



## National Press Photographers Association

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February 28, 2017

VIA EMAIL [allen.koppy@mortonnd.org](mailto:allen.koppy@mortonnd.org)

Allen Koppy  
Morton County State's Attorney  
210 2nd Ave., NW  
Mandan, ND 58554

**Re: Seizure of equipment from photographers arrested at DAPL protest**

Dear Mr. Koppy:

On behalf of the below listed organizations, I respectfully request that your office direct the return of all equipment and personal items seized from visual journalists, Tonita Cervantes and Tracie Williams. As you are aware, despite our previous letter (see attached) regarding the importance of journalists covering the events at the Dakota Access Pipeline camp, these two journalists were arrested and charged with misdemeanors.

On Friday, February 21, 2017 I sent an email to Gabrielle Goter, the local prosecutor, with the same request regarding said equipment being held as "evidence." While we understand what interest police and prosecutors may have in the images contained on those devices, we strongly assert that the equipment itself is of no evidentiary value. Furthermore, it is crucial that this equipment be returned immediately, because without it these photographers cannot earn a living as visual journalists.

In a similar case, amicably resolved earlier this month, the U.S. Attorney in Washington, DC returned another photographer's equipment (and subsequently dismissed the federal felony charges) after his arrest while covering Inauguration Day protests on January 20, 2017.

Therefore, in the interest of justice we ask that the charges be dropped against these two journalists and that their equipment and other seized property be immediately returned to them.

Thank you.

Very truly yours,

*Mickey H. Osterreicher*

Mickey H. Osterreicher  
General Counsel

*On behalf of:*  
Committee to Protect Journalists  
Native American Journalists Association  
Online News Association  
Society of Professional Journalists

cc: Kyle Kirchmeier, Morton County Sheriff  
Wayne Stenhjem, North Dakota Attorney General