NATIONAL PRESS PHOTOGRAPHERS ASSOCIATION

70 Niagara Square, Buffalo, New York 14202
Phone: 716.983.7800 Fax: 716.608.1509
lawyer@nppa.org

November 4, 2026

Council Member Gale A. Brewer
New York City Council
Via email

Re: NYPD final radio encryption policy and Int. No. 1025

Dear Council Member Brewer:

Thank you for your continued leadership on press access to police radio communications and for introducing Int. No. 1025. I am writing on behalf of the National Press Photographers Association and the undersigned journalism associations and news organizations to ask for your help addressing unresolved issues in the NYPD's final policy under Local Law 46 of 2026.

The reduction from a one-hour delay to 30 minutes is welcome, as are several changes that address concerns raised in our September 13 comments. But a half-hour hold on routine dispatch information still prevents journalists from reaching and documenting many events as they unfold. This access is already restricted to credentialed professional journalists subject to individual approval, authentication, and use restrictions. A delay applied elsewhere to unrestricted public listening would not, in itself, justify imposing a delay on this limited group. NYPD should identify the specific risk that remains despite those safeguards and explain why it requires a blanket 30-minute delay rather than contemporaneous access.

We support moving Int. No. 1025 forward, including its requirement for automatic scanning. We also encourage you to make clear that its 15-minute maximum is an absolute ceiling, not a standard waiting period. Our objective remains contemporaneous access, subject only to unavoidable technical latency. Even a 15-minute delay can prevent coverage of a rapidly developing incident.

We would welcome the opportunity to work with your office on language requiring delivery as promptly as technically feasible, with any additional delay supported by a specific, documented justification and no longer than the statutory maximum. That approach would preserve the bill's immediate improvement while avoiding the implication that NYPD should routinely hold every transmission for 15 minutes.

We also ask that you seek a hearing and a written explanation from NYPD concerning the basis for the 30-minute delay, the available channels and exclusions, whether the platform will provide genuine automatic scanning, and the implementation and testing schedule. Important questions also remain about application deadlines, appeals, automatic revocation, and protection of journalists' newsgathering information in platform records.

The enclosed draft supplemental comments identify the remaining concerns and acknowledge the changes NYPD has already made. We would appreciate an opportunity to discuss them with you and your staff, including the next steps for Int. No. 1025 and whether your office can convene a meeting with the Department's operational, technical, legal, and public information personnel before full implementation.

Thank you for continuing to press for meaningful access. Journalists need timely information to report independently, document police activity, and make informed decisions about their own safety. Reducing the delay helps, but the measure of this system must be whether it allows that work to occur while events are still unfolding.

Respectfully submitted,

Mickey H. Osterreicher

Mickey H. Osterreicher
General Counsel
National Press Photographers Association
70 Niagara Street
Buffalo, New York 14202
716.983.7800
lawyer@nppa.org Letter

On behalf of the New York Media Consortium and the undersigned organizations:

American Society of Media Photographers
Deadline Club/New York City chapter, Society of Professional Journalists
FreedomNews.TV
New York News Publishers Association
New York Press Photographers Association
New York Press Club
New York State Broadcasters Association
Radio Television Digital News Association
Society of Professional Journalists
The New York Times
1010 WINS

Enclosure: Draft NPPA supplemental comments dated November 4, 2026