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From: Libernet (John Kennedy)

To: All

Subj: News Photographers Arrested Near Waco

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Photographers for Chronicle, AP arrested

Paul McKay. Houston Chronicle

WACO - Two news photographers were arrested and their film was confiscated by state troopers Wednesday near the scene of the Branch Davidian cult compound where they were trying to get a better vantage point.

Kerwin Plevka of the Houston Chronicle and Rick Bowmer of the Associated Press were arrested by a state trooper and held at gunpoint face-down on the ground until other officers arrived.

They were charged with "interfering with the duties of a peace officer," a misdemeanor, and booked into McLennan County Jail.

The two photographers were released hours later under \$1,200 bond.

Plevka said that they were trying to get a better spot from which to photograph the burned cult compound and thought they were much farther away.

When they walked out of some woods, they appeared to be a half-mile to a mile away, Plevka said.

Federal authorities have kept the news media at least two miles away from the site where more than 85 religious cultists perished in a fire Monday that the FBI says was set by cult members.

The fire was the conclusion of a 51-day standoff with federal agents after a bloody gun-battle with cult members, which killed four agents and at least six residents of the compound.

Both Tony Pederson, managing editor of the Houston Chronicle, and John Lumpkin, Dallas bureau chief for the Associated Press, protested the arrest and the confiscation of the photographers' film.

"I have protested to the office of Gov. Ann Richards in the strongest terms possible the handling of this matter," Pederson said.

"In a situation already marred by tragic loss of life and questionable actions, this seems to be a rather sorry follow-up. One has to wonder seriously if the Bill of Rights has been suspended in McLennan County."

A spokesman for Richards, Chuck McDonald, announced the arrests at the beginning of a news briefing and said the situation could have tragic consequences.

Lumpkin said he would join Pederson in protesting to the governor's office.

"There was no legitimate law enforcement purpose served by this action," Lumpkin said.

"The best and most rational response would have been to escort them from the unmarked area with a warning," action taken earlier with a television reporter.

Plevka 42, has been a photographer with the Houston Chronicle since 1988. Bowmer, 37, has been the associated Press photographer based in Houston since July, 1992.

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