

URGENT ACTION

DROP CHARGES AGAINST JOURNALIST

On the night of 31 May 2020, police in the city of Des Moines, Iowa, pepper sprayed, arrested, and detained journalist Andrea Sahouri while she was reporting on a Black Lives Matter protest even after she yelled “I’m press, I’m press.” The prosecutor has insisted on moving ahead with a trial for two simple misdemeanors, which could result in a fine, 30-day jail sentence, or both. Andrea’s trial is beginning on 8 March 2021. We demand authorities dismiss all charges against her.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

County Attorney John P. Sarcone
Polk County Attorney's Office,
Polk County Justice Center,
222 Fifth Avenue
Des Moines, Iowa 50309
USA

Email: john.sarcone@polkcountyiowa.gov

Dear Mr. Sarcone:

I write to urge your office to take immediate action to dismiss all charges with prejudice in State of Iowa v. Andrea M. Sahouri, SMAC 388817.

On the evening of 31 May 2020, Ms. Sahouri was covering a protest on assignment for the Des Moines Register. Despite identifying herself as a journalist, she was pepper sprayed, arrested, and detained for several hours.

To ensure the right to freedom of expression and the right to freedom of peaceful assembly, members of the media have a right to attend and report on peaceful assemblies, and law enforcement officials have a responsibility not to prevent or obstruct their work.

I urge you not to move forward with the prosecution of Ms. Sahouri and to dismiss immediately all charges against her with prejudice. Reporting at a protest scene as a working member of the media is not a crime.

Yours sincerely,

ADDITIONAL INFORMATION

According to a new [report](#) from the Freedom of the Press Foundation, *U.S. Press Freedom in Crisis: Journalists under Arrest in 2020*, out of at least 117 journalists arrested in 2020 covering protests, Andrea is one of 16 who still face charges. Amnesty documented Andrea’s case for its August 2020 report, [The World is Watching: Mass Violations by US Police of Black Lives Matter Protesters’ Rights](#), detailing how law enforcement unnecessarily and disproportionately responded to protesters, journalists, legal observers, and street medics, violating their rights to freedom of assembly, causing injuries,

and endangering protestors. Police forces across the United States committed widespread and egregious human rights violations in response to largely peaceful assemblies protesting systemic racism and police violence, including the killing of Black people.

Amnesty International documented 125 separate incidents of police violence against protesters in 40 states and the District of Columbia between 26 May and 5 June 2020. These acts of excessive force were committed by members of state and local police departments, as well as by National Guard troops and security force personnel from several federal agencies. Among the abuses documented are beatings, the misuse of tear gas and pepper spray, and the inappropriate and, at times, indiscriminate firing of less-lethal projectiles, such as sponge rounds and rubber bullets.

These human rights violations by the police against peaceful protesters – which were neither proportionate nor necessary to achieve a legitimate law enforcement objective – are particularly egregious as they have occurred at demonstrations denouncing just such police behaviour. Most of these protests have been peaceful, but in some a minority of protesters have committed unlawful acts, including acts of violence. In such cases, security forces have routinely used disproportionate and indiscriminate force against entire demonstrations – without distinguishing, as legally required, between peaceful protesters and individuals committing unlawful acts. Besides the severity of the abuses, what is most striking about the incidents Amnesty International documented is their broad geographic scope, indicating the national scale of the problem of police violence.

The USA government is obligated under the Constitution and international human rights law to guarantee the right to freedom of peaceful assembly. Law enforcement agencies—at the federal, state, and municipal levels—have a responsibility to respect, protect, and facilitate peaceful assemblies. As such, law enforcement authorities are only permitted to use force at public assemblies when it is absolutely necessary and in a proportionate manner to achieve a legitimate law enforcement objective. Any restrictions of public assemblies, including the use of force against demonstrators, can never be discriminatory toward any race, ethnicity, political ideology, or other social group.

Law enforcement authorities' main objective in policing demonstrations should always be to effectively facilitate peaceful assemblies. If it does become necessary for law enforcement to disperse a protest—for example, as a result of individual protesters perpetrating acts of serious violence—law enforcement officials can use force only if non-violent means are unlikely to be effective. In the use of force, law enforcement officials must seek to minimize harm and injury, and ensure it is proportionate to the level of resistance by the demonstrators. Even then, authorities must strictly distinguish between peaceful demonstrators or bystanders, and any individual who is actively engaged in violence. The violent acts of an individual never justifies the use of force against peaceful protesters generally, and force is only justified for the minimum duration necessary. Less-lethal weapons—such as tear gas and pepper spray grenades, and impact projectiles such as sponge rounds, baton rounds, and rubber bullets—should never be shot at close range or aimed at the head, as serious injury or death is possible.

In order to prevent impunity and the repetition of abuses, authorities in the USA must investigate, prosecute, and punish the unlawful use of force by police or others, and provide full reparations to the victims of such violence. To date, there is little indication that these obligations have been taken seriously across the country.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 6 April 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Andrea Sahouri (she/her/hers)

LINK TO PREVIOUS UA: N/A