

George Freeman  
Vice President and  
Assistant General Counsel

February 1, 2012

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Deputy Commissioner Paul J. Browne  
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New York Police Department  
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New York, NY 10007

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**Re: NYPD – Press Relations**

Dear Deputy Commissioner Browne,

We write to follow-up on the series of correspondence and meetings we have had over the past few months regarding press-police relations, the lack of access and, indeed, the apparent restrictions and intimidation aimed at working journalists by police officers. We appreciate the steps you and Commissioner Kelly have taken. However, as we have reported to you over the past few months, subsequent to the issuance of the Finest message on 11/23/11, there have been numerous instances of unfavorable treatment of credentialed members of the press. There have been other reports of police officers using a variety of tactics ranging from inappropriate orders directed at some journalists to physical interference with others, who were covering newsworthy sites and events. Indeed, as recently as this Monday it was reported (attached) that at another OWS demonstration, police “officers blocked the lens of a newspaper photographer attempting to document the arrests.” As a result, a number of press entities feel that more needs to be done if we are to resolve these issues in an amicable manner.

While many of us would like to resolve these issues expeditiously we believe that in order to do so the following requests would need to be met:

- NYPD written responses to each of the incidents we have reported to you including those set forth in our joint letter of November 21, 2011, and the various emails from Mickey Osterreicher, George Freeman (two involving New York Times reporter Colin Moynihan) and others. We appreciate that you have given us the result of one investigation involving the blocking of photographer Stolarik and your recent partial response about David Handschuh, but those are the only results we are aware of.
- You indicated in an email that you had planned a meeting of all borough task force commanders be called “to instill in them the importance of recognizing and protecting access, and not tolerating attempts to undermine it.” You also said that you would apprise us of the outcome of such meeting. Did that meeting occur? Who spoke regarding the need to instill in the commanders those First Amendment values? What did such person(s) say? Who attended? What was the reaction?
- At our meeting the day before Thanksgiving, we all agreed on the need for continuing

education both to rookie officers and to experienced members of the force. Has training regarding press relations occurred? What happened in these sessions? How big of an audience? May we see the curriculum?


- Other than in the incident involving photographer Stolarik, has any officer been disciplined for any incident involving altercations with the press?

While these requests may appear overly burdensome, we believe they are necessary for the significant improvement of police-press relations – moving from the issuance of policy statements to tangible improvements on the streets. Such progress is essential in order to bring about meaningful press access and genuine cooperation, thus allowing us to fulfill our constitutional role of reporting on public events. Please do not underestimate our resolve in working to rectify these concerns. We very much look forward to your response.


Thank you for your anticipated cooperation.

Very truly yours,

  
George Freeman


  
Nicholas E. Poser, WCBS-TV


  
Anne B. Carroll, The Daily News


  
Karen Kaiser, Associated Press


  
Steve Chung, NBC Universal WNBC-TV

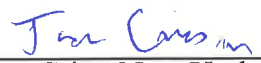
  
Craig Lindner, Dow Jones & Company


  
Gabe Pressman, NY Press Club


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

  
Shmuel Bulka, Thomas Reuters

  
Townsend Davis, WABC-TV

  
Jason Criss, New York Press Photographers Association (NYPPA)

  
Charles Glasser, Bloomberg News

  
Lucy Dalglish, Reporters Committee for Freedom of the Press (RCFP)

cc: Commissioner Raymond Kelly (via email [pc.office@nypd.org](mailto:pc.office@nypd.org))  
Michael Cardozo, Esq. (via facsimile (212) 788-0367)

# 12 Arrested at Manhattan March for Oakland Protesters

By COLIN MOYNIHAN



Robert Stolarik for The

New York Times Occupy Wall Street protesters faced off with the police in Manhattan Sunday night at a march to show support for protesters in Oakland.

Twelve protesters were arrested Sunday night on a march through Lower Manhattan to show support for Occupy protesters in Oakland, where a violent confrontation erupted on Saturday night between the police and demonstrators who tried to take over an empty convention center.

The crowd in New York, about 300 strong, occasionally surged into streets, and on at least two occasions someone in the crowd threw a bottle, apparently aimed at police officers who accompanied the march on foot and in vehicles. The police plunged into the crowd several times.

Three men were charged with assault and one with criminal weapons possession, the police said. Most of the rest of those arrested were charged with disorderly conduct. Three of the 12 people arrested were women. One officer sustained an injured finger.

The demonstration began just after 7 p.m. in Washington Square, where hundreds of people assembled near a fountain, beating drums and waving flags.

A man stood on the lip of the fountain and announced: "We're going to get the backs of our brothers and sisters in the Bay Area," adding, "Let's march."



Robert Stolarik for The

New York Times The police plunged into the crowd on several occasions, and arrested about half a dozen protesters.

The crowd headed north on Fifth Avenue chanting "New York is Oakland; Oakland is New York." The marchers turned west on 14th Street, then flowed into the roadway on Avenue of the Americas. One man dragged plastic construction barrels into the roadway as police cars and vans followed the march, sirens blaring.

Officers chased several young men on 17th Street after one of them dragged a wooden sawhorse into the road. The men got away, but soon afterward an officer grabbed another man walking on a sidewalk who was wearing a balaclava.

A few moments later, on Park Avenue, a man wearing dark clothes and wearing no visible badge grabbed a woman by the arm and threw her to the ground. Uniformed officers arrested her and a second woman as other officers blocked the lens of a newspaper photographer attempting to document the arrests.

As they were led away in handcuff, the two told onlookers that they had done nothing to deserve being arrested. The woman thrown to the ground identified herself as Jessica Lemmer, 21, and said that the man in the dark clothes had thrown her down after she told him not to push her.

At the corner of 13th Street and Second Avenue, the police dragged a man from the crowd, accusing him of having thrown a bottle.

Just before 10 p.m., the marchers arrived on 9th Street just east of Avenue B and congregated in front of an empty former school building that had housed the Charas / El Bohio Cultural and Community Center before the group was evicted ten years ago by a developer, Gregg L. Singer, who had bought the building at a city auction.

"This was once a vibrant community center," a man said as others pounded on a tall plywood fence that sealed the empty building off from the sidewalk. "The people in Oakland wanted to create a community center."

A security guard emerged from inside the building and peered down from an elevated plaza at those outside. A man tried to clamber over the fence, but police officers quickly pulled him down and arrested him as a helicopter with a spotlight hovered overhead.

By 10:30 p.m., most of the marchers had moved to Tompkins Square. One man strummed a mandolin. Another tapped on a drum. Several others stretched out on an asphalt pathway, using backpacks as pillows and gazing at the sky as a line of police officers stood at a nearby entrance to the park.

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