

The New York Times

**City Room**

Blogging From the Five Boroughs

---

JANUARY 9, 2009, 12:27 PM

## After Police Relent, Bloggers Get Press Credentials

By SEWELL CHAN

Rafael Martínez Alequin was one of three bloggers who sued the city over their denial of police credentials. (Photo: Kitra Cahana/The New York Times)

Three bloggers who had sued New York City after the Police Department denied them press credentials because they work for online or nontraditional news outlets were issued credentials on Friday after the police relented, the bloggers' lawyer, Norman Siegel, said.

The three men — Rafael Martínez Alequin, Ralph E. Smith and David Wallis — [filed a federal lawsuit](#) in November asserting that they were denied press credentials in 2007 “with little explanation or opportunity for appeal.” They argued that the system for issuing press credentials was “inconsistent and constitutionally flawed.”

Mr. Siegel walked out of 1 Police Plaza on Friday morning with the three men, who were issued press identification cards, one of the types of press credentials issued by the Police Department. Mr. Siegel said he was delighted with the outcome, but he vowed to continue the lawsuit, saying further reforms were needed.

“This step recognizes that bloggers are 21st-century journalists,” Mr. Siegel, a noted civil liberties lawyer who has announced plans to run for public advocate next year, said in a phone interview. “It’s an important first step, but only a first step, because we still need to address the constitutional problem of who gets press credentials in New York City. The Police Department should not be in the business of determining who’s a journalist.”

Paul J. Browne, the Police Department’s chief spokesman, declined to comment.

Mr. Martínez Alequin, long known as a City Hall gadfly, said he was proud to have his credentials again, as he had for many years.

“Now bloggers will have a venue to apply to get their credentials, I hope,” he said in a phone interview. “We are delighted that we won this action. I’ve been in City Hall for almost 25 years, and I’m not going to stop now.”

The Police Department issues two kinds of credentials: working press cards, for a “full-time employee of a news-gathering organization covering spot or breaking news on a regular basis,” and press identification cards, for journalists who are “employed by a legitimate news organization” but who do “not normally cover spot or breaking news events.”

The working press card ostensibly allows the journalist to cross police lines at

emergencies and at nonemergency public events, like parades and demonstrations; the press identification card is “issued as a courtesy” but does not carry such privileges. Each card must be renewed annually.

The three men have varied journalistic practices.

Mr. Wallis is the founder of [featurewell.com](http://featurewell.com), a syndication service that provides news coverage to 1,500 publications worldwide, including The Guardian, The Irish Examiner, The Australian Financial Review and The New Zealand Herald. According to the lawsuit, Mr. Wallis had a press identification card off and on from 1994 until August 2007, when his petition to obtain the card again was denied without explanation.

Mr. Smith is published of [The Guardian Chronicle](http://TheGuardianChronicle.com), a Web site for black law enforcement workers. He has been a public information officer for the city’s Department of Correction since 1988, and had a press credential from 1996 until January 2007, when his application to renew the credential was denied. Despite several attempts to get a written explanation for the denial, Mr. Smith has not received one, the suit says.

The case of Mr. Martínez Alequin has [received the most publicity](#). He published The Brooklyn Free Press from 1983 to 2001, when he ceased publication after the death of his wife. Then he started an online publication, The New York City Free Press, in 2003, and began a related blog, [Your Free Press](#), in 2007. He had a working press card from 1986 to 2000 and again from 2005 to 2006.