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Via FedEx, Fascimile & Email

November 21, 2011

Deputy Commissioner Paul J. Browne
Office of the Deputy Commissioner of Public Information
New York Police Department
1 Police Plaza
New York, NY 10007

Re: NYPD – Press Relations

Dear Deputy Commissioner Browne,

The signatories below wish to express their profound displeasure, disappointment and concern over the recent actions taken against the media during the Occupy Wall Street demonstrations near and around Zuccotti Park. Over the past few months we have tried to work with DCPI to improve police-press relations. However, if anything, the police actions of last week have been more hostile to the press than any other event in recent memory. Indeed, in vivid contrast to the spirit and substance of our meeting in August, the credentialed press were targeted and subject to increased scrutiny and greater restrictions than members of the general public.

According to reports from our clients, credentialed media were identified, segregated and kept away from viewing, reporting on and photographing vital matters of public concern. A press pen was set up blocks away and those kept there were further prevented from seeing what was occurring by the strategic placement of police buses around the perimeter. Moreover, there have been numerous instances where police officers struck or otherwise intentionally impeded photographers as they were taking photos, keeping them from doing their job and from documenting instances of seeming police aggression.

The following are but a few of many examples of police behavior that clearly violates NYPD policies and procedures as concerns the media. Upon request we will provide many other similar examples of police overreaching their authority:

- On 11/15 during the “eviction” of Zuccotti Park, a member of DCPI called out to all members of the press. He asked “who had credentials?” and then instructed those who did to leave the park immediately or be subject to arrest. At this point there were several hundred people and police officers inside the park. After making his announcement a Community Affairs member grabbed one newspaper photographer and dragged him from the park. At the same time this Community Affairs officer also threatened to arrest another credentialed photographer for being inside the park.

- A female photographer, who was carrying clearly visible DCPI-issued press credentials, was taking photos of protestors near the corner of Pine and Williams Streets about 9AM on 11/17/2011. At one point, an officer (recognizing that she was a member of the media) advised her to move to the sidewalk to avoid being caught up in the police action. As she moved towards the sidewalk, another officer told her to move to the sidewalk on the other side of the road. A short time later, before she got to any sidewalk, she was grabbed by a third officer and thrown to the ground, hitting her head on the pavement.
- A female reporter, also displaying DCPI-issued press credentials, was standing with a group of photographers at a barricade on Cedar Street, between Broadway and Trinity Place, about 12PM on 11/17/2011 when a group of police officers moved towards them and started pushing the group back. One officer, described by the reporter as very tall (approximately 6'5"), shoved the reporter with both his arms, forcing the reporter to fall backwards, landing on her right elbow, and resulting in her yelling in pain. The reporter said the officer then proceeded to pick her up by the collar while yelling "stop pretending." The reporter went to Bellevue Hospital for treatment of her injuries.
- Another incident occurred that same day near the west end of the park where a photographer, standing on the sidewalk on Trinity Place, was photographing a man the police were carrying from somewhere in the park who was covered in blood. The photographer was standing behind a metal barrier 20 to 30 yards from the scene. As he raised his camera to take a picture two other police officers came running toward him, grabbed a metal barrier and forcefully lunged at him striking the photographer in the chest, knees and shin. As they did that they screamed that he was not permitted to be taking pictures on the sidewalk – the most traditionally recognized public forum aside from a park.
- There are numerous other reports of DCPI-issued credentials being seized from reporters and photographers, others being interfered with, detained and arrested. That they were never formally charged still does not mitigate the fact that their detention prevented them from carrying out their journalistic functions.

During our August meeting you promised to review our complaints regarding certain incidents that were provided to you in writing. You also agreed that additional training to reinforce media guidelines, for newer officers on the force, would be beneficial. In order to avoid verbal discrepancies over DCPI-Press issues you requested that both you and Lt. Whyte be immediately notified by email of any future incidents. Our first attempt to follow that procedure during Hurricane Irene was met with silence. Despite three follow-up letters there has been no action on your part – not even the courtesy of a reply. We firmly believe that had such agreed upon training occurred, it may have helped avoid the numerous inappropriate, if not unconstitutional, actions and abuses the police heaped upon both credentialed and non-credentialed journalists in the last few days.

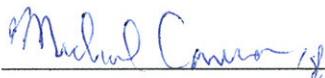
Therefore, we request an immediate meeting with you and Police Commissioner Kelly so that we may have full and frank discussions in order to resolve these issues and prevent further deterioration of the police-press relationship which is so critical to an informed public.

Thank you for your attention in this matter. I look forward to receiving your timely response.

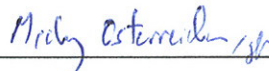
Very truly yours,



George Freeman



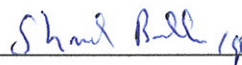
Michael Cameron,
The New York Post



Mickey H. Osterreicher, National Press
Photographers Association (NPPA)



Anne B. Carroll, The Daily News



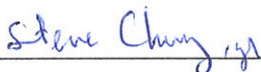
Shmuel Bulka, Thomas Reuters



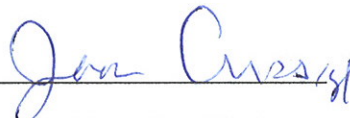
Karen Kaiser, Associated Press



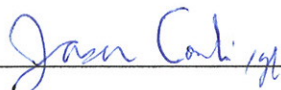
Townsend Davis, WABC-TV



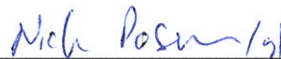
Steve Chung, NBC Universal
WNBC-TV



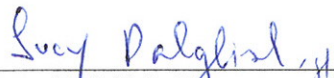
Jason Criss, New York Press
Photographers Association (NYPPA)



Jason Conti, Dow Jones & Company



Nicholas E. Poser,
WCBS-TV



Lucy Dalglish, Reporters Committee for
Freedom of the Press



Gabe Pressman,
The New York Press Club

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Michael Cardozo, Esq. (via fax (212) 788-0367)