The Truth Behind Covering Protests

By: Kamesha Laarry, Attorney & Racial Equity Fellow at RCFP
THE U.S. PRESS FREEDOM TRACKER

A database of press freedom incidents in the United States — everything from arrests of journalists and the seizure of their equipment to assaults and interrogations at the U.S. border. The Press Freedom Tracker documents incidents across the country, involving national, state and local authorities.

Press Freedoms in the United States 2020

A REVIEW OF THE U.S. PRESS FREEDOM TRACKER

By the Reporters Committee
Senior Staff Attorney and Tracker Advisory Board Member Sarah Matthews,
Editorial Coordinator Chris Young,
and former Communications Intern Courtney Douglas
## Incident Type Summary

<table>
<thead>
<tr>
<th>Incident Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrest/Criminal Charge</td>
<td>59</td>
</tr>
<tr>
<td>Assault</td>
<td>144</td>
</tr>
<tr>
<td>Border Stop</td>
<td>3</td>
</tr>
<tr>
<td>Chilling Statement</td>
<td>7</td>
</tr>
<tr>
<td>Denial of Access</td>
<td>9</td>
</tr>
<tr>
<td>Equipment Damage</td>
<td>37</td>
</tr>
<tr>
<td>Equipment Search or Seizure</td>
<td>6</td>
</tr>
<tr>
<td>Prior Restraint</td>
<td>1</td>
</tr>
<tr>
<td>Subpoena/Legal Order</td>
<td>28</td>
</tr>
<tr>
<td>Other Incident</td>
<td>8</td>
</tr>
</tbody>
</table>

## Incidents by Year

- **2022**: 3 incidents
- **2021**: 7 incidents
- **2020**: 9 incidents
- **2019**: 6 incidents
- **2018**: 1 incident
- **2017**: 8 incidents

## Incidents by Month

- **February**: 3 incidents
- **March**: 7 incidents
- **April**: 9 incidents
- **May**: 37 incidents
- **June**: 6 incidents
- **July**: 1 incident
- **August**: 28 incidents
- **September**: 8 incidents

## Incidents Recorded Outside the US

- **2 Go to Incidents**
2019 Protest Statistics

- Arrests/Criminal Charges: 9
- Assault: 42
- Subpoenas/Legal Order: 30
- Denial of Access: 22
- Equipment Border Stop: 18
- Damage: 12
2020 Protest Statistics

- 143 Journalists Arrested/Criminal Charges
- 627 Assaulted
- 121 Equipment Damaged
- 35 Subpoenaed
- 14 Denied of Access
- 27 Equipment Searched/Seizure
2021 Protest Statistics

- Arrests/Criminal Charges: 59
- Assault: 144
- Subpoenas/Legal Order: 28
- Denial of Access: 9
- Equipment Damage: 37
- Denial of Access: 9
2022 Protest Statistics
What’s Happening Now!

Assault

“In terms of press freedom rights, it was probably one of the worst protests I’ve been at.”

LEXIS-OLIVIER RAY
L.A. Taco reporter

Capitol Police arrest 181 abortion rights protesters outside Senate office building

The U.S. Capitol Police on Thursday arrested 181 abortion rights demonstrators who protested outside a Senate office building less than a week after the Supreme Court overturned the landmark Roe v. Wade abortion decision.

Internet Dedicated Services: A high-performance connection.

U.S. PRESS FREEDOM TRACKER pressfreedomtracker.us

@LATACO reporter @ShotOn35mm was repeatedly shoved, intimidated by LAPD officers while covering reproductive rights protests in LA on June 24:

pressfreedomtracker.us
Journalist repeatedly shoved while covering LA reproductive rights protests
Lexis-Olivier Ray, a reporter with the digital news site L.A. Taco, was repeatedly shoved by police officers while documenting reproductive rights protests.
Resources
RCFP LEGAL DEFENSE HOTLINE

Our hotline is available daily to help journalists and media lawyers with questions about

▷ Public records laws and requests
▷ Access to public meetings and courts
▷ Electronic surveillance
▷ Other newsgathering rights and questions

1-800-336-4243; rcfp.org/hotline
584
Calls to the hotline in 2021

46
States and international jurisdictions

45%
Requests in 2021 were about public records
FREQUENTLY ASKED HOTLINE QUESTIONS

▷ Can I record the police?
▷ Can I trespass on private property if I'm covering a story?
▷ Is bodycam footage a public record?
▷ A city council member told me their next meeting is closed. Can they do that?
▷ Are cameras allowed in the courtroom?
▷ I've been subpoenaed to testify in court. What do I do?
▷ Can I record a conversation without someone's permission?
▷ Can I interview an inmate?
▷ Can I photograph students in a public school? Can I video in a government building? Can I photograph people in a business?
▷ Libel basics
How to Protect Yourself When Covering a Protest

Before the Protest

1. Do your homework ahead of time.
   Identify potential threats and prepare for them.

2. Find a lawyer who will be available while you are reporting.
   Keep the phone number for a local criminal lawyer and buy a homosexuals lens (e.g., a
   business card or written on your arm so you do not have to unlock your phone in
   the presence of police) and make sure the lawyer will be available to take your call. Contact
   the Reporters Committee’s hotline for assistance in finding an attorney.

3. Research the location of the protest and nearby police precincts.
   Give the phone numbers for those precincts to your attorney, who can call there
   to find you if you become unresponsive to phone calls or texts in the event you are
   arrested.

4. Identify who may be adversarial to the press.
   If it may be protesters, stand apart from the crowd and closer to police, clearly
   identifying yourself as press. If you are concerned about police, stay closer to the
   crowd. However, use your best judgment.

5. Research riot control tactics in the area and bring personal protective
   equipment as appropriate.
   Check with local police to make sure your equipment is permitted, at least for
   journalists (e.g., if you expect pepper spray or tear gas, bring a full-face gas mask;
   if you expect rubber bullets, bring body armor, a helmet and a trauma kit).

   If you anticipate kettling, bring your attorney’s phone number so you can report it and
   so your attorney can contact the police to try to get you out of the kettle. Bring water,
   snacks, a medical kit and additional layers of clothing in case the weather changes.

7. Team up with another reporter.
   Reporting alone is dangerous, particularly if you are operating a camera or video
   camera and are observing your surroundings from behind a viewpoint.

   If you have questions about covering a protest or your legal rights as a journalist,
   contact the Reporters Committee’s Legal Defense Helpline at 800-556-4727 or
   helpline@reporterscommittee.org.

The First Amendment Handbook

Seventh Edition

POLICE, PROTESTERS, AND THE PRESS

JUNE 2022
OTHER RESOURCES

- Some Practical Advice about Covering High Conflict News Stories (NPPA)
- Physical Safety: Civil Disorder (CPJ)
- Citizen’s Guide to Recording Police (FAW)

Photo by Joe Raedle/Getty Images