



UNIVERSITY OF MARYLAND

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March 12, 2013

Ms. Kendra A. Barkoff
Press Secretary
Office of the Vice President of the United States
Kendra_A_Barkoff@ovp.eop.gov

Dear Ms. Barkoff:

I am writing to protest an incident that occurred today at Vice President Biden's appearance in Rockville, Maryland, where a journalist for Philip Merrill College's Capital News Service was ordered by one of your staff members to delete all photographs on his camera.

The action taken by your staff member (our reporter did not get her name) not only violated fundamental tenets of press freedom, but directly violated the law set forth in the Privacy Protection Act, 42 U.S.C. § 2000aa (a), which states that government officers and employees investigating a criminal offense may not "search for or seize any work product materials possessed by a person reasonably believed to have a purpose to disseminate to the public a newspaper, book, broadcast, or other similar form of public communication."

This statute makes clear that it is the policy of the U.S. government to provide special protections for the press against searches and seizures by law enforcement and other government officials, except in limited circumstances. The exceptions allow federal officers to search and seize materials from members of the news media *only* when a member of the press has committed a crime unrelated to the possession or withholding of the materials or where there is a necessity to prevent death or bodily injury. See 42 U.S.C. § 2000aa (a) (1) and (2). It is clear that the statute's purpose is to provide maximum protection for the news media against seizures of work product.

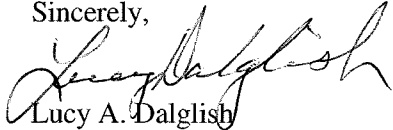
The law was violated today when our reporter was ordered to delete the photos. Here is what happened: When the reporter, who was wearing his congressional press credential, arrived at the event it was not clear where the press was to be seated. He was directed by a staffer to what turned out to be a non-press seating area. At the end of the event, another staffer stood over his shoulder and ordered him to delete all the photos in his camera because she claimed he had some sort of unfair advantage over other members of the press who were a few rows away.

This is a ridiculous argument. Some members of the media with photo credentials were brought to the front of the event, in positions superior to that of the CNS reporter, and allowed to shoot without censorship. In addition, those guests seated in the same section as my reporter were also shooting photos, and, as we all know, a significant number of those images were made public and accessible through social media almost immediately after they were shot.

Your staff member's action was clearly some sort of punishment of the CNS reporter, who while he is not a White House regular, is a student journalist for Capital News Service, which covers a variety of stories of interest to Marylanders that are published every day by professional and social media throughout the state.

Rockville is not a third-world country where police-state style media censorship is expected. I request an immediate apology to our reporter, Jeremy Barr, and to the editors and staff of Capital News Service. I also request that your staff be trained in basic First Amendment rights of citizens and media to ensure such tactics are not employed in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lucy A. Dalglish".

Lucy A. Dalglish
Professor and Dean
Philip Merrill College of Journalism
University of Maryland, College Park