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Navy SEALs Sue AP Over Photos

Commandos claim the distribution of pictures showing them with Iraqi prisoners puts lives at risk. The wire service stands by its reporter.

Tony Perry
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SAN DIEGO — Six Navy SEALs and two wives of the commandos filed a lawsuit Tuesday accusing Associated Press of invasion of privacy and endangering lives by distributing pictures of them with Iraqi prisoners.

The lawsuit, filed in San Diego County Superior Court, alleges that an Associated Press reporter obtained the photographs from a private website that the wife of one of the SEALs thought was open only to individuals with a password. The wire service issued a statement supporting the reporter, Seth Hettena, assigned to the San Diego bureau, and his use of the photos in a Dec. 4 story about possible abuse of prisoners.

"We believe AP's use of the photos and the manner in which they were obtained were entirely lawful and proper," said Dave Tomlin, assistant general counsel for Associated Press.

The lawsuit asserts that the photos, showing the SEALs' faces, have been shown on Al Jazeera, the pan-Arab television network and on anti-American billboards outside the U.S. base at Guantanamo Bay, Cuba.

As a result, said attorney James Huston, the SEALs' lives are endangered because their identities, which the Navy goes to great lengths to conceal, are now known.

The AP story said the photos were posted on a public website. The lawsuit says the site was meant for use only by Navy families with a password.

"This was not posted for world consumption and Al Jazeera's knowledge," Huston said.

With bases in Coronado and Virginia, the SEALs are deployed in a variety of clandestine missions. Reporters embedded with U.S. troops in Iraq and Afghanistan, for example, are forbidden to mention the presence of SEALs.

The lawsuit asserts that identifying SEALs by showing their photographs is tantamount to blowing the cover for CIA agents, which is a felony.

The SEALs shown in the photographs were part of an elite group assigned to interrogate so-called high-value prisoners for possible terrorist links.

Huston said that Navy officials had asked Associated Press to obscure the faces of the SEALs but were turned down.

After the reporter discovered the photos and brought them to the attention of Navy officials, the Navy launched an investigation into how they became public. The lawsuit asks that Associated Press be ordered to obscure the faces of SEALs in other photographs obtained in the same manner and be barred from distributing other images from the same website, including wedding photos. The suit also asks for unspecified damages.