situation should have never escalated to the point of arrest. We recognize that reporters cannot violate generally applicable laws—and at the Reporters Committee, we train reporters to understand their legal rights—but the circumstances of this case indicate that leniency in Ms. Tisdale’s sentence would be appropriate.

We ask that in weighing your sentencing decision in this case, you consider that Ms. Tisdale was engaged in newsgathering at the time of her arrest. Further, Ms. Tisdale’s activities created no threat to public safety. Rather, she performs a valuable public service for the residents of surrounding communities, as well as all of Georgia. We ask that you credit Tisdale for her time served and otherwise impose no jail time.

If Tisdale serves jail time or is fined because she recognized and spoke up for her right to cover the news, it would set a very dangerous precedent. A harsh penalty for Ms. Tisdale will chill the newsgathering activities of reporters throughout Georgia, to the detriment of the public and our democratic process.

Respectfully,



Bruce D. Brown