



David Tomlin
Associate General Counsel

212 621-1796
dtomlin@ap.org

September 5, 2008

John Harrington
St. Paul Police Chief
367 Grove Street
St. Paul, MN 55101

Re: Mistreatment of AP Journalists

Dear Chief Harrington:

On Monday September 1, uniformed officers under the direction of your department tackled two AP photographers and body-slammed them to the ground. A policeman kicked one of them in the ribs. The other was arrested and needlessly detained for more than 10 hours.

Both photographers were experienced professionals, carrying multiple credentials and equipment that clearly identified them as AP journalists. Neither was engaged in any illegal activity or failed to obey any order or direction from law enforcement personnel.

Even allowing for the chaos police were dealing with that day, the ferocity of the police assaults on these AP staff members was outrageous, unprofessional and dangerous. It is fortunate for all concerned that they weren't more seriously injured.

I write on behalf of AP to request that you review the conduct of police in both these incidents and advise us of your findings. Some details follow which should be helpful.

Matt Rourke is an AP staff photographer based in Philadelphia. On Monday he was assigned to cover the anti-war protest that headed for the Xcel Center at about 11 a.m. He ended up following a group of more violent protesters that split from the main march. This brought him by about 4 p.m. to a parking lot near the intersection of Jackson and 9th streets, and he found himself among a group of protestors being encircled by police.

Mr. Rourke began to walk toward and to photograph officers who were moving in his direction to make arrests. He raised his right arm and moved in a deliberately non-threatening manner, and the police in front of him did not react to his presence. But another

Ex. 1-07



David Tomlin
Associate General Counsel

212 621-1796
dtomlin@ap.org

AP Photographers, Page 2

officer tackled him from behind and took him to the pavement, bloodying his right elbow and right knee.

Shortly afterward, officers removed Mr. Rourke's camera from his hand, rolled him onto his stomach and cuffed him. Mr. Rourke did not resist in any way. Instead he tried to show his credentials repeatedly to the police standing nearby. No one responded or even acknowledged Mr. Rourke's attempts to identify himself.

Your department certainly foresaw that journalists might be swept up during convention-related disturbances. The Reporters Committee for Freedom of the Press coordinated a legal aid hot line for journalists and included police and other authorities in its advance planning.

Yet it appears no media relations or other responsible personnel were on hand, either at the scene of the arrests, in detention centers or anywhere else to deal with obvious cases in which journalists or bystanders were taken into custody by mistake.

It was only after calls to the offices of the city mayor and the county attorney by AP news executives and by lawyers for AP and the Reporters Committee hotline that the decision was finally made to release Mr. Rourke without charges well after 2 a.m. Tuesday. He was told as he left that even someone who had broken no law must be "well connected" to have gotten off with cuts and bruises and a mere ten hours in jail.

The second AP photographer is Evan Vucci, based at AP's Washington, D.C. bureau. Like Mr. Rourke, he was also covering the demonstration and disturbances, and he too ended up in the parking lot at Jackson and 9th where the two photographers briefly worked side-by-side.

Then Mr. Vucci felt himself picked up from behind and slammed to the ground. His camera was smashed and destroyed. Officers screamed at him to roll onto his stomach, and one of them kicked him hard in the ribs. When he rolled over, an officer put a knee on his back and cuffed him.

Mr. Vucci showed police his credentials, which in addition to convention passes included White House, Senate and U.S. Military media passes. These may have helped him. The first

AP Associated Press

David Tomlin
Associate General Counsel

212 621-1796
dtomlin@ap.org

AP Photographers, Page 3

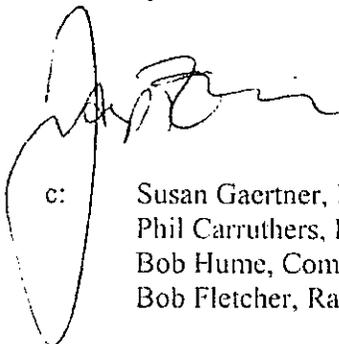
officer who looked at them summoned an older colleague with some common sense who decided to let Mr. Vucci go.

Note that we're not complaining about the three-hour detention of two of our writers who got swept into a crowd of detainees on Thursday night on the Marion Avenue Bridge. We understand that brief detentions are part of the risk we run when we cover situations like these.

AP is also well aware that police are sometimes required to use aggressive tactics during civil disturbances to gain control over individuals engaged in violence or resisting arrest. But neither Mr. Rourke nor Mr. Vucci did anything to justify the attacks on them. Both were engaged in activity that was not only entirely innocent but also protected against government interference by statute and by state and federal constitutions.

Both would have responded immediately to an order to make way, to leave the area, or to submit to detention until their identification could be checked. They never had that chance. Instead they were victims of unprovoked, gratuitously violent and seemingly malicious attacks by officers whose lawful mission that day was to contain violence, not to add to it. We are angry and disappointed, and we look forward to hearing your views after you have reviewed the facts.

Sincerely,



c: Susan Gaertner, Ramsey County Attorney
Phil Carruthers, Prosecution Division Director
Bob Hume, Communications Director, Mayor's office
Bob Fletcher, Ramsey County Sheriff