



National Press Photographers Association, Inc.

The Society of Professional Photojournalists

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VIA EMAIL & FACSIMILE

August 9, 2010

Eric J. Muntan
Chief
Office of Safety and Security
Miami-Dade Transit
111 NW 1st Street, Suite 910
Miami, FL 33128

Re: Photography & Filming Policy

Dear Mr. Muntan,

Thank you for your letter dated August 6, 2010. I appreciate you taking the time to write (albeit five (5) weeks later) and acknowledge that “the Miami-Dade Code does not prohibit or restrict personal photography, for noncommercial, non-training or non-educational endeavors, on your public transit facilities.” Unfortunately I believe that the Miami-Dade County Code Section 30B-5, restricting certain audio and video activities in the MDT system has led to confusion on the part of those meant to enforce those codes because of its emphasis on the prohibitions rather than the exceptions.

As you may have noted from my earlier letter we do not dispute the right of MDT, through its employees and/or agents, to make reasonably inquiry of individuals taking photographic images on your property; but I hope that you will agree that asking a question is a far cry from informing someone that they cannot photograph or enter the system with a camera even if they hold a ticket.

Once again, while I respect your concerns about “threats against mass transit systems” I would hope that you can understand that photography/videography by itself is not a dangerous or pernicious activity unless accompanied by other behavior giving rise to probable cause or reasonable suspicion that would merit further investigation. The erroneous and growing habit of somehow linking photography with terrorism creates an atmosphere of initial distrust and suspicion, which leads to these type of incidents.

I look forward to the outcome of your investigation as well as any recommendations. Please let me know if NPPA may be of further assistance. Thank you for your attention in this matter.

Sincerely,

Mickey H. Osterreicher

Mickey H. Osterreicher
NPPA General Counsel

cc: Stephen Murray
Sam Terrilli, Esq.
Carlos Miller
Stretch Ledford