



## NATIONAL PRESS PHOTOGRAPHERS ASSOCIATION

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### **The Rights and Limitations of the Public and Media to Film Peace Officers**

#### **Bio:**

Mickey H. Osterreicher serves as general counsel to the National Press Photographers Association (NPPA). He is an award-winning photojournalist with over forty years' experience in print and broadcast and has been a uniformed reserve deputy sheriff with the Erie County Sheriff's Office (ECSO) since 1976. His work has appeared in such publications as the New York Times, Time, Newsweek and USA Today as well as on ABC World News Tonight, Nightline, Good Morning America, NBC Nightly News and ESPN.

Osterreicher was a member of the IACP *Public Recording of Police* advisory committee and helped draft the manuals and provide training on this issue. He has also instructed at numerous annual IACP and National Sheriffs Association (NSA) meetings and provided training on this subject to many law enforcement agencies nationwide, including: Washington, D.C., Tampa, Cleveland, Charlotte, Philadelphia, Denver and Milwaukee. He is an instructor with ILEETA and the Daigle Law Group and is certified under the National Incident Management System (NIMS).

He has been an adjunct lecturer in Photojournalism at SUNY at Buffalo and an adjunct law professor in media and the law at the University at Buffalo Law School. In 2017 he was named Reserve Deputy of the Year by the ECSO and Erie County Deputy Sheriff's Badge and Shield Club. The Society of Professional Journalists (SPJ) honored him in 2015 as a "Fellow of the Society," the highest professional honor given by the Society for extraordinary contribution to the profession.

Mr. Osterreicher graduated cum laude in 1973 from SUNY at Buffalo with a Bachelor of Science degree in Photojournalism/Photography and received his Juris Doctor, cum laude from the University of Buffalo Law School in 1998. He is admitted to practice in New York State and several jurisdictions around the country including the U.S. Supreme Court.

#### **Abstract:**

The training will present an informative program about the rights and limitations of journalists and citizens to photograph and record peace and public safety officers performing their official duties in public. The discussion will include First, Fourth and Fourteenth Amendment rights, search and seizure, exigent circumstances, qualified immunity, media-crowd management and prohibitions against the destruction or deletion of files and recordings within the framework of departmental policies. A discussion of case law supporting these rights tempered by valid time, place and manner restrictions will include the most recent cases and rulings as well as compliance with U.S. Department of Justice (USDOJ) Statements of Interest.

The objective is to foster improved police-press-public relations in an era when most needed. Constructive discussion of the rights and responsibilities of journalists, the public and police will be the focus along with instilling greater respect for the roles each plays. The training session will provide solutions and answers for challenges faced daily by officers, supervisory personnel and first responders in dealing with the public and the press regarding the right to photograph and record police activity and how to deal with high profile incidents such as the political rallies and public demonstrations.

This session will provide attendees with unique perspectives on recent incidents along with photos, videos, descriptions, and an opportunity to participate (even remotely) with challenging questions.