

RGJ photographer on assignment roughed up by deputies

By Scott Sonner, AP

RENO – The executive editor of the *Reno Gazette-Journal* was preparing a formal complaint to local law enforcement Tuesday after he said one of his veteran photographers covering a brush fire was roughed up by sheriff's deputies who forced him to the ground and cited him for obstructing public officers.

Photo editor Tim Dunn, 60, was taking photos of the fire that destroyed two homes north of town in Sun Valley on Monday afternoon when Washoe County sheriff's deputies confronted him and detained him for more than a half hour, Executive Editor Beryl Love said.

"In the process of delivering the citation, he was forced to the ground," Love told the *Associated Press*, adding that the "excessive force" was a violation of Dunn's rights.

"He was handcuffed and left standing there for 30 or 40 minutes while the deputies were deciding whether to give him a citation. This was after he was complying with deputy's direction and was in the process of walking to the area he told him," he said. "His face was pushed into some gravel. "

The newspaper was investigating, but the three deputies involved appear to be the only witnesses to the incident other than Dunn, who said he did not provoke the treatment, Love said.

Washoe County sheriff's Deputy Armando Avina confirmed Dunn was detained for less than an hour near the scene of the fire Monday before he was issued a misdemeanor citation for

resisting a public officer.

“The deputies on scene used their discretion and did not arrest and book Mr. Dunn, a citation was issued in lieu of arrest,” Avina said Tuesday.

Barry Smith, executive director of the Nevada Press Association and a longtime area newspaperman, said he doesn’t remember any such incident in the past 20 years.

“There are occasionally disagreements over where people should be and how much access there is, but I’ve never heard of a deputy actually beating up a photographer,” he told *AP*. “I’m outraged.”

A photo of Dunn on the *Gazette-Journal’s* website Tuesday afternoon showed his cheek and right hand with large scrapes.

Dunn, an award winning photographer and chief photo editor with 37 years in the business, said he had been told to leave the area and was directed to another location farther away from the scene. He said he ultimately was taken to the ground by two deputies – one who shoved his foot on his back, and the other who pushed his face in the gravel.

Dunn said the deputies accused him of trying to impersonate a firefighter because he was wearing yellow, protective fire gear, a helmet, and goggles. But he noted that area fire personnel who conduct annual training emphasize the need for media to wear such clothes while covering wildfires.

“I kept thinking this was not really happening,” Dunn said.

“There was no way I was obstructing any activity at that fire. It was in mop-up mode,” he told *AP* Tuesday night, adding he didn’t get the names of the deputies. “It’s hard to write when you’re in handcuffs.”

Love said the newspaper was preparing a formal administrative complaint and advising Dunn on possible civil actions

“appropriate for the injuries he sustained.” He said it wasn’t the first time his staff had run into trouble with authorities while trying to cover wildfires.

“We have had several instances during the past year when our reporters and photographers were not given access to fire scenes where we clearly had a right to be. But this goes above and beyond press access,” Love said in a statement later Tuesday.

“The brutal nature in which Tim, a veteran photographer with more than 20 years of experience, was treated by sheriff deputies is beyond comprehension. Their use of excessive force on a fellow professional who also has an important job to do is shocking. His rights were clearly violated.”

Avina said sheriff’s Capt. J. Spencer made initial contact with Dunn at 5:15pm and instructed deputies to detain him one minute later. He said the captain asked a dispatcher for a formal case number for resisting a public officer at 5:22pm, issued Dunn a misdemeanor citation and told him he was free to leave at 6:05pm.

Avina said he couldn’t comment further.

Smith said he spent much of Tuesday researching relevant state statutes, rules and regulations. He said fire officials and law officers “clearly do not have the authority to order the media around at any kind of an emergency site.” He said obvious exceptions include “if somebody is obstructing the firefighters from getting to the scene or doing their job, or there is some imminent danger the reporter or photographer is not aware of – and in that case, they should be advising them.”

“Nevada journalists are trained how to respond to wildfires,” said Smith, who intends to support the newspaper in its action. “It sounds to me like the fire officials and deputies need to be trained on how to respond to the media.”

Smith called it “absolutely preposterous” that Dunn could have been mistaken for a firefighter. He said his gear is specifically called for in the 20-page Sierra Front Media Fire Guide published by an interagency coalition that includes the U.S. Forest Service, U.S. Bureau of Land Management, Nevada Division of Forestry and others.

“Please keep in mind appropriate attire when you are covering fire operations. ... We cannot guarantee that the supply unit will have sizes of fire clothing that will fit you. It is always best to come to a wildfire fully equipped,” according to the guide. It also states, “Remember that the decision to assume risk remains with the journalist.”

Smith said, “The whole idea of ‘move or you’re going to be arrested’ is way outside that policy.”

Fire investigators determined Tuesday the fire was caused by sparks from power lines in high winds that ignited dry grass at about 4pm Monday. The four-alarm blaze destroyed two homes and damaged a third.