

REPORTERS COMMITTEE

FOR FREEDOM OF THE PRESS

1156 15th St. NW, Suite 1020
Washington, D.C. 20005
(202) 795-9300
www.rcfp.org

Bruce D. Brown
Executive Director
bbrown@rcfp.org
(202) 795-9301

STEERING COMMITTEE

STEPHEN J. ADLER
Reuters

J. SCOTT APPLEWHITE
The Associated Press

WOLF BLITZER
CNN

DAVID BOARDMAN
Temple University

THEODORE J. BOUTROUS, JR.
Gibson, Dunn & Crutcher LLP

MASSIMO CALABRESI
Time Magazine

MANNY GARCIA
Pro Publica

EMILIO GARCIA-RUIZ
The Washington Post

JOSH GERSTEIN
POLITICO

ALEX GIBNEY
Jigsaw Productions

SUSAN GOLDBERG
National Geographic

JAMES GRIMALDI
The Wall Street Journal

LAURA HANDMAN
Davis Wright Tremaine

DIEGO IBARGÜEN
Hearst

KAREN KAISER
The Associated Press

DAVID LAUTER
Los Angeles Times

MARGARET LOW
WBUR

JANE MAYER
The New Yorker

COLLEEN MCCAIN NELSON
The McClatchy Company

MAGGIE MULVIHILL
Boston University

JAMES NEFF
The Philadelphia Inquirer

NORMAN PEARLSTINE
The Los Angeles Times

THOMAS C. RUBIN
Stanford Law School

CHARLIE SAVAGE
The New York Times

JENNIFER SONDRAG
Bloomberg News

NABIHA SYED
The Markup

ADAM SYMSON
The E.W. Scripps Company

PIERRE THOMAS
ABC News

SAUNDRA TORRY
Freelance

VICKIE WALTON-JAMES
NPR

JUDY WOODRUFF
PBS/The NewsHour

HONORARY LEADERSHIP COUNCIL

CHIP BOK
Creators Syndicate

TONY MAURO
American Lawyer Media, ret.

DAHLIA LITHWICK
Slate

ANDREA MITCHELL
NBC News

CAROL ROSENBERG
The New York Times

PAUL STEIGER
ProPublica

*Affiliations appear only
for purposes of identification.*

By email

June 16, 2020

The Honorable Michael Hancock
Mayor, City of Denver
City Hall
Denver, CO 80202

Chief Paul Pazen
Chief of Police, City of Denver
Denver Police Plaza
Denver, CO 80204

Murphy F. Robinson III
Executive Director, Denver Department of Public Safety
1331 Cherokee Street, Room 302
Denver, CO 80204

Re: Law enforcement targeting journalists during protests

Dear Mayor Hancock, Chief Pazen, and Director Robinson:

As members of the news media and organizations that protect the rights of journalists to gather and report news, the undersigned write to ask that you take immediate, concrete steps to prevent further police attacks on credentialed and clearly identifiable journalists in Denver. These incidents occurred as, across the country, police arrested, detained, and threatened journalists, and physically assaulted them with rubber and foam bullets, pepper spray and pellets, paintball rounds, tear gas, batons, and fists.

In the cases of threats and assaults that we are aware of in Denver, there are indications, many strong, that officers knew the journalist was a member of the press.

Law enforcement officers do not have legal immunity when they violate clearly established rights under the First Amendment. The right of the press to document police activity is foundational to our democracy and has long been recognized and protected by the courts. Beyond, however, the Constitution and the law, any targeting of reporters for doing their jobs—keeping the public informed during an extraordinary period of civil unrest—is beyond the pale in a free society.

The challenges that officers face in policing during times of civil protest do not supersede any of the rights guaranteed by the First Amendment, and moments of crisis demand that we protect the bedrock American ideal of a free press even more zealously.

While we appreciate Director Robinson's June 5 letter responding to the concerns of local media organizations, we write to emphasize the legal obligations officers have towards journalists and urge the city to implement protocols to prevent future arrests or assaults of journalists. We also note that the Denver Police Department agreed to a settlement with Colorado Independent editor Susan Greene after officers arrested her for photographing police activity. That settlement requires, among other things, that the department initiate First Amendment training for officers. It should do so immediately.

Further, we acknowledge that the incidents that we are currently aware of involving assaults on clearly identifiable journalists occurred while multiple law enforcement agencies were deployed in the city pursuant to a mutual aid request. That, however, does not obviate the Denver Police Department's obligation to ensure that every officer policing its streets is subject to a policy that unequivocally bars the use of force against journalists lawfully engaged in newsgathering.

To be clear, when an officer knows a journalist is a journalist, just one arrest or assault is a profound and clear violation of the First Amendment.

In Denver alone, among other incidents:

- Jan Czernik, a photojournalist for Denver7 News, was struck four times by pepper balls fired by police and his camera was hit. The reporter accompanying him, Adi Guajardo, managed to duck and avoided being struck. Later that night, Guajardo was filming a live shot when police advanced and forced them to retreat;
- Hyoung Chang, a Denver Post photographer, was hit by two pepper balls, with one shattering his press ID and the other causing a gash on his elbow. "I'm very sure [the officer] pointed at me," said Chang, who was also carrying two large cameras at the time;
- Alex Burness, a Denver Post reporter, wrote on Twitter that police hit him in the head, leg, and side with what he believes were foam bullets. He also wrote that police later pointed their weapons at him and Esteban Hernandez, a Denverite reporter, and forced them to walk towards tear gas despite shouting they were press and the fact that Hernandez was wearing a neon "press" vest.

The Reporters Committee for Freedom of the Press has documented at least six other incidents in Denver and one in Colorado Springs where police assaulted journalists who appear to have been clearly identified as members of the news media. The U.S. Press Freedom Tracker has confirmed almost sixty incidents of arrest or assault by the police around the country, and the Reporters Committee and the Tracker are investigating more than 300 more.

Officers on the ground must understand that gathering news and recording police activities are not crimes, and that journalists who are complying with reasonable law enforcement directions when covering civil unrest are protected by the First Amendment.

In incidents documented in Denver, the journalists were clearly identified as such and indisputably in compliance with the law.

Additionally, officers should recognize that training for journalists and documentarians who cover protests or civil unrest provides guidance on how to interact with law enforcement. They know to comply with an order to move, they will not resist arrest, and they will identify themselves as a member of the news media. At the same time, officers properly trained in crowd control should know that an identifiable journalist may not be arrested or assaulted.

We also urge you to again exempt the news media from any future curfew order, to the extent you issue one, and affirmatively require all commanders to instruct their officers that the news media is exempt.

A general curfew order that fails to provide an exemption for members of the press would violate the First Amendment, and gives law enforcement a potent tool to silence reporting through assaults or arrests of journalists, as we have seen over the past two weeks around the country. *Cf. Bantam Books, Inc. v. Sullivan*, 372 U.S. 58, 70 (1963) (“Any system of prior restraint of expression comes before this Court bearing a heavy presumption against its constitutional validity.”). Furthermore, that arrest or detention of a reporter during a curfew would itself violate the First Amendment. *See id.*

A. The right to report on police activities is clearly established and officers have no immunity when they directly target reporters covering protests.

The right of the press to report on government activity has long been protected by the First Amendment. *See, e.g., Smith v. Daily Mail Publ’g Co.*, 443 U.S. 97, 103 (1979) (“[I]f a newspaper lawfully obtains truthful information about a matter of public significance then state officials may not constitutionally punish publication of the information, absent a need to further a state interest of the highest order.”); *First Nat’l Bank of Bos. v. Bellotti*, 435 U.S. 765, 783 (1978) (“[T]he First Amendment goes beyond protection of the press and the self-expression of individuals to prohibit government from limiting the stock of information from which members of the public may draw.”).

News reporting on police conduct serves the crucial First Amendment interest in promoting the “free discussion of governmental affairs.” *Mills v. Alabama*, 384 U.S. 214, 218 (1966).

The right to record police activity, by the press and public, has been held repeatedly to be “clearly established” by many courts around the country. Therefore, a police officer or official who violates that right, especially through the use of force, cannot claim legal immunity. *See, e.g., Glik v. Cunniffe*, 655 F.3d 78, 83 (1st Cir. 2011) (citing cases); *Toole v. Atlanta*, 798 Fed. Appx. 381, 388 (11th Cir. 2019) (finding right to record police at protest clearly established); *see also American Civil Liberties Union of Illinois v. Alvarez*, 679 F.3d 583, 595 (7th Cir. 2012) (finding eavesdropping statute barring recording of police activity in public violated First Amendment).

The Department of Justice has taken the position that this right to record law enforcement is a crucial First Amendment protection that should apply across the country. *See* Statement of Interest of the United States, *Sharp v. Baltimore City Police Dep't*, No. 1:11-cv-02888-BEL (D. Md. filed Jan. 10, 2012) (“[The right to record is] not only required by the Constitution . . . [it is] consistent with our fundamental notions of liberty, promote[s] the accountability of our governmental officers, and instill[s] public confidence in the police officers who serve us daily.”); *see also* Statement of Interest of the United States, *Garcia v. Montgomery County*, No. 8:12-cv-03592-JFM (D. Md. filed March 4, 2013) (arguing that discretionary charges like disorderly conduct or disturbing the peace should be viewed skeptically when based on recording police activity).

Journalists, photojournalists, and documentarians deprived of that right are entitled to relief under 42 U.S.C. § 1983, which permits individuals whose rights are violated under color of law to sue the government official responsible. *Cf.* *Mink v. Knox*, 613 F.3d 995, 1011 (10th Cir. 2010) (rejecting criminal libel prosecutor’s qualified immunity claim when First Amendment right to parody was clearly established).

Further, even if the Supreme Court or a federal appellate court has not decided a case directly on point, courts may find the right to record to be “clearly established” based on the clear trend in other jurisdictions. *See Gann v. Cline*, 519 F.3d 1090, 1093 (10th Cir. 2008) (“A plaintiff can demonstrate that a constitutional right is clearly established by reference to cases from the Supreme Court, the Tenth Circuit, or the weight of authority from other circuits.”) (quotations and internal citations omitted).

While law enforcement may impose reasonable restrictions on newsgathering to prevent undue interference with legitimate police work, journalists who comply with those restrictions—who stand at a fair remove from any police activity, who obey orders to disperse, and who conspicuously identify themselves as journalists—may not be subject to physical attack, the quintessential “unreasonable” restriction.

Though physical restraints on newsgathering, such as those which we have seen in Denver in recent days, are thankfully rare and therefore seldom litigated, there is little question that a court would find a “clearly established” First Amendment right of journalists to be free from targeted attacks with pepper balls or tear gas.

B. Denver should immediately implement protocols to protect reporters and ensure the public is informed.

Accordingly, we urge you to:

- Instruct your officers and staff that the arrest or physical attack of a journalist who is compliant with reasonable police orders is a clearly established First Amendment violation;
- Take swift action to discipline any officer who is found to have arrested or assaulted a journalist engaged in newsgathering;

- Inform your officers that they themselves could be subject to legal liability for violating these rights;
- Ensure that crowd control tactics are appropriate and proportional, and are designed to prevent collateral harm to journalists covering the protests;
- Continue to exempt members of the news media from mobility restrictions, including, and especially, curfews; and
- Release all information about arrests of or physical interactions with the press to the public to allow it to evaluate the legitimacy of police conduct.

Our concern over the hundreds of reported police arrests and assaults of journalists across the country is shared by news organizations and press freedom advocates nationally. Please find attached a letter to officials in New York City, signed by 126 news organizations and press freedom advocates, which demonstrates the depth and breadth of concern coast to coast over these violations of press rights.

Please do not hesitate to contact Bruce Brown, Executive Director of the Reporters Committee, with any questions at bbrown@rcfp.org.

Sincerely,

The Reporters Committee
for Freedom of the Press

The Associated Press
The Center for Investigative Reporting
(d/b/a Reveal)
Chalkbeat
Colorado Broadcasters Association
Colorado Freedom of Information
Coalition
The Colorado Independent
Colorado News Collaborative
Colorado Press Association
Colorado Public Radio
The Colorado Sun
Committee to Protect Journalists
Denverite
The E.W. Scripps Company
Freedom of the Press Foundation
Gannett Co., Inc.
International Documentary Assn.
Investigative Reporting Workshop at
American University
The Media Institute

MediaNews Group Inc.
MPA - The Association of Magazine
Media
National Association of Black
Journalists
National Association of Broadcasters
National Newspaper Association
National Press Photographers
Association
New England First Amendment
Coalition
The New England Newspaper and Press
Association
News Media Alliance
The NewsGuild - CWA
Nexstar Broadcasting, Inc.
Online News Association
PEN America
Radio Television Digital News
Association
Reporters Without Borders USA

Reuters News & Media Inc.
Rocky Mountain Public Media
Society of Environmental Journalists
Student Press Law Center

TEGNA Inc./9NEWS
Tully Center for Free Speech
Wallace House, Knight-Wallace
Fellowships for Journalists

cc: The Honorable Michael Bennet
United States Senate

The Honorable Cory Gardner
United States Senate

The Honorable Diana DeGette
United States House of Representatives

The Honorable Jared Polis
Governor, State of Colorado

Colonel Matthew Packard
Chief, Colorado State Patrol

Major General Michael Loh
Adjutant General, Colorado National Guard

ATTACHMENT

REPORTERS COMMITTEE

FOR FREEDOM OF THE PRESS

1156 15th St. NW, Suite 1020
Washington, D.C. 20005
(202) 795-9300
www.rcfp.org

Bruce D. Brown
Executive Director
bbrown@rcfp.org
(202) 795-9301

STEERING COMMITTEE

STEPHEN J. ADLER
Reuters

J. SCOTT APPLEWHITE
The Associated Press

WOLF BLITZER
CNN

DAVID BOARDMAN
Temple University

THEODORE J. BOUTROUS, JR.
Gibson, Dunn & Crutcher LLP

MASSIMO CALABRESI
Time Magazine

MANNY GARCIA
Pro Publica

EMILIO GARCIA-RUIZ
The Washington Post

JOSH GERSTEIN
POLITICO

ALEX GIBNEY
Jigsaw Productions

SUSAN GOLDBERG
National Geographic

JAMES GRIMALDI
The Wall Street Journal

LAURA HANDMAN
Davis Wright Tremaine

DIEGO IBARGÜEN
Hearst

KAREN KAISER
The Associated Press

DAVID LAUTER
Los Angeles Times

MARGARET LOW
WBUR

JANE MAYER
The New Yorker

COLLEEN MCCAIN NELSON
The McClatchy Company

MAGGIE MULVIHILL
Boston University

JAMES NEFF
The Philadelphia Inquirer

NORMAN PEARLSTINE
The Los Angeles Times

THOMAS C. RUBIN
Stanford Law School

CHARLIE SAVAGE
The New York Times

JENNIFER SONDAG
Bloomberg News

NABIHA SYED
The Markup

ADAM SYMSON
The E.W. Scripps Company

PIERRE THOMAS
ABC News

SAUNDRA TORRY
Freelance

VICKIE WALTON-JAMES
NPR

JUDY WOODRUFF
PBS/The NewsHour

HONORARY LEADERSHIP COUNCIL

CHIP BOK
Creators Syndicate

TONY MAURO
American Lawyer Media, ret.

DAHLIA LITHWICK
Slate

ANDREA MITCHELL
NBC News

CAROL ROSENBERG
The New York Times

PAUL STEIGER
ProPublica

*Affiliations appear only
for purposes of identification.*

By email

June 6, 2020

The Honorable Bill de Blasio
Mayor, City of New York
City Hall
New York, NY 10007

Commissioner Dermot F. Shea
New York City Police Department
1 Police Plaza
New York, NY 10038

Re: Law enforcement targeting journalists during protests

Dear Mayor de Blasio and Commissioner Shea:

As members of the news media and organizations that protect the rights of journalists to gather and report news, the undersigned write to ask that you take immediate, concrete steps to end the series of police arrests and attacks on credentialed and clearly identifiable journalists in New York City in recent days. These incidents occur as, across the country, police have arrested, detained, and threatened journalists, and have physically assaulted them with rubber bullets, pepper spray, tear gas, batons, and fists.

In the cases of threats, arrests, and assaults that we are aware of in New York City, there are indications, many strong, that officers knew the journalist was a member of the press.

Law enforcement officers do not have legal immunity when they violate clearly established rights under the First Amendment. The right of the press to document police activity is foundational to our democracy and has long been recognized and protected by the courts. Beyond, however, the Constitution and the law, any targeting of reporters for doing their jobs—keeping the public informed during an extraordinary period of civil unrest—is beyond the pale in a free society.

The challenges that officers face in policing during times of civil protest do not supersede any of the rights guaranteed by the First Amendment, and moments of crisis demand that we protect the bedrock American ideal of a free press even more zealously.

As Governor Cuomo rightly tweeted on June 3, “A free press is the lifeblood of democracy. Now more than ever, it is critical that reporters & photographers can safely document protests without fear of harm or targeting.” Governor Cuomo confirmed that journalists are “essential—and they must be able to do their jobs. We all depend on them.” Governor

Cuomo is correct. When an officer knows a journalist is a journalist, just one arrest or assault is a profound and clear violation of the First Amendment.

In New York City alone, among other incidents:

- Brendan McDermid, a Reuters photographer, was assaulted by police while taking pictures of arrests at a protest in downtown Brooklyn. McDermid was wearing a vest marked “PRESS,” was carrying a professional camera, and was clearly displaying his press credentials. An officer asked him to move, he complied, and without provocation, the officer lunged at McDermid with a baton, knocked him down, kicked him in the leg, beat his helmet with the baton, and laughed;
- Chris Mathias, a senior reporter on assignment for HuffPost, was violently taken into custody by New York Police Department officers, even though he identified himself as a reporter and was wearing a clearly visible press pass;
- Writer Keith Boykin, while freelancing, said that as he was taking videos and photos of protests, and after informing NYPD officers he was with the press, he was arrested, and only released hours later;
- Robert Bumsted and Maye-E Wong, a videographer and photographer for the Associated Press wearing identification, were surrounded and shoved by NYPD officers, who also shouted expletives at the journalists, while the journalists attempted to explain the press was exempt from curfew. Bumsted and Wong were forced to leave the scene entirely;
- Tyler Blint-Welsh, a reporter for the Wall Street Journal, was hit in the face multiple times with riot shields and pushed to the ground by NYPD, even though his NYPD-issued press badge was clearly visible;
- A Newsday multimedia producer with a press pass taking video of the protests in lower Manhattan was struck with a baton in the back and pushed down, hitting a metal fence. He had on a bike helmet, which cracked. He complained to an officer about what happened, who walked away.

The Reporters Committee for Freedom of the Press has documented at least four other incidents in New York City where police detained or assaulted journalists who appear to have been clearly identified as members of the news media and were not physically located among protesters. The U.S. Press Freedom Tracker has confirmed almost thirty incidents of arrest or assault by the police around the country, and the Reporters Committee and the Tracker are investigating several hundred more.

Officers on the ground must understand that gathering news and recording police activities are not crimes, and that journalists who are complying with reasonable law enforcement directions when covering civil unrest are protected by the First Amendment.

In incidents captured on camera in New York City, the journalists were clearly identified as such and indisputably in compliance with the law.

Additionally, officers should recognize that training for journalists and documentarians who cover protests or civil unrest provides guidance on how to interact with law enforcement. They know to comply with an order to move, they will not resist arrest, and they will identify themselves as a member of the news media. At the same time, officers properly trained in crowd control should know that an identifiable journalist may not be arrested or assaulted.

We also strongly urge you to affirmatively order all commanders to instruct their officers that the news media is exempt from curfew orders in New York City, as was clearly stated in the “Finest Message” of June 1.

A general curfew order that fails to provide an exemption for *all* members of the press would violate the First Amendment, and gives law enforcement a potent tool to silence reporting through assaults or arrests of journalists, as we have seen over the past several days. *Cf. Bantam Books, Inc. v. Sullivan*, 372 U.S. 58, 70 (1963) (“Any system of prior restraint of expression comes before this Court bearing a heavy presumption against its constitutional validity.”). Furthermore, that arrest or detention of a reporter during a curfew would itself violate the First Amendment. *See id.*

We appreciate Mayor de Blasio’s tweet early on June 5 confirming that media personnel are essential and exempt from the curfew, and his pledge to “get NYPD to fix this immediately,” but that message *must* filter down to the officers on the ground.

A. The right to report on police activities is clearly established and officers have no immunity when they directly target reporters covering protests.

The right of the press to document police activities in public has long been protected by the First Amendment. *See Iacobucci v. Boulter*, 193 F.3d 14, 25 (1st Cir. 1999) (“Because Iacobucci’s [journalistic] activities were peaceful, not performed in derogation of any law, and done in the exercise of his First Amendment rights [police] lacked the authority to stop them.”). News reporting on police conduct serves the crucial First Amendment interest in promoting the “free discussion of governmental affairs.” *Mills v. Alabama*, 384 U.S. 214, 218 (1966).

The right to record police activity, by the press and public, has been held repeatedly to be “clearly established” by many courts around the country. Therefore, a police officer or official who violates that right, especially through the use of force, cannot claim legal immunity. *See Glik v. Cunniffe*, 655 F.3d 78, 83 (1st Cir. 2011) (citing cases); *see also American Civil Liberties Union of Illinois v. Alvarez*, 679 F.3d 583, 595 (7th Cir. 2012) (finding eavesdropping statute barring recording of police activity in public violated First Amendment).

The Department of Justice has taken the position that this right to record law enforcement is a crucial First Amendment protection that should apply across the

country. See Statement of Interest of the United States, *Sharp v. Baltimore City Police Dep't*, No. 1:11-cv-02888-BEL (D. Md. filed Jan. 10, 2012) (“[The right to record is] not only required by the Constitution . . . [it is] consistent with our fundamental notions of liberty, promote[s] the accountability of our governmental officers, and instill[s] public confidence in the police officers who serve us daily.”); see also Statement of Interest of the United States, *Garcia v. Montgomery County*, No. 8:12-cv-03592-JFM (D. Md. filed March 4, 2013) (arguing that discretionary charges like disorderly conduct or disturbing the peace should be viewed skeptically when based on recording police activity).

Journalists, photojournalists, and documentarians deprived of that right are entitled to relief under 42 U.S.C. § 1983, which permits individuals whose rights are violated under color of law to sue the government official responsible. See *Higginbotham v. New York*, 105 F. Supp. 3d 369, 379-80 (S.D.N.Y. 2015) (finding reporter forcibly arrested covering protest stated clearly established First Amendment right-to-record claim sufficient to defeat qualified immunity); see also *Terebesi v. Torreso*, 764 F.3d 217, 231 (2d Cir. 2014) (“Even if this Court has not explicitly held a course of conduct to be unconstitutional, *we may nonetheless treat the law as clearly established* if decisions from this and other circuits *clearly foreshadow a particular ruling on the issue.*”) (emphasis added and internal quotations and citations omitted).

While law enforcement may impose reasonable restrictions on newsgathering to prevent undue interference with legitimate police work, journalists who comply with those restrictions—who stand at a fair remove from any police activity, who obey orders to disperse, and who conspicuously identify themselves as journalists—may not be subject to arrest or physical attack, the quintessential “unreasonable” restriction.

Though physical restraints on newsgathering, such as those which we have seen in New York City in recent days, are thankfully rare and therefore seldom litigated, there is little question that a court would find a “clearly established” First Amendment right of journalists to be free from arrest and the baton.

B. New York City should immediately implement protocols to protect reporters and ensure the public is informed.

Accordingly, we urge you to:

- Instruct your officers and staff that the arrest or physical attack of a journalist who is compliant with reasonable police orders is a clearly established First Amendment violation;
- Take swift action to discipline any officer who is found to have arrested or assaulted a journalist engaged in newsgathering;
- Inform your officers that they themselves could be subject to legal liability for violating these rights;

- Ensure that crowd control tactics are appropriate and proportional, and are designed to prevent collateral harm to journalists covering the protests;
- Continue to exempt members of the news media from mobility restrictions, including, and especially, curfews; and
- Release all information about arrests of or physical interactions with the press to the public to allow it to evaluate the legitimacy of police conduct.

Please do not hesitate to contact Bruce Brown, Executive Director of the Reporters Committee, with any questions at bbrown@rcfp.org.

Sincerely,

The Reporters Committee
for Freedom of the Press

American Broadcasting Companies, Inc.
on behalf of ABC News and WABC-TV, New York
Advance Publications, Inc.
ALM Media, LLC
America's Newspapers
American Journalism Project
Article 19
The Associated Press
Association of Alternative Newsmedia
The Atlantic Monthly Group LLC
Bloomberg News
Boston Globe Media Partners, LLC
BuzzFeed
Cable News Network, Inc.
California Broadcasters Association
California News Publishers Association
CBS Broadcasting Inc., on behalf of
CBS News and CBS Television
Stations
The Center for Investigative Reporting
(d/b/a Reveal)
Chalkbeat
THE CITY
Colorado Press Association
Committee to Protect Journalists
Cox Media Group
Criminal Justice Journalists
The Daily Beast Company LLC
Daily News, LP

Dow Jones & Company, Inc.
The E.W. Scripps Company
Fast Company
First Amendment Coalition
First Look Media Works, Inc.
FOX News Media
Fox Television Stations, LLC
Freedom of the Press Foundation
Gannett Co., Inc.
The Guardian U.S.
Hearst Corporation
HuffPost
Illinois Broadcasters Association
Illinois Press Association
Insider Inc.
Inter American Press Association
International Center for Journalists
International Documentary Assn.
International Federation of Journalists
International Women's Media
Foundation
International Press Institute North
American Committee
Investigative Reporting Workshop at
American University
Investigative Studios
James W. Foley Legacy Foundation
Jewish Currents
Kansas Press Association
Las Vegas Review-Journal, Inc.

Los Angeles Times
 Communications LLC
 The Marshall Project
 The McClatchy Company
 The Media Institute
 Media Law Resource Center
 Media Legal Defence Initiative
 MediaNews Group Inc.
 Metro Corp. d/b/a Philadelphia and
 Boston Magazines
 Michigan Press Association
 MPA – The Association of Magazine
 Media
 Mother Jones
 National Association of
 Black Journalists
 National Association of Broadcasters
 National Association of
 Hispanic Journalists
 National Geographic Partners
 National Journal Group LLC
 National Newspaper Association
 National Press Club Journalism Institute
 The National Press Club
 National Press Foundation
 National Press Photographers
 Association
 National Public Radio, Inc.
 National Writers Union
 Native American Journalists Association
 NBCUniversal Media, LLC
 Nevada Press Association
 New England First Amendment
 Coalition
 New England Newspaper and Press
 Association, Inc.
 New York News Publishers Association
 New York Public Radio
 The New York Times Company
 The New Yorker
 The News Leaders Association
 News Media Alliance
 Newsday LLC

The NewsGuild – CWA
 NowThis News
 NYP Holdings, Inc.
 Online News Association
 Organized Crime and Corruption
 Reporting Project
 PEN America
 POLITICO LLC
 ProPublica
 Pulitzer Center on Crisis Reporting
 Quartz Media, Inc.
 Radio Television Digital News
 Association
 Report for America
 Reporters Without Borders USA
 Reuters News & Media Inc.
 The Seattle Times Company
 Sinclair Broadcast Group, Inc.
 Slate
 Society of Environmental Journalists
 Society of Professional Journalists
 Society of Professional Journalists
 New England
 South Carolina Press Association
 South Dakota Newspaper Association
 Student Press Law Center
 Tampa Bay Times
 TEGNA Inc.
 TIME USA, LLC
 Tribune Publishing Company
 Tully Center for Free Speech
 Univision Communications Inc.
 Utah Press Association
 Vermont Press Association
 Vice Media Group
 Virginia Press Association
 Vox Media
 Washingtonian
 The Washington Post
 Weigel Broadcasting Co.
 WNET
 Yahoo News

cc: The Honorable Andrew Cuomo
Governor, State of New York

The Honorable Letitia James
Attorney General, State of New York

The Honorable Cyrus R. Vance, Jr.
District Attorney of New York County, Borough of Manhattan

The Honorable Darcel D. Clark
District Attorney of Bronx County, Borough of the Bronx

The Honorable Eric Gonzalez
District Attorney of Kings County, Borough of Brooklyn

The Honorable Melinda Katz
District Attorney of Queens County, Borough of Queens

The Honorable Michael E. McMahon
District Attorney of Richmond County, Borough of Staten Island