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REVISED -- Environmental Activist Faces Pay-back in Nassau County After
False Arrest

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East Hills, NY, 11-30-14 -- Environmental activist Richard Brummel, author of the website Planet-in-Peril.org and a frequent subject of media coverage around Nassau County, was briefly locked up Friday after a judge demanded \$500 bail in Nassau District Court as he was arraigned in a case he asserts is "pay-back" for his aggressive environmental activism that often involves self-written lawsuits, many involving Nassau County.

Mr. Brummel was arrested on November 10th after a resident of Roslyn Estates and her landscaper pursued him 150 feet from her home after he had taken a handful of photographs of their cutting down healthy trees in front of her home, reportedly with a permit from the local village.

He wrote to Governor Andrew Cuomo Saturday asking that a special prosecutor be assigned due to the grossly improper nature of the legal process to date. He has also asked the U.S. Attorney for the Eastern District to open a federal civil rights investigation.

The next court appearance is in Nassau District Court in Hempstead on Monday December 1 at 9 AM.

Mr. Brummel, a resident of East Hills, is either a plaintiff or a supporting-partner in two current lawsuits against Nassau County over environmental issues, and one over a First Amendment issue related to an environmental issue. He is a 'petitioner' in two cases related to protecting Christopher Morley Park, and he is assisting a resident of Plainview in opposing Nassau County's massive tree-removal program the region.

"The County is playing dirty and a lot of people who want to see me hurt must be weighing in on this. An opposing attorney in one case knew about the arrest before it had been reported in the media, and brought it up to discredit me. There are lots of red flags here," Mr. Brummel said.

In the Roslyn Estates incident, Mr. Brummel, 54, who is a professional cook as well as Yale graduate and former reporter, had summoned police via a 911 call ten to fifteen minutes earlier after the resident physically accosted him, and he was waiting by his vehicle when the pair rushed down the street once again to confront him.

(See accompanying photo taken moments before police arrived.)

Mr. Brummel was standing with his back to his Explorer with the pair about six to ten feet away when a police car finally arrived, with no siren or lights. Mr. Brummel, who is 5'6" and weighs 140 lbs., had grabbed a hand-held fire-extinguisher from his vehicle, pointed it toward the pair, and shouted at the pair "Stay away" -- which was the scene the first police car came upon the incident.

Mr. Brummel recounted the situation to police, but after about an hour of on-street conferring with the resident and her landscaper by a police supervisor and four or five police officers, Mr. Brummel was arrested, handcuffed, and driven to the Third Precinct in Mineola where he remained for about two hours before his release.

He was charged with menacing and possession of a weapon.

Nassau County Police took the unusual step of issuing a press release apparently, which was quoted in The Roslyn News of November 26, 2014. In the supposed press release, credited to the police department, it was claimed "when the defendant saw the police coming he put the fire extinguisher in his car."

Mr. Brummel said he found that statement quite incredible.

"The police car arrived around a curve. From the time I saw the car to the time he drove past me to meet the residents, about one second elapsed. I could not have put the fire extinguisher away if I wanted to. But remember, I called the police and I knew full well they were coming. In fact I wanted nothing more than for them to arrive. It took about fifteen minutes after my 911 call. I had nothing to hide. This story simply falls apart upon examination. I am shocked the DA hasn't figured this out," Mr. Brummel said.

Judge Anna Anzalone demanded bail and issued an order of protection to the resident over Mr. Brummel's strong objections, and an attorney's admonition such an act required a hearing first.

At the arraignment, Judge Anzalone asked no questions about Mr. Brummel's residence nor ties to the community, though the volunteer lawyer with Mr. Brummel struggled to inform her of the facts as he saw the process spiral out of control. The court proceeding was rushed and peremptory, and the officers surrounding and seizing Mr. Brummel moved so swiftly that he lost some official paper-work as he was being whisked into detention.

An assistant DA claimed Mr. Brummel had "a history of such actions" without providing any evidence to the court or to Mr. Brummel. In fact, Mr. Brummel was confronted in the past by residents for his activism or photos, but police found no issues at the prior times, and he faced no similar physical aggression.

Mr. Brummel could have been confined indefinitely in the Nassau County jail if a family member had not assisted with the bail. Due to his full-time effort on

environmental issues via legal challenges over the past several months Mr. Brummel's finances are very strained. He only recently resumed working as a cook.

Mr. Brummel had been in Roslyn Estates visiting the Roslyn Estates village office to review village plans -- since abandoned -- for a ban on feeding stray cats. He had helped spread the word about the proposed ban among local animal advocates.

He had also just spent some time in the Christopher Morley Park forest which he is involved in protecting via legal action from a water-treatment facility supported by Roslyn Estates and many of its residents.

When Mr. Brummel heard the chainsaws, he walked over to the location to investigate, at which time he took several photos (see attached). He also asked the landscaper about the tree removals, and why they were being done. A few moments afterward, the landscaper walked to the resident's door and conferred with her, prior to the incident developing.

"I was shocked by the fact I was arrested, and I fully expected the DA or judge to see through this obvious pay-back. It now looks like there are more people or levels of government that will collude to harm me, or interfere in my efforts, which is shocking to me, because I thought this only happened in countries like China and Russia," Mr. Brummel said.

Photos accompany.

##END##