



Committee to Protect Journalists

District Attorney Eric Gonzalez
Brooklyn District Attorney's Office
350 Jay St
Brooklyn, NY 11201

Dear District Attorney Gonzalez,

We are writing from the Committee to Protect Journalists and Freedom of the Press Foundation – two non-governmental organizations that advocate for media freedom – to ask that you drop the resisting arrest charge against freelance reporter Reed Dunlea. His prosecution would create a harmful precedent for journalists working in New York and would undermine reporters' First Amendment rights.

As we have [documented](#), Dunlea was doing his job as a journalist by covering a protest in Brooklyn at the time of his detention on February 10, 2024.

Immediately before his arrest Dunlea was [collecting audio](#) of an exchange between a protester and a police officer for his podcast, Scene Report. In [footage](#) of Dunlea's arrest, officers ignore his repeated declarations that he is a journalist, as well as the press credentials that he was wearing around his neck at the time of his arrest. Officers can then be seen tackling Dunlea to the street and handcuffing him, breaking his audio equipment in the process. He was then packed into a police van and held at One Police Plaza. Dunlea was released after over 10 hours in detention and charged with resisting arrest.

As the video shows, Dunlea was not interfering with police activity at the time of his arrest. An experienced reporter, Dunlea has previously worked as a visual journalist for Rolling Stone, and is a contributor at the local publication, [The Independent](#). He has a history of reporting on protests and civil unrest and is able to skillfully do his job without interfering with law enforcement activity.

Detaining and charging a reporter is a direct assault on journalists' First Amendment rights to gather the news. Further, the city's authority to issue press cards is undermined if said credentials are not respected by city law enforcement.

That Dunlea was denied his First Amendment rights to newsgathering and that police conducted the arrest in an unwarranted forceful manner are cause for utmost concern. It is even more troubling that Dunlea may end up being forced to spend time and money fighting charges arising from constitutionally protected newsgathering.

Our organizations [document](#) cases of press freedom [violations](#) both in the United States and globally. Our research [shows](#) that arresting reporters is a

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crude form of censorship: it stops journalists from documenting current events, and protracted legal proceedings to dismiss baseless charges create financial and time pressures that curtail reporting and can lead to self-censorship. It also creates a chilling effect where other journalists, aware of the possibility of wrongful arrest, think twice before doing their constitutionally protected jobs.

It is disappointing and concerning to see these tactics being deployed in New York City, a global media capital. It is particularly troubling in light of the New York Police Department's recent agreement, as part of a [settlement](#) of a lawsuit brought by five press photographers, to reform its treatment of journalists covering protests and ensure that journalists are not unnecessarily arrested or harassed for doing their jobs. The settlement may not yet have been in effect when Dunlea was arrested but the arrest most certainly violates the spirit of the NYPD's commitment.

Furthermore, the prosecution of reporters in the United States is exceedingly rare, according to the non-partisan [U.S. Press Freedom Tracker](#), which maintains data on press freedom violations across the country. Prosecuting Dunlea would send a chilling message to journalists in New York City and beyond and indicate to the wider public that New York City believes that members of the media can be prosecuted simply for doing their jobs.

We urge you to dismiss the resisting arrest charge against Dunlea and ensure that journalists working in New York City will not face punitive retaliatory measures from the city's police. The dismissal should be final and conclusive. In the recent past, New York prosecutors have [deferred](#) charges of wrongly arrested journalists rather than dismissing them outright, but there is no reason for any deferral where Dunlea should not have been arrested in the first place.

We respectfully request a meeting with you to discuss our concerns as well as ways to prevent journalists from being arrested and wrongfully charged in the future. Thank you for your time and we look forward to your response.

Sincerely,

The Committee to Protect Journalists
Freedom of the Press Foundation