



National Press Photographers Association

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Via Email

January 24, 2014

Carol Shelby
Senior Director, Environmental Health and Public Safety
Purdue University
Freehafer Hall of Admin. Services
401 S. Grant Street
West Lafayette, IN 47907-2024

Re: Detention of Michael Takeda and Seizure of his Equipment

Dear Ms. Shelby,

As general counsel for the National Press Photographers Association (NPPA) I have recently been made aware of the detention of *Purdue Exponent* photo editor Michael Takeda by police officers as he was attempting to photograph the aftermath of a campus shooting earlier this week. According to [reports](#) he was forcibly tackled before being taken into custody.

Our organization, founded in 1946 with almost 7,000 members, has pointed out to numerous groups and law enforcement agencies; photography by itself is not a crime or even a suspicious activity and is protected by the First Amendment. Unfortunately the reliance by law enforcement officers to question, detain and interfere with lawful activities by photographers has become a nationwide daily occurrence.

In any free country the balance between actual vigilance and over-zealous enforcement is delicate. While it may be understandable that law enforcement officers had a heightened sense of awareness after the shooting – we believe that they abused that discretion by detaining Mr. Takeda, seizing his camera equipment and – if the comments and actions attributed to them are true – acting in an unprofessional and lawless manner. Creating a climate of fear and suspicion that chills free speech and violates protections against unreasonable search and seizure under the pretext of safety and security is of great concern to us.

This case sets a terrible example for students and the public regarding the abridgment by law enforcement of the First Amendment right to freedom of expression and of the press and is especially egregious because it appears that this photojournalist was specifically targeted by police because the officer was concerned that he might have photographed some blood. I would remind you that law enforcement's job is one of enforcing laws, ensuring public safety and collecting evidence. It is not one of making editorial judgments or exercising an onerous form of prior restraint by preventing photographs from being taken.

Given that this incident took place on a college campus, one would hope it could be seen as a teachable lesson. NPPA stands ready to work with your department and other agencies involved to help develop reasonable and workable policies, practices and training in order to avoid similar situations from occurring in the future. If the Purdue University Police Department along with Environmental Health and Public Safety are truly “highly skilled and dedicated professionals committed to excellence in their caring about the Purdue community,” then we would expect no less than a thorough and unbiased investigation of this matter including any appropriately deemed discipline for those involved.

Thank you for your attention in this matter. I look forward to your response.

Very truly yours,

Mickey H. Osterreicher

Mickey H. Osterreicher
General Counsel

Enc.

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