## PRESS RELEASE - EMBARGO UNITL NOVEMBER 6, 2013 AT 12:00 NOON

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**Professor Michel Negroponte - School of Visual Arts Faculty Member** 

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Location: NYPD 72<sup>nd</sup> Precinct, 830 4<sup>th</sup> Avenue, Brooklyn, NY

Time: 12:00 P.M.

Photos and video available upon request

## Film school graduate student brings suit after being arrested for filming NYPD precinct Filmmakers gather to simultaneously videotape $72^{nd}$ Precinct

**Brooklyn, New York** – (November 6, 2013) Brooklyn resident Justin Thomas filed a lawsuit today in Federal Court for violation of his civil rights.

Mr. Thomas, a 29 year old graduate student at the film department of Manhattan's School of Visual Arts was arrested on April 19, 2013 at approximately 11:00 A.M. outside of the NYPD's 72<sup>nd</sup> Precinct. Mr. Thomas was arrested for filming the building which houses the 72<sup>nd</sup> Precinct while collecting cut-away shots (or "b-roll" footage) for a documentary he was producing on the community of Sunset Park for his school program's thesis film.

Mr. Thomas was filming the precinct house, located at 830 4<sup>th</sup> Avenue in Brooklyn, when he was approached by NYPD Sergeant Viet Cao. Sergeant Cao informed Mr. Thomas, erroneously, that he would require a permit to film the building. Sergeant Cao subsequently confiscated Mr. Thomas' camera and arrested Mr. Thomas. The arrest was captured on film by a friend of Mr. Thomas'.

Following Mr. Thomas' arrest his lawyer, David Rankin of Rankin & Taylor, contacted the 72<sup>nd</sup> Precinct to demand his release. Mr. Thomas was released after approximately three hours, having been questioned and finger-printed in the precinct. The NYPD released him with a desk appearance ticket pressing for Mr. Thomas to be formerly charged with Obstruction of Governmental Administration, but the District Attorney later declined to pursue those charges.

The NYPD Patrol Guide Section 212-49 specifically states that "Members of the service will not interfere with the videotaping or the photographing of incidents in public places. Intentional interference such as blocking or obstructing cameras or harassing the photographer constitutes censorship." Nevertheless the department has repeatedly faced criticism for it harassment and arrests of press, filmmakers, and videographers."

Members of the filmmaking community rallied today at the 72<sup>nd</sup> Precint to simultaneously film the precinct in an exercise of their rights and a demonstration of support for Mr. Thomas.

Mr. Thomas' lawyer David Rankin stated "The public's right to record police activity has been well established in the law, but the NYPD clearly views itself above the law and the constitution in its interference with the press and the film making community."

Justin Thomas stated "I knew I had the right to record a public building from a public street, and when challenged I stood up for those rights."

Professor Michel Negroponte of the School of Visual Arts spoke in support of his student "This is about the rights of documentary filmmakers and photographers to do their work in public places. Try to imagine the city's historic and creative archive without any of the photographs or films taken on the streets of New York: the famous photographs of Alfred Stieglitz or Edwin Steichen of the Flatiron Building would not exist; Thomas Edison's early films about turn-of the century New York would not exist; Paul Strand's silent classic "Manhatta" would not exist. For filmmakers and photographers, the right to do their work on the streets of the city is a sacred privilege."

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