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Dear Chief Sullivan:

I am writing to express my deep concern over the conduct of members of the Phoenix Police Department last month with Dion Rabouin, a reporter for The Wall Street Journal who was engaging in his First Amendment-protected right to gather news.

On November 23, Mr. Rabouin was interviewing passersby on a public sidewalk outside the Chase bank branch located at 12038 North 32nd Street in Phoenix. While Mr. Rabouin was gathering news, he was approached by Officer Zimmerman (badge #10442) of the Phoenix Police Department's Desert Horizon Precinct. Officer Zimmerman informed Mr. Rabouin that he was trespassing. To be clear, at no point until then had Mr. Rabouin been asked to leave the sidewalk outside the bank by Chase personnel or anyone else.

Mr. Rabouin, being an American citizen, had a clear right to be present on the sidewalk and engaged in newsgathering. Nonetheless, Mr. Rabouin offered at that point to leave. Instead, Officer Zimmerman told Mr. Rabouin that he was being detained and placed Mr. Rabouin in handcuffs before placing him in the rear of a police vehicle. The Journal has reviewed bystander-recorded video of Mr. Rabouin's detention and custody by Officer Zimmerman; Mr. Rabouin remained a calm and professional demeanor throughout the episode. Mr. Rabouin's detention ended when Officer Zimmerman released him from the handcuffs and told him that he needed to leave the sidewalk outside the Chase bank or he would be arrested and charged with trespassing.

Naturally, I am relieved that Mr. Rabouin's interaction with Phoenix police officers ended peacefully. But I am appalled and concerned that officers at your department would attempt to interfere with Mr. Rabouin's constitutional right to engage in journalism and purport to limit anyone's presence in a public location. Such conduct is offensive to civil liberties, and also a pretty good news story.

The Journal and Mr. Rabouin are still determining what further action to take in response to his detention by your officers. In the meantime, the Journal expects that the Phoenix Police Department will conduct its own review of Mr. Rabouin's detention and take whatever steps are necessary to ensure that neither Mr. Rabouin nor any other journalist is again subjected to such conduct.

Sincerely,  
Matt Murray