

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

William J. Kelly

Plaintiff

and

Lori Lightfoot as Mayor of the City of Chicago and David Brown as Superintendent of Police of the City of Chicago

Defendants

No. 22 cv 4533

Judge: Sharon Johnson Coleman

Magistrate: Sunil Harjani

FIRST AMENDED COMPLAINT

NOW COMES, Plaintiff William J. Kelly, by and through his attorney, Laura Grochocki, and complains of Lori Lightfoot, as Mayor of Chicago, and David Brown as Superintendent of Police of the City of Chicago as follows:

I. Introduction:

1. Plaintiff William J. Kelly, (“Kelly”) a nationally known journalist, brings this action against Lori Lightfoot (“Lightfoot”), and David Brown (“Brown”), to vindicate and obtain relief from the violation of Kelly’s rights under the First Amendment to the Constitution of the United States and the Fourteenth Amendment to the Constitution of the United States. Both Lightfoot and Brown have knowingly and intentionally violated the most important and cherished rights guaranteed by the Constitution of the United States, those of free speech, a free press, due process of law, and equal protection.

2. They have done this for the most cynical and contemptible reason that can be imagined, to prevent Lightfoot from being questioned about their failures in the performance

of the public offices they currently occupy. Lightfoot desperately wants to prevent anyone from questioning her about her multiple failures in office or about the false statements she makes, at press conferences because she is standing for re-election and wants to keep her dismal performance as mayor of Chicago from being publically exposed and criticized.

3. Kelly is one of the only reporters in Chicago who regularly attends Lightfoot's press conferences and asks her hard questions about the rising violent crime in Chicago, the rising suicide rate among police officers, and her failure to have a plan to solve any of the problems that are confronting Chicago. Kelly is also one of the few reporters in Chicago who regularly attends Lightfoot's press commences and contradicts Lightfoot when she invariably makes false and misleading statements about the situation in Chicago. In fact, on April 25, 2022, Tucker Carlson, who has the most-watched network news shows in the United States, stated on the air that Kelly was "one of the very few journalists left in Chicago".

4. Because Kelly in his role as a reporter and journalist has caused great embarrassment for Lightfoot by asking the hard and embarrassing questions about her obvious failure as mayor, and because this has and would continue to hurt her chances of being re-elected, Lightfoot has directed Brown to revoke Kelly's City of Chicago press credentials which prevent Kelly from attending any more of her press conferences.

5. In order to do this Brown, following Lightfoot's instructions, directed a police officer assigned to Lightfoot's seventy (70) officer¹ strong security force to fabricate a report that Kelly had bumped into him on July 19, 2022. Brown then used this false report as a pretext to revoke Kelly's press credentials on August 8, 2022. In fact, the entire episode where this

1. Lightfoot has a security detail of 70 officers plus 20 private security bodyguards, giving her a larger dedicated security force than any US senator, representative, or US Supreme Court Justice.

bump was falsely alleged to have taken place was videotaped by Kelly and this video shows no such bump took place.

6. This is blatantly unconstitutional. A public official may not target particular news media organizations or journalists for exclusion from access made generally available to other media. The First Amendment guarantees the freedoms of speech and of the press, and those rights are incorporated against the states. The Fourteenth Amendment also guarantees citizens due process and equal protection of the laws, including equal treatment by their government, and due process, which requires fair notice and consideration before the government may revoke access.

7. All four of those clauses are violated in this case as a government official selectively denies access to a journalist based on the content of his speech. See *Anderson v. Cryovac, Inc.*, 805 F.2d 1, 9 (1st Cir. 1986); *Am. Broad. Cos. v. Cuomo*, 570 F.2d 1080, 1083 (2d Cir. 1977); *Sherrill v. Knight*, 569 F.2d 124, 129 (D.C. Cir. 1977). Twice in recent years federal courts have struck down similar revocations of press passes for other reporters. *CNN v. Trump*, No. 1:18-cv-02610-TJK, Dkt. 20, Nov. 16, 20181 (D.D.C.); *Karem v. Trump*, 404 F. Supp. 3d 203, 218 (D.D.C. 2019).

8. Kelly therefore brings this suit under 42 U.S.C. §1983 seeking declaratory and injunctive relief.

II. Jurisdiction and Venue:

9. This case raises claims under the First and Fourteenth Amendments of the United State Constitution and 42 U.S.C. § 1983. The Court has subject-matter jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1343.

10. Venue is appropriate under 28 U.S.C. § 1391(b)(1) and (2) because the

Defendants are citizens of Illinois and reside in the Northern District of Illinois and a substantial portion of the events giving rise to the claims occurred in the Northern District of Illinois.

III. The Parties:

11. Plaintiff William Kelly (“Kelly”) is a career journalist who works and lives in Cook County, Illinois. Kelly is currently a paid contributing reporter for Daily Mail and New York Post. Kelly has worked as a journalist for Newsmax, Daily Mail, and has appeared on Tucker Carlson Tonight, FOX News, and has had his content published by New York Post, Washington Examiner, Daily Mail, FOX News, Forbes, Yahoo, MSN, Daily Caller, Townhall.com, the Independent, and numerous blogs and radio show websites and social media pages. For ten (10) years prior to August 8, 2022, Kelly was credentialed by the City of Chicago as a reporter.

12. Defendant Lori Lightfoot (“Lightfoot”) is the Mayor of the City of Chicago, who is at the end of her first term as mayor and will be standing for re-election in March 2023.

13. Defendant David O. Brown is the Superintendent of Police of the City of Chicago. He was hired by Lightfoot and can be fired by her at her sole discretion.

IV. Factual Allegations:

14. Plaintiff incorporates and re-alleges all of the factual allegations contained in paragraphs one (1) through thirteen (13) of this complaint as paragraph fourteen (14) of this complaint.

15. For the past twelve (12) months, Kelly attended most of Mayor Lightfoot's press conferences. First, he attended them on behalf of Newsmax, and then he attended the news conferences and produced articles and video content which was contributed to various national outlets such as Daily Caller.

16. Most of the video content of his questions to Lightfoot has gone “viral” with millions of views and thousands of comments. Outlets, where Kelly’s content has appeared, include Tucker Carlson Tonight, the Daily Mail, FOX News, Forbes, Yahoo, MSN, New York Post, Washington Examiner, Daily Caller, Townhall.com, the Independent, and thousands of blogs and radio show websites, and social media pages.²

17. Kelly is currently a paid contributing reporter for Daily Mail and New York Post.

18. Kelly began attending Mayor Lightfoot’s press conferences on June 25, 2021. He has attended about a dozen of her press conferences in the last 12 months, including June 25, 2021, July 2, 2021, October 17, 2021, February 23, 2022, March 4, 2022, April 20, 2022, May 25, 2022, June 23, 2022, July 18, 2022, and July 19, 2022.

19. Before each press conference that Mayor Lightfoot holds, her media relations staff sends out a notice via email to every member of the media who is credentialed by the City of Chicago and who has requested to be on the list of those to be notified, that Mayor Lightfoot is holding a “media availability” event, and giving the time and location of the event. A media availability” event is a press conference or event where Mayor Lightfoot will take questions from the credentialed member of the media and will answer their questions.

20. All of Mayor Lightfoot’s “media availability” events are press conferences or events where Mayor Lightfoot will take questions and will answer the questions of all members of the media who have City of Chicago press credentials and who are in attendance regardless of the type of forum the event/press conference is held in. Lightfoot does not take questions or provide answers to those members of the media who do not have City of Chicago press

2. Examples are: Tucker Carlson: https://www.youtube.com/watch?v=JMM441B1x_s and Fox News: <https://www.foxnews.com/media/reporter-chicagos-lightfoot-re-election-harm-caused>

credentials. Except for private and exclusive one-on-one media interviews, Mayor Lightfoot's media availability events/press conferences allow the admission of all members of the media who have City of Chicago press credentials, and all those with the City of Chicago credentials are allowed to ask questions and get answers from Lightfoot regardless of the forum they are held at.³

21. Mayor Lightfoot and her press secretary Cesar Rodriguez do not make any distinctions at her “media availability” events/press conferences between public events, press-exclusive events, press briefings, or any other forum in allowing people with City of Chicago press credentials to attend and ask questions. Mayor Lightfoot and her press secretary Cesar Rodriguez allow all members of the media who hold City of Chicago press credentials to attend all of Lightfoot’s “media availability” events/press conferences and ask questions and get answers. Neither Mayor Lightfoot nor her press secretary Cesar Rodriguez do any type of forum analysis or put any limitations on the members of the media who hold City of Chicago press credentials to attend any of Lightfoot’s media availability events.

22. In contrast to the foregoing, Mayor Lightfoot and her press secretary Cesar Rodriguez do not allow members of the media who do not have City of Chicago press credentials to attend any type of “media availability”. Lightfoot and Rodriguez prevent any member of the media who do not have City of Chicago press credentials from attending or asking questions at “media availability” events held at public events, press-exclusive events, press briefings, or any

3. Mayor Lightfoot even discriminates as to which members of the media she will give private one-on-one interviews to. Lightfoot has publically stated that she would only give one-on-one interviews to African-American members of the media, thereby implying that African-American reporters cannot succeed on their own merit and required special treatment to succeed. This statement by a Lightfoot as a public official, implying that being black is a disability which requires special assistance by government, is an embarrassment to the citizens of the City of Chicago and a slur directed at the African-American community of Chicago.

other forum. Lightfoot and Rodriguez use the Chicago Police Department and the Mayor's security detail to prevent members of the media who do not have City of Chicago press credentials from attending any "media availability" events or asking questions at any such event, using threats of arrest and force if necessary. Further, Lightfoot and Rodriguez use the Chicago Police Department and the Mayor's security detail to eject members of the media who do not have City of Chicago press credentials from any "media availability" events, even public events, or asking questions at any such event, using threats of arrest and force if necessary

23. On June 25, 2021, at a media availability press conference which was given by Mayor Lightfoot, Kelly attended as a credentialed member of the media, and the following occurred:

Kelly asked Lightfoot: "My follow-up question is simply this many residents in Chicago feel that you've lost control of the city. Now it appears as though you've lost control of the Chicago City Council. Do you owe an apology to the victims of violent crime, the 1000s of unsolved shootings and murders and stabbings and random stabbings in the downtown and the South side and the north side and the west side. Do you know do you owe these people any apology?"

Lightfoot answered: "Once again, sir, I asked you to get your facts right. Crime is not out of control in our city. In fact, crime is on the decline. All our major indices showed a decline in crime and our homicide signs and our shootings year over year are down. That's a fact, sir. And you, sir, I was polite and allowed you to spew your rhetoric, which is offensive to me and others, but I'm trying to be polite and professional and answer your question. But if you want to write your own narrative and irrelevant to what I'm going to say and what the facts are, then we'll just move on to the next reporter."

This exchange was picked up and broadcast by local and national media outlets on broadcast, cable, and internet platforms, and was also widely distributed on social media, where Lightfoot's contention that crime in Chicago was "on the decline" was quickly shown to be a blatantly false using the publically available statistics. As a result, Lightfoot was widely criticized and mocked locally and nationally. This caused Lightfoot great embarrassment and angered her.

24. On July 2, 2021. Kelly's question to Lightfoot was: "Comparing last night's thirty-

plus shootings to last year when we had an out-of-control race riot, in which almost every member of the city of Chicago was in fact, a victim seems to be playing with those numbers just a little. Last night. I think you were on Chicago Tonight you said that 99.9% of the criticism of you is because you're a black woman. Do you honestly believe that, considering the way the City Council, is made up of many black women who criticize you? Do you really believe that the criticism of you is 99.9% because you're a black woman?" In her response, Lightfoot did not answer Kelly's question and instead told Kelly that she had him investigated and highlighted his affiliation with Newsmax.

25. On March 23, 2022, at Lightfoot's press conference her press secretary wouldn't let Kelly hold the microphone when all the other reporters are allowed to hold the microphone when they were asking questions. Kelly asked about a press release issued by Lightfoot's office that crime is down since 2021, a record year of homicides in Chicago, when in fact, crime is up 36% citywide since last year. Kelly asked Lightfoot if she was being dishonest or just incompetent. Kelly also asked Lightfoot about the record number of carjackings in Chicago, which were up 135% in 2020 and up an additional 43% in 2021. Rather than answer Kelly's question Lightfoot said that Kelly is the "rudest person she's ever met." Kelly replied to that comment by telling Lightfoot that he "thinks the carjackers are ruder than I am." At the end of the press conference, two of Lightfoot's staffers tried to intimidate Kelly and one of Lightfoot's bodyguards said that the only people who watch Kelly's reporting are "old white people."

26. At the April 20, 2022 press conference Kelly asked Lightfoot the following: "Mayor Lightfoot, every time you have a press conference, you say crime is down. The economy is booming. Well, that's not true." Lightfoot then stated: "But get to your question, sir." Kelly continued: "Across the street, we had a police officer on duty, the victim of a hit and run. We

have Michigan Avenue the Magnificent Mile now referred to as the mile of fear. The Water Tower Place has thrown the keys back to the lender, they say they don't want to be in Chicago anymore. Real Chicagoans are asking me how you could possibly even consider running for re-election as mayor of the city of Chicago after all the harm you've caused?" Lightfoot responded: "I disagree with you fundamentally. And I don't think I need to address any and dignify your comments. One second further. Next question." Lightfoot was visibly upset and was shaking with rage at Kelly. ⁴

27. When Lightfoot left the April 20, 2022 media availability press conference and got into her car she had a complete meltdown, screaming, yelling, and kicking with rage at Kelly. The April 20, 2022 press conference constituted the point after which Lightfoot exhibited an unhinged hatred of Kelly.

28. At her May 25, 2022, press conference Lightfoot erupted in uncontrolled rage and had an angry meltdown in response to a question by Kelly, and threatened to have Kelly escorted out by the police when he attempted to ask Lightfoot a question. Kelly asked Lightfoot the following: "Will you recall, resend your violent tweet, to call to arms? Lightfoot answered acting as if she was talking to some third person, "The more stupid he sounds." Kelly then asked again: "Will you rescind your call to arms tweet in the light of the mass shooting in downtown Chicago? As stupid as you think that may be?" In response Lightfoot stated, sometimes yelling: "So let me just let me just deconstruct the series of lies that you just spewed as you do every time you come

4. Lightfoot's inability to control her anger and to lash out at those who anger her is corroborated by her past behavior such as her infamous email to her staff (disclosed on June 14, 2021 by Tribune reporter Gregory Pratt), reported on nationwide as "deranged", where Lightfoot filled a page by repeating the phrase "I need office time every day" over and over, as well as her public chant of "Fu*k Clarence Thomas", and her "Call to Arms" tweet, in response to the US Supreme Court Opinion in Dobbs v. Jackson.

to one of my press conferences... So you, you, you, you're gonna let me speak sir. You're not going to talk over me. That's not the rules here in this press conference. And if you don't want to abide by those rules, you can take your nonsense someplace else, because I am about to follow up with you. I'm not finished. Let me just finish and the nonsense that you're spewing that tourists aren't coming to our city. All you have to do is walk up and down Michigan Avenue.⁵ No, sir. **No, sir. No, sir, you will stop speaking. You will stop speaking. You're you're, you're full of crap. And that's the nicest thing that I can say. I will not let you spoil this moment. I will not let you if you do not If you do not stop. Harold. Harold, if you do not stop you will be I will ask you to leave and I will make sure that the police take you out of here.** You will not act like this, sir. You can talk and say whatever you want on the street, but in here in my press conference, you will not act like that, sir. And let me be clear with you. I'm not patting myself on the back. I'm not doing a victory lap. What I'm saying is that after 30 years of futility, the men and women of this city will have good paying jobs that they can build a future on. What I'm also saying is that the taxpayers of the city will not have to be called upon again to shore up our police and fire pension. Now you don't want to hear the facts because you can't handle the truth sir, but that is the truth. Next reporter.”

29. After the press conference, Lightfoot’s press secretary, Cesar Rodriguez, approached Kelly and called him a “fucking animal” on video.

30. On April 20, 2022, at Lightfoot’s held a media availability press conference. At this press conference one of Kelly’s questions to Lightfoot, which Kelly and other news media attending the press conference recorded on video, became a “viral” national news story that

5. This was yet another publically stated false statement by Lightfoot as CBS News was reporting that tourism was down. <https://www.cbsnews.com/chicago/news/crime-chaos-downtown-keeping-tourists-away-from-chicago/>

greatly embarrassed Lightfoot and hurt her chances of being re-elected to the office of Mayor of Chicago. This greatly angered Lightfoot. (See: <https://www.foxnews.com/media/reporter-chicagos-lightfoot-re-election-harm-caused>)

31. After the April 20, 2022 press conference, Mayor Lightfoot took her press secretary, Cesar Rodriguez, aside and berated and yelled at him, blaming him for somehow allowing Kelly to embarrass her, and threatening to fire him. Lightfoot then instructed Rodriguez to find a way to bar Kelly from attending any further media availability events or press conferences held by Lightfoot.

32. On June 7, 2022, Lightfoot announced that she would be running for re-election as Mayor of Chicago.

33. At her June 22, 2022 press conference Lightfoot lashed out at Kelly for appearing on Fox News. In response to Kelly's question about parts of Chicago being a "no-go zone" Lightfoot blamed "right-wing media" for Chicago's murder and crime rate. Lightfoot went on to say that it was right-wing media that has made Chicago a "no-go zone" for the world. She told Kelly that he can't criticize her as Mayor unless he "walks in her shoes." In response to Kelly's second question in which he asked her to again retract her violent "call to arms" tweet in light of the assassination attempt on Supreme Court Justice Brett Kavanaugh, Lightfoot responded that that was "just a conspiracy theory," even though the assassin had been arrested and her tweet was still posted on her Twitter page.

34. Immediately after the June 22, 2022 press conference, Lightfoot met with her press secretary, Cesar Rodriguez, and instructed him to revoke Kelly's press credentials, even if an incident had to be staged to provide a false basis for doing so. Lightfoot threatened Rodriguez that he would lose his job if he didn't find a way to revoke Kelly's press credentials and that he

should find a basis for revoking Kelly's press credentials even if the reason for doing so was a concocted pretext.

35. Prior to July 18, 2022, Kelly had not attended any of Lightfoot's press conferences which were held outside of City Hall or outside of the Chicago downtown Loop area. This pattern of attendance at media availability events by Kelly was observed and known by Lightfoot and her press secretary Cesar Rodriguez. Therefore, shortly after June 22, 2022 press conference, Rodriguez and Lightfoot agreed that, until a pretextual incident that would justify the revocation of Kelly's press credentials could be created, every possible media availability event would be held at a location outside of the downtown Chicago Loop to keep Kelly from attending.

36. Therefore, after June 22, 2022, all of Mayor Lightfoot's media availability press conferences and events were held at locations outside of City Hall and outside of the Chicago downtown Loop area.

37. On July 18, 2022, Mayor Lightfoot held a media availability event/press conference at the Kehrein Center for the Arts on the far West side of Chicago. At this press conference, Lightfoot was to announce the finalists for \$97,800,000 in grants for community economic development. Lightfoot was also to speak about issues concerning Chicago including a pending ordinance regarding the City of Chicago Ethics Board.

38. To the great surprise and displeasure of Mayor Lightfoot and her press secretary Cesar Rodriguez, Mr. Kelly attended this July 18, 2022 event at the Kehrein Center for the Arts. At this event as a credentialed member of the media, Mr. Kelly asked Lightfoot if she was "trying to buy votes" with the \$97,800,00 in grants. Kelly also asked Lightfoot about the rising number of police suicides in the Chicago Police Department. **Lightfoot was angry at Kelly and called him a member of the right-wing media, berating him for selling himself to FOX news and**

other “right-wing rags” that never tells the truth. As a result of Lightfoot’s incitement to the crowd, a member of the audience violently struck Kelly right in front of Lightfoot and her press secretary Cesar Rodriguez, who stood by smiling signaling their approval of the attack of a member of the media.

39. On July 19, 2022, Mayor Lightfoot scheduled a media availability event/press conference outside of the Chicago downtown Loop area in an outdoor forum. On the day prior to this press conference Mayor Lightfoot and her press secretary, Cesar Rodriguez agreed that if Kelly showed up, despite the long custom of taking questions from all members of the credentialed media, that Lightfoot would not take any questions from Kelly. They also agreed that they would tell Commander Harold Lewis, Commander of the Mayor’s Protection Detail, and officers Gerald Morris and Mark Rebecchi of the Mayor’s protection detail to try to create or fabricate an incident involving Kelly which could be used as a pretext to revoke Kelly’s press credentials.

40. On July 19, 2022, both Mayor Lightfoot and her press secretary Cesar Rodriguez told Commander Harold Lewis, Officer Gerald Morris, and Mark Rebecchi that they should physically prevent Kelly from asking any questions of Mayor Lightfoot or from trying to approach Mayor Lightfoot when she leaves the speaker’s podium, in order to be able to concoct a baseless claim that Mr. Kelly committed some violation of the rules or law so as to enable the revocation of Mr. Kelly’s press credentials.

41. At Lightfoot’s July 19, 2022 press conference, when Kelly attempted to ask a question Lightfoot told Kelly to wait his turn to ask a question and she then continued to speak with other reporters. She said: “Sir, just a moment. I’m talking and you haven’t been called on, you know the rules, you’ll get called on when it’s your turn. Thank you.” A few moments later

Lightfoot abruptly ended the press conference without letting Kelly ask any questions and she walked off. Kelly attempted to follow her to ask his question reminding Lightfoot that she had promised to call on him for a question and shouting out his question as they went. When Kelly was about 20 feet away from Lightfoot her security guard repeatedly grabbed Kelly to prevent him from asking his question. At no time did Kelly bump or otherwise cause himself to come into physical contact with any of Lightfoot's security guards. Kelly videotaped the entire episode.

(Exhibit A)

42. On July 20, 2022, Mayor Lightfoot scheduled a media availability event/press conference at City Hall for 3:00 p.m. Lightfoot and her press secretary Cesar Rodriguez scheduled the press conference for City Hall because they had instructed Commander Harold Lewis and Officer Brkovic who was at the security desk, to refused Kelly entry and falsely accuse him of doctoring his press credentials in the hopes of creating another false pretext to revoke Kelly's press credentials. At around 3:00 p.m. Kelly went to attend Lightfoot's press conference at City Hall. When he attempted to gain entry by showing his press credentials Kelly was turned away despite having valid press credentials. Kelly was accused by Officer Brkovic and Commander Harold Lewis of having expired credentials or doctoring the credentials. Kelly's Chicago press credentials had an expiration date of June 2024 sticker on it which was placed there by the Chicago Police Department's Office of News Affairs. Nobody attempted to check with the Chicago Police Department's Office of News Affairs to see if Kelly's credentials were valid, and they just refused him entry into the press conferences. The entire episode was videotaped by Kelly. **(Exhibit B)**

43. The July 20, 2022 denial of entry to the press conference was the first and only time in the ten (10) years that Kelly had City of Chicago press credentials that anyone had

inspected his said credentials or denied him entry into a City of Chicago press conference.

44. Because he was being denied entry to Mayor Lightfoot's media access events, on August 3, 2022, an attorney sent a letter to Superintendent Brown on Kelly's behalf inquiring why Kelly was denied access to Lightfoot's press conference on July 20, 2022, despite the fact that Kelly had valid City of Chicago press credentials, demanding he be allowed to attend the press conferences, and threatening legal action if he was not allowed to attend the press conferences.

45. The aforesaid letter from Kelly's attorney was addressed to Mayor Lori Lightfoot and sent by email (with a follow-up copy by US mail) to Corporation Counsel Celia Meza on August 3, 2022, and was received that day by Assistant Corporation Counsel Andrew Worseck. Press secretary Rodriguez and Mayor Lightfoot were both immediately informed of the contents of the letter. Press secretary Rodriguez and Mayor Lightfoot then meet and discussed the situation on August 4, 2022, and agreed that Mayor Lightfoot would contact Superintendent of the Chicago Police David Brown ("Brown"), and instruct him to use the concocted incidents of July 19, 2022, and July 20, 2022, to revoke Kelly's press credentials. As agreed, Mayor Lightfoot contacted Brown on August 5, 2022, and instructed him to use the concocted incidents of July 19, 2022, and July 20, 2022, to revoke Kelly's press credentials. Immediately thereafter press secretary Rodriguez contacted Brown and provided him with the specific information regarding the concocted incidents of July 19, 2022, and July 20, 2022, so that he could have the necessary reports prepared to give him a pretext for the revocation of Mr. Kelly's press credentials.

46. Brown then viewed the reports regarding the concocted incidents of July 19, 2022, and July 20, 2022. He determined that since Kelly's press credentials were valid and unaltered the concocted incident of July 20, 2022, did not provide any basis for the revocation of his press

credentials. Therefore, he determined to use the concocted incident of July 19, 2022, as a pretext for revoking Kelly's press credentials to comply with the instructions given to him by Mayor Lightfoot and press secretary Rodriguez.

47. On August 10, 2022, Kelly received a letter from Defendant Superintendent of Police David Brown dated August 8, 2022, which revoked Kelly's media credentials falsely saying that Kelly had committed battery by bumping a security officer at Lightfoot's July 19, 2022 press conference. **(Exhibit C)** Kelly had videotaped this entire episode. **(Exhibit A)**

48. The claim that Kelly had bumped a security officer at Lightfoot's July 19, 2022 press conference was a pretext for the revocation of Kelly's press credentials. In fact, Kelly's press credentials were revoked based on Lightfoot's instructions to Brown which were given to Brown because of Lightfoot's hatred of Kelly and her desire to keep Kelly from asking her hard questions about her failures as Mayor of Chicago, her failure to have any plan to fight the rising rate of violent crime in Chicago, and other such matters. Lightfoot knew that if Kelly could continue to ask her those questions it would severely hinder her ability to be re-elected as Mayor. The problem was not because there was anything wrong with Kelly's questions, but because Lightfoot did not have any answers to his questions.

49. Kelly is currently a paid contributing reporter for the Daily Mail and the New York Post and the revocation of his Chicago press credentials impedes his ability to do his job.

50. There is no adequate remedy as law for the aforesaid violations of Kelly's rights under the First and Fourteenth Amendments to the Constitution of the United States.

51. The Chicago Police Department General Order on Press Credentials is General Order G09-02-01. **(Exhibit D)** This is the Order referred to by Brown in his letter revoking Kelly's press credentials. However, General Order G09-02-01 is unconstitutional and in violation

of the First and Fourteenth Amendments to the Constitution of the United States for the following reasons:

- It does not define the term “improper use or abuses” in violation of Plaintiffs and all journalists Fourteenth Amendment rights to procedural and substantive due process as the term does not provide a person of reasonable intelligence cannot know what is against the rules in advance, and;
- It does not specify what qualifies as a person journalist and therefore attempts to regulate the press in violation of the Plaintiff’s and all journalists First Amendment rights and Fourteenth Amendment procedural and substantive due process rights, and;
- It does not state if there are any restrictions on attendance or the ability to ask questions by members of the media of media events in the private, exclusive, press-only, or public-event forums in violation of the First Amendment and Fourteenth Amendment due process rights of the Plaintiff and all members of the press, and;
- There is no right of appeal from any revocation or denial of press credentials, which constitutes a Fourteenth Amendment due process violation;

COUNT I

By targeting Kelly for exclusion from media availability events/press conferences Defendants are violating the Plaintiffs’ First Amendment free speech right.

52. The allegations contained in all preceding paragraphs are incorporated herein by reference.

53. Lightfoot’s decision to revoke Kelly’s credentials, which was effectuated by Brown, is in retaliation for Kelly’s asking her questions at media availability events/press conferences that highlight her failures as Mayor of Chicago, as well as the content of Kelly’s speech, her identification of Kelly as a member of the “right-wing” media, and discrimination based on the critical editorial viewpoint Kelly has expressed.

54. The allegations that Kelly bumped Officer Gerald Morris are completely false

and are in fact a pretextual reason to revoke Kelly's City of Chicago press credentials. Mayor Lightfoot initiated a plan to revoke Kelly's City of Chicago press credentials after his tough, uncomfortable, but fair questions about Lightfoot's failures as mayor, and therefore is in retaliation for the content of Kelly's speech and discrimination based on his reporting.

55. Retaliating against a journalist based on his editorial stances and tough questions, preventing her from speaking or asking questions in media availability events/press conferences violates the First Amendment's free speech clause. The government may not require journalists to hold a particular point of view or to remain impartial to the government's actions. Nor may the government forbid journalists from working for a news media outlet with a particular editorial view, or from attending a rally, parade, march, or demonstration where a particular point of view is being expressed.

56. Lightfoot and Brown, by revoking Kelly's press credentials, are putting an unconstitutional condition, making editorial silence or agreement with Lightfoot a prerequisite for continued access.

57. Kelly is entitled to an injunction under 42U.S.C. § 1983 ordering Defendants to immediately end their pattern of behavior barring him from media availability events/press conferences.

COUNT II

By targeting Kelly for exclusion from media availability events/press conferences using false accusations manufactured for that purpose Defendants are violating Plaintiff's Fourteenth Amendment right to equal protection as well as the First Amendment

58. The allegations contained in all preceding paragraphs are incorporated herein by reference.

59. As aforesaid by wrongfully revoking Kelly's City of Chicago press credentials the Defendants have prevented him from attending and/or asking questions at any and all of Lightfoot's media availability events/press conferences, regardless of the forum they are held at. By revoking Kelly's City of Chicago press credentials Lightfoot and Brown have completely prevented Kelly, a professional journalist, from attending any public events, press-exclusive events, press briefings, or any other forum where Lightfoot will take questions from the media and provide answers to those questions.

60. Because Lightfoot's "media availability" events/press conferences only allow members of the media who hold City of Chicago press credentials to attend and/or ask questions of Lightfoot regardless of the forum, from public events to press-exclusive events to press briefings, by revoking Kelly's press credentials Lightfoot and Brown are preventing Kelly from having equal access to information generally available to the news media.

61. Because Lightfoot's "media availability" events/press conferences procedure, which does not take the forum into account and allows media who have City of Chicago press credentials to attend and ask questions at all forums, "modern forum analysis" is not possible. Therefore, all of Lightfoot's "media-availability" events/press conferences are in effect press-exclusive events because even though some of them may be open to the public, the only members of the media that can attend and ask questions are those that have City of Chicago press credentials. A member of the media who does not have City of Chicago press credentials will be prevented from attending and/or ejected from any Lightfoot "media-availability" events/press conferences he or she wishes to report on even if it is held in a totally public forum.

62. The equal protection clause requires that a state or municipal government grant

equal treatment to its citizens and not discriminate amongst them, especially in respect of their fundamental rights. In this context, it requires that all journalists have equal access to information available to the news media and that they not be barred because they hold views antithetical to Mayor Lightfoot.

63. The targeted exclusion from equal access of Kelly by Defendants denies him the equal protection of the laws to which he is entitled.

64. Kelly is entitled to an injunction under 42U.S.C. § 1983 ordering Defendants to immediately end their behavior barring him from equal access to information and press conferences on the same basis as his other members of the press and for damages.

COUNT III

By adopting and using Chicago Police Department General Order G09-02-01 to regulate media access to the Mayor and officials of the City of Chicago, as well as the ability to have access to news events, Defendants are violating Plaintiff's Fourteenth Amendment right to due process of law

65. The allegations contained in all preceding paragraphs are incorporated herein by reference.

66. Mayor Lightfoot and Superintendent Brown regulate and administer the right of members of the media to access to information, the ability to attend any press conference, or ask questions of the Mayor or other public official, and the ability to cover news events that take place in the City of Chicago through Chicago Police Department General Order G09-02-01. **(Exhibit D)** This General Order is unconstitutional on its face and as applied.

67. The due process clause requires that a state government provide all journalists with prior notice of the standards of professional conduct by which it will judge their press

credentialing. When a government official decides to revoke a press credential, he must extend fair notice, an opportunity to be heard, and consideration based on those standards before entering a final written decision. *John K. Maciver Inst. for Pub. Policy, Inc. v. Evers*, 994 F.3d 602, 606 (7th Cir 2021)

68. No notice was provided to Kelly or any other member of the media in the City of Chicago of the standards or policies used by Lightfoot and Brown's Office for press credentialing. The "improper use or abuse" standard in Chicago Police Department General Order G09-02-01 is an amorphous standard that is meaningless, and which provides no basis for any person of reasonable intelligence to know what action would constitute a violation of this "improper use or abuse" standard.

69. No prior notice that he had allegedly violated the "improper use or abuse" standard of Chicago Police Department General Order G09-02-01 was given to Kelly before his press credentials were revoked because it is not required by the said General Order. No prior notice that their City of Chicago press credentials are being revoked will ever be given to any member of the media who has City of Chicago press credentials under Chicago Police Department General Order G09-02-01.

70. Chicago Police Department General Order G09-02-01 does not provide for the ability of Kelly or any other member of the media to appeal the denial of or the revocation of his or her City of Chicago press credentials.

71. Chicago Police Department General Order G09-02-01 does not require a written decision on any appeal or the denial of any application for press credentials.

72. Chicago Police Department General Order G09-02-01 does not consider or make any distinction in relation to the forum in which a media event is taking place when dealing with

the ability of the media to have access or ask questions. General Order G09-02-01 allows those with City of Chicago press credentials total access to all events, (except for private one-on-one interviews), and unrestricted ability to ask questions, while those without City of Chicago press credentials have no access, even to public events, no ability ask questions, and no access to cover news events which occur in the City of Chicago.

73. This Court should enter an Order declaring that Chicago Police Department General Order G09-02-01 is unconstitutional on its face and as applied.

COUNT IV

To preserve any issues regarding the Rule 12(b)(6) dismissal of the Plaintiff's original complaint should an appeal be taken

74. For the purpose of preserving any and all issues for appeal regarding the Court's Order of October 27, 2022, granting the Defendants Rule 12(b)(6) Motion to Dismiss, the Plaintiff hereby adopts the and re-pleads his Complaint filed in this cause on August 25, 2022, and all the allegations contained therein by reference.

PRAYER FOR RELIEF

Plaintiff William Kelly respectfully requests that this Court:

a. Enter a preliminary and permanent injunction enjoining Mayor Lori Lightfoot and Superintendent David Brown from excluding him from any media access event or press conference and/or preventing or stopping him from asking questions and from preventing him from receiving all available information;

b. Declare that retaliating against William Kelly by barring him from Lori Lightfoot's press conferences based on the content of his speech and views violates the First Amendment's freedom of the press and free speech clause;

c. Declare that the targeted exclusion of William Kelly from Lightfoot

media access event or press conference and/or preventing or stopping him from asking questions violates the First Amendment's free speech and free press clauses, and the Fourteenth Amendment's equal protection clause;

d. Declare that the revocation of his City of Chicago press credentials and exclusion of William Kelly was made without due process of law in violation of the Fourteenth Amendment;

e. Declare that the revocation of his City of Chicago press credentials exclusion of William Kelly violates his editorial independence in violation of the First Amendment's free press clause;

f. Declare that Chicago Police Department General Order G09-02-01 is unconstitutional on its face and as applied.

g. Award any monetary relief to which Plaintiffs may be entitled;

h. Award Plaintiff his costs and attorneys' fees under 42 U.S.C. § 1988; and

i. Award any further relief to which Plaintiffs may be entitled including monetary damages.

Respectfully Submitted

/s/ Laura Grochocki

Attorney for William Kelly

Laura Grochocki
Attorney for William Kelly
200 East Illinois Street, 3211
Chicago, Illinois 60611
312-620-0671
lauraglaw@aol.com
Attorney No. 6239444

PROOF OF SERVICE

I, Laura Grochocki attorney for the Plaintiff certifies under penalties as provided by law that I caused to be served the above and foregoing via the EM/ECF electronic filing system to all the attorneys for all parties of record on the 8th day of November 2022 before 12:00 midnight.

/s/ Laura Grochocki

Laura Grochocki
Attorney for William Kelly
200 East Illinois Street, 3211
Chicago, Illinois 60611
312-620-0671
lauraglaw@aol.com
Attorney No. 6239444

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

William J. Kelly

Plaintiff

and

Lori Lightfoot as Mayor of the City of Chicago and David Brown as Superintendent of Police of the City of Chicago

Defendants

No. 22 cv 4533

Judge: Kendall

Magistrate: Harjani

EXHIBIT A
TO COMPLAINT AND TO MEMORANDUM OF PLAINTIFF
IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER

To Watch Exhibit A Click on this Link: <https://youtu.be/099s-rAD2p4>

Respectfully Submitted

/s/ Laura Grochocki

Attorney for Steve Fanady

Laura Grochocki
Attorney for William Kelly
200 East Illinois Street, 3211
Chicago, Illinois 60611
312-620-0671
lauraglaw@aol.com
Attorney No. 6239444

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

William J. Kelly

Plaintiff

and

Lori Lightfoot as Mayor of the City of Chicago and David Brown as Superintendent of Police of the City of Chicago

Defendants

No. 22 cv 4533

Judge: Kendall

Magistrate: Harjani

EXHIBIT B
TO COMPLAINT AND TO MEMORANDUM OF PLAINTIFF
IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER

To Watch Exhibit B Click on this Link: <https://youtu.be/X-OMH7YEBmw>

Respectfully Submitted

/s/ Laura Grochocki

Attorney for Steve Fanady

Laura Grochocki
Attorney for William Kelly
200 East Illinois Street, 3211
Chicago, Illinois 60611
312-620-0671
lauraglaw@aol.com
Attorney No. 6239444



Lori E. Lightfoot
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

David O. Brown
Superintendent of Police

August 8, 2022

William Kelly
440 N. McClurg Court
Apt. 816
Chicago, IL 60611

Re: Media credentials – Rev Productions

Dear Mr. Kelly,

Please be advised that the press credentials issued to you as a journalist for Rev Productions and any other press credentials previously issued to you have been revoked as a result of actions which occurred on July 19, 2022. These actions have been documented in Original Case Report JF 323734, a copy of which is enclosed herein. You will note that this copy includes the appropriate FOIA redactions. These credentials have been revoked pursuant to General Order G09-02-01, News Media Credentials.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O. Brown", written over a horizontal line.

David O. Brown
Superintendent of Police
Chicago Police Department

Enc.

ORIGINAL CASE INCIDENT REPORT

350 S. Michigan Avenue, Chicago, Illinois 60653

Use by Chicago Police Department Personnel Only)

11.388(6/03)-C

Case ID: 12766388 casr201

EVENT #: 2220011603

APPROVAL COMPLETE

IUCR: 0454 - Battery - Aggravated P.O. - Hands, Fists, Feet, No / Minor Injury

Occurrence 230 E North Water St

Beat: 1834

Unit Assigned: 1F33

Location: Chicago IL 60611

RO Arrival Date: 19 July 2022 15:06

304 - Street

Occurrence Date: 19 July 2022 15:06

VICTIM - Individual

Police Officer

Name: MORRIS, Gerald

3510 S Michigan Ave

Chicago, Illinois

312 - 744 - 1666

Beat: 0213

Demographics

Male

Black

Sobriety: Sober

CPD Officer: Yes

Other Communications and Availability

Phone - Business : 312-744-1666

Available Time 00:01:00 - 23:59:00

WITNESS

Police Officer

Name: REBECCHI, Mark

Empl: CITY OF CHICAGO

3510 S Michigan Ave

Chicago, Illinois

312 - 744 - 1666

Police Officer

Beat: 0213

Demographics

Male

White

Sobriety: Sober

CPD Officer: Yes

WITNESS

Police Officer

Name: LEWIS, Harlod

Empl: CITY OF CHICAGO

3510 S Michigan Ave

Chicago, Illinois

312 - 744 - 1666

Commander

Beat: 0213

Demographics

Male

Black

Sobriety: Sober

CPD Officer: Yes

Suspect # 1

Name: KELLY, William

Demographics

Male

White

6'00-6'02

200 lbs -220 lbs

Brown Hair

Age: 45 years - 55 years

Descriptions

Clothing Description: Top - Blue Blue Suitjacket, Bottom - Blue Blue Suitpants

MORRIS, Gerald	(Victim)	is a No Relationship of	KELLY, William	(Offender)
REBECCHI, Mark	(Witness)	is a No Relationship of	KELLY, William	(Offender)
LEWIS, Harlod	(Witness)	is a No Relationship of	KELLY, William	(Offender)

EVENT#11603 IN SUMMARY, R/O WAS INSTRUCTED TO WRITE THIS REPORT REGARDING AN AGGRAVATED BATTERY TO A POLICE OFFICER WORKING UNDER THE CAPACITY OF UNIT 542, SECURITY SPECIALIST, DETACHED SERVICES. (MAYOR DETAIL) IN THAT, ABOVE VICTIM AND WITNESSES RELATED THAT ON TODAY'S DATE AT THE LOCATION OF 230 E. NORTH WATER ST. DURING THE END OF A PRESS CONFERENCE WITH THE MAYOR, THE SUBJECT KNOWN AS [O] KELLY, WILLIAM WHO IS A CREDENTIALLED REPORTER THAT FREQUENTLY ATTENDS PRESS CONFERENCES GIVEN BY MAYOR LIGHTFOOT BECAME IRATE AND AGGRESSIVE BECAUSE HIS QUESTION WAS NOT ANSWERED. THE MAYOR CONCLUDED THE PRESS CONFERENCE AND WAS BEING ESCORTED TOWARDS 455 N. CITY FRONT PLAZA (NBC TOWER) WALKING NORTH BOUND TO THE NEXT EVENT. WHILE DOING SO, THE OFFENDER KELLY, CONTINUED TO BE IRATE AND AGGRESSIVE BY YELLING AT THE MAYOR DEMANDED HIS QUESTIONS BE ANSWERED. AS SECURITY SPECIALISTS WERE ATTEMPTING TO ESCORT THE MAYOR AWAY FROM THE EVENT, OFFENDER KELLY FOLLOWED THEM AND THE MAYOR WHILE CONTINUING TO YELL AND AT ONE POINT [O] KELLY, WILLIAM QUICKLY AND AGGRESSIVELY MOVED TOWARDS THE MAYOR. THE SECURITY DETAIL THEN POSITIONED THEMSELVES IN FRONT OF OFFENDER KELLY TO PREVENT CONTACT WITH THE MAYOR. DURING THE WALK THE GROUP OF OFFICER'S, [W] REBECCHI, MARK, [W] LEWIS, HARLOD AND [V] MORRIS, GERALD WHILE ESCORTING THE MAYOR, CONTINUED TO POSITION THEMSELVES TO PROTECT THE MAYOR. AT THIS POINT, [O] KELLY, WILLIAM, CONTINUED TO SCREAM AND YELL AND TRY TO GET AROUND OR INSERT HIMSELF BETWEEN THE OFFICERS IN AN ATTEMPT TO GET CLOSER TO THE MAYOR. [O] KELLY, WILLIAM THEN ON TWO OCCASSIONS DELIBERATELY BUMPED BY PUSHING HIS UPPER BODY INTO THE UPPER LEFT ARM OF [V] MORRIS, GERALD#19072, THUS CAUSING HIM TO RECEIVE A BATTERY, WHILE ATTEMPTING TO PUSH PAST HIM AND BREACH THE SAFE ZONE THEY HAD ESTABLISHED AROUND THE MAYOR. [O] KELLY, WILLIAM CONTINUALLY YELLED STOP TOUCHING ME AT [V] MORRIS, GERALD AS HE BUMPED [V] MORRIS, GERALD. [V] MORRIS, GERALD RESPONDED BY STATING, I'M NOT TOUCHING YOU, YOU ARE TOUCHING ME. [O] KELLY, WILLIAM FOLLOWED THE SECURITY DETAIL AND THE MAYOR INTO NBC TOWER WHILE STILL YELLING AND SCREAMING IN THE MAYOR'S DIRECTION. NBC TOWER SECURITY OBSERVED HIS IRATE BEHAVIOR AND WERE NOTIFIED THAT [O] KELLY, WILLIAM WAS NOT PART OF THE MAYOR'S EVENT AT THAT LOCATION. AS NBC TOWER SECURITY APPROACHED [O] KELLY, WILLIAM, HE LEFT THE BUILDING. [V] MORRIS, GERALD WAS NOT ABLE TO TAKE POLICE ACTION TO ARREST [O] KELLY, WILLIAM DUE TO THE NATURE OF HIS ASSIGNMENT TO PROTECT THE MAYOR. [V] MORRIS, GERALD DECLINED TO SEEK MEDICAL ATTENTION. [V] MORRIS, GERALD COMPLETED TRR 2022-02115

NOTIFICATION: CRIME PREVENTION INFORMATION CENTER (CPIC), BAZ KHOUSHABA, Beat#: , Star#: 1378, Emp#: [REDACTED]
Date: 19-JUL-2022, Time: 17:15,

Assisting Officer	6336	[REDACTED]	LEWIS, Harold, R	[REDACTED]	19 Jul 2022 17:19	542	
Assisting Officer	20789	[REDACTED]	REBECCHI, Mark, E	[REDACTED]	19 Jul 2022 17:19	542	
Assisting Officer	19072	[REDACTED]	MORRIS, Gerald, V	[REDACTED]	19 Jul 2022 17:19	542	
Reporting Officer	10124	[REDACTED]	GARZA JR, Armando	[REDACTED]	19 Jul 2022 17:19	544	1F33





Chicago Police Department

General Order G09-02-01

NEWS MEDIA CREDENTIALS

ISSUE DATE:	30 May 2014	EFFECTIVE DATE:	30 May 2014
RESCINDS:	3 October 2003 Version		
INDEX CATEGORY:	09 - Information Management		
CALEA:			

I. PURPOSE

This directive informs Department members of the conditions for the use and revocation of news media credentials issued by the Office of News Affairs. Department members will refer to the Special Order titled "[News Media Credentials](#)" for the issuance or denial of news media credentials

II. GENERAL INFORMATION

- A. On behalf of the Superintendent of Police, the issuing authority for all Department-issued news media credentials is the Director, News Affairs.
- B. The use of Department-issued news media credentials is restricted to the person to whom they are issued.
- C. The Superintendent of Police can revoke any news media credentials issued by the Department for improper use or abuse.
- D. News media credentials are used as identification for members of the news media who may need consideration when on emergency missions or when their duties require that they cross police lines.
- E. A record of all Department-issued credentials is maintained at the Office of News Affairs.
- F. A person using news media credentials may be questioned and their credentials checked for validity by contacting the Office of News Affairs. The Office of News Affairs is operational 24 hours a day, seven days a week.
- G. Possession of news media credentials **is not** a authorization to:
 1. violate existing laws.
 2. violate parking restrictions.
 3. disobey police orders.
 4. provide access to any police activity before the completion of the investigation.
 - a. If the on-scene supervisor determines that the news media personnel will **not** interfere with a police activity the supervisor **may** allow the news media with Chicago Police Department issued news media identification within the yellow (outer perimeter) crime scene taped area before completion of the processing of the crime scene.
 - b. **At no time will the news media be allowed within the red (inner perimeter) crime scene taped area before the processing of the crime scene by all appropriate units.**
- H. Questions regarding news media credentials should be referred to the Office of News Affairs.

III. DEPARTMENT-ISSUED NEWS MEDIA CREDENTIALS

Department-issued news media credentials are as follows:

- A. The news media personnel identification card (wallet-size) is issued to staff members of accredited Chicago-area media organizations. The card is issued under the provisions contained in the City of Chicago ordinance [4-328](#). The news media personnel identification card is an approximately 2" wide X 3 1/2" long laminated card that contains:
1. a facial picture of the cardholder,
 2. the cardholders name,
 3. the title or position, i.e. reporter, photographer, etc.,
 4. employer or organization name, and
 5. an expiration date.
- B. The news media vehicle identification card (Windshield card) is issued to members of the Chicago-area media whose full-time duties require the use of their personal or company vehicle to cover spot-news events.
1. The news media vehicle identification card is a placard:
 - a. that lists the current Illinois license plate, and
 - b. is restricted to the person to whom it was issued.
 2. If the license plate number is changed for the vehicle for which a placard was issued a new application must be submitted when the old placard is returned to the Office of News Affairs.
 3. The placard will be revoked if someone other than the person to whom it was issued is found using that card.

NOTE: Cards will not be issued for vehicles with out-of-state license plates.

IV. LOST OR STOLEN NEWS MEDIA CREDENTIALS

- A. Any news media credential as delineated in Item III-A that is lost or stolen will be reported, by the person who was issued the credentials, to the Chicago Police Department and the appropriate case report will be made.
- NOTE:** In the event that the incident occurred outside the City of Chicago, the person who was issued the credential will make a report with the respective law-enforcement agency.
- B. A letter stating the circumstances of the loss and the respective police agency report number must be sent to the Director, News Affairs, Chicago Police Department. This letter will be signed by the person who was issued the credentials and must be countersigned by the person who is authorized to sign the original application.
- C. An AMC message will be sent on all lost or stolen media identification cards. If the lost or stolen credentials occurred:
1. in Chicago, the reporting unit is responsible for sending the AMC message.
 2. outside of the City of Chicago, the Office of News Affairs is responsible for sending the AMC message.

V. IMPROPER USE OF CREDENTIALS AND CONFISCATION PROCEDURES

- A. Any Department-issued news media credential that is being used by an individual other than the person to whom it is issued and all expired news media credentials, unless the expiration date is extended by the Office of News Affairs, that are being used will be confiscated by the discovering Department member

- B. The discovering Department member will:
1. notify:
 - a. Crime Prevention and Information Center (CPIC), and
 - b. The [Communication Division](#).
 2. prepare a to-from-subject report stating the circumstances which led to the confiscation.
 3. submit the to-from-subject report and the confiscated credentials to the Director, News Affairs.

Authenticated by JKH

Garry F. McCarthy
Superintendent of Police

14-048 CMW