
AMERICAN CIVIL LIBERTIES UNION OF MASSACHUSETTS

WESTERN REGIONAL OFFICE

39 MAIN STREET, NORTHAMPTON, MASSACHUSETTS 01060

TELEPHONE: (413) 586-9115

FACSIMILE: (413) 586-7076

WILLIAM C. NEWMAN

Director

PRESS RELEASE

JUNE 6, 2013

FOR IMMEDIATE RELEASE

All charges against Ian Freeman, a photo journalist, blogger and radio host, have been dismissed. In addition, the Town of Palmer has paid Mr. Freeman \$5,000.00 as settlement for the claims he could have asserted against the Town for the Town's arrest of him.

Mr. Freeman was arrested on October 25, 2012 by the Palmer Police in Town Hall and charged with two counts of disorderly conduct. The basis for the arrest was that Mr. Freeman had videotaped the police informing him that he could not videotape in Town Hall per signs recently posted by the town to that effect.

Mr. Freeman was originally charged with two counts of disorderly – one under the state criminal statute and the other under a town ordinance that prohibits disorderly conduct, which was also brought as a criminal charge.

Mr. Freeman had gone to Town Hall to videotape an auction of properties by the Town. The auction had been advertised as an open and public process.

After the ACLU's involvement, the Town removed the signs prohibiting videotaping in Town Hall.

William Newman, Director of the Western Massachusetts Office of the American Civil Liberties Union, which represented Mr. Freeman said, "Mr. Freeman should never have been arrested, and the charges should never have been brought, which is why dismissal was required as a matter of law, why the charges had to be dropped."

The importance of the dismissal and the resolution of this case is that Palmer has recognized the right of all of us to videotape public officials performing their public duties in a public place.

The ACLU is grateful that the town has recognized that posting signs in the Town Hall prohibiting such video recording violates the First Amendment.

Mr. Freeman has been represented in this matter by Attorney Newman, Director of the Western Massachusetts office, and Attorney Shawn Allyn of Holyoke who acted as an ACLU cooperating attorney in this case.