

# VIDEO AS EVIDENCE



Photo: WeCopwatch

## Documenting #NoDAPL



# DOCUMENTING #NODAPL

This Video as Evidence Guide was adapted by WeCopwatch and WITNESS. It is intended to help activists and Water Protectors fighting the construction of the Dakota Access Pipeline to safely, effectively and ethically document human rights abuses for evidentiary, advocacy and reporting purposes.

Every situation will be different.

Adapt this guidance to meet your needs and always put your safety and the safety of others first. Speak with a legal expert for specific information about your rights.

## DEFINITIONS

"LEGAL": The Water Protector Legal Collectiv

Phone: (701) 595-0737

Web: [waterprotectorlegal.org](http://waterprotectorlegal.org)

Facebook: [facebook.com/WaterProtectorLegal](https://facebook.com/WaterProtectorLegal)

COPWATCH: The direct, non violent observation of the police.

LEGAL OBSERVERS: Individuals, usually representatives of The National Lawyers Guild, who attend public demonstrations, protests and other activities where there is a potential for conflict between the public or activists and the police, security guards or other law enforcement personnel.

# FILMING AS EVIDENCE

## GETTING READY TO FILM

WHETHER YOU'RE COPWATCHING, LEGAL OBSERVING, OR  
FILMING FOR EVIDENCE IT'S CRUCIAL TO. . .

### STEP 1

#### KNOW YOUR RIGHTS

Knowing your rights helps you make educated decisions.

### STEP 2

#### BE PREPARED

Enter a situation with the tools necessary to be most effective.

### STEP 3

#### HAVE AN ACTION PLAN

Have a plan, know the risks and have a backup plan.

### STEP 4

#### DOCUMENT INCIDENTS AS EVIDENCE

Knowing what to film, why you're filming, and who you're filming for, can make your video more likely to meet evidentiary standards.

### STEP 5

#### HAVE A POST-ACTION PLAN

Know what you are doing with your documentation.



# KNOW YOUR RIGHTS

**THE CONSTITUTION MAY HAVE BEEN WRITTEN BY COLONIZERS BUT UNDERSTANDING THIS FRAMEWORK CAN HELP YOU USE IT IN YOUR FAVOR AND PROTECT YOURSELF**

**You Have The Right** to film police during the course of their duty in public or publicly visible spaces.

**You Have The Right** to document and show the world these abuses.

**You Have The Right** to not be retaliated against for doing this work.

## **You Have Rights!**

However there are several things to consider when exercising your rights and assessing the risks you are taking to document police or DAPL employee abuse.

### **PRIVATE PROPERTY VS PUBLIC PROPERTY**

- Police have arrested people on sovereign land
- Police have arrested people for allegedly trespassing on private property
- **You have the right** to Copwatch on public property and you have permission to be on public property, however police are arresting people citing “**trespassing**” laws or remaining in an area after they have “**declared**” an unlawful assembly

### **INTERFERENCE and OBSTRUCTION**

- You have the right to film police activity, but you don’t have the right to interfere with police activity
- This type of charge is vague, which is why we use tactics of de-escalation when being confronted by hostile police

This is just information to help you in your decision making process. Be safe out there!

# BE PREPARED

**THE MORE PREPARED YOU ARE, THE MORE EFFECTIVE YOU CAN BE**

## STEP 1

### **Know as much as you can, but be comfortable with the unknown**

Water Protectors often plan actions without announcing the location. Incidents can also happen sporadically. By the time you know about an action, so do the police. Understand and respect security culture.

The better you can plan for the known and prepare for the unknown, the more equipped and effective you can be.

## STEP 2

### **Tools and Resources**

- Extra charged batteries and memory cards
- Charged phone with sufficient storage space, GPS turned on (if safe), password protection enabled
- Set date and time accurately on recording devices
- Livestream app
- Legal hotline number in case of arrest
- A notebook and pen
- First Aid Kit, Goggles, Mask
- Water and snacks

## STEP 3

### **Dress appropriately**

It's a cold world out there. Be sure you have:

- A scarf or face cover
- A warm coat
- Gloves
- Extra layers
- Hat
- Boots



Photo: WeCopwatch

# HAVE AN ACTION PLAN

## DETERMINE YOUR MISSION AND BE PREPARED TO CHANGE IT ON THE FLY

**Is this** a direct action or an event with civil disobedience?

**Is this** an attack by DAPL employees or the police?

**Are you** filming environmental crimes related to the construction of the pipeline?

### A GOOD ACTION PLAN IS...

- Know where you are
- What you need to document
- How or who to get your evidence to
- Have a partner or a group with a unified objective
- Stay in communication with your team
- Have a backup action plan
- Always consider your exit strategy



Photo: WeCopwatch

### YOUR ACTION PLAN IS PART OF BEING PREPARED

- Know what you need
- Never bring anything with you don't want to lose, break, or be taken by the police
- Plan and be prepared for arrests
- Your team will need to contact LEGAL and should have emergency contact info for all team members

# FILMING AS EVIDENCE

**Document** the time, date, and location of the incident.

**Document** landmarks to show your location.

**Film** as much of the incident and police/DAPL employees' activities as possible. More footage is often better than less.

**Film** in a way that someone who isn't present could understand.

## Examples of things to film as they happen

- Police movements and formations
- Actions leading up to use of force
- Uniforms, badge numbers and departments
- Identities of law enforcement and DAPL employees
- Identities of law enforcement in charge
- License plates of police and DAPL vehicles
- Military equipment & serial numbers
- Police announcements
- Use of force against water protectors
- Deployment of gas, projectiles, dogs and water hoses
- Overt and covert surveillance
- Arrests

## Examples of what to document after the incident

- Spent munitions and gas canisters
- License plates and identities of law enforcement investigators
- Injuries resulting from abuses
- Damage to sacred objects and land
- Any statements made by the police, DAPL staff or other agencies
- Communicate with any consenting witnesses or victims that may be willing to come forward or advocate for others. Get contact info for follow-up



# THINGS TO DOCUMENT AT DAPL PROTESTS

Sometimes footage that doesn't seem important can serve as crucial evidence, especially when the police initiate force or arrests against Water Protectors.

## FILM THE OFFICERS PRESENT

Police suppressing DAPL protests and actions often do not wear nametags or badge numbers. Some of these officers have been brought in from other states. It is important to film the identities of officers, their departments, any weapons they have, and which officers appear to be in charge.



Photo: WeCopwatch

## FILM POLICE ACTIONS

Document any police movements and formations, any audible warnings, as well as any individual interactions or attempts to liaise with Water Protectors. Be sure to also document the time and location where these movements and interactions take place.

# THINGS TO DOCUMENT

## DOCUMENT ARRESTS

Documenting arrests is crucial because it's the point when police make physical contact with Water Protectors. It is also often when false charges are made against activists, such as assaulting an officer or resisting arrest. Video evidence can help free those who have been falsely accused.



Photo: WeCopwatch

## DOCUMENT FORCE

Police have used force against Water Protectors using a variety of weapons, ranging from batons, tasers, tear gas, projectiles, and even water canons.



Photo: Stephanie Keith/Reuters

# FILMING DAPL EMPLOYEES

## FOLLOW SAME PROTOCOL

Speak to a legal expert about holding non-state actors accountable. In terms of what to document, follow the same protocol as filming the police when filming DAPL employees. Film their identity, their vehicle license plates, weapons, any ID cards, and their conduct.



Photo: AFP/Getty Images

## CAUTION

DAPL employees have been behind horrific attacks on Water Protectors. Be cautious when documenting their conduct. Many are armed and some have fired at Water Protectors.



Photo: Ryan Vizzione

# #NODAPL ACTIONS

## SHOT LIST



### LANDMARK



### OVERVIEW



### HORIZON WITH SUN OR MOON



Get as many angles  
as possible.



### 360°



### WIDE



### MEDIUM

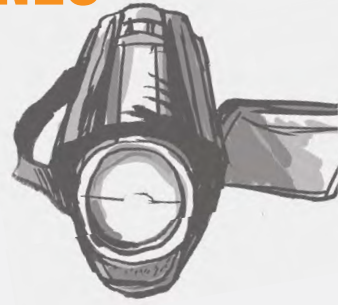


### CLOSE UP



# FILMING SECURE SCENES

## 10 STEPS



- STEP 1** Ensure the scene is safe for filming
- STEP 2** Make a filming plan
- STEP 3** Add preliminary information
- STEP 4** Film an overview shot and the horizon
- STEP 5** Film in a 360° circle in a 15-second interval
- STEP 6** Film 10-second wide shots from the four points
- STEP 7** Film 10-second medium shots from the four points
- STEP 8** Film 10-second close up shots of key evidence
- STEP 9** Complete a Camera Report
- STEP 10** Supplement with maps, still photos, drawings, etc.

Adapt steps as necessary

# FILMING SECURE SCENES

## SHOT LIST

### STEP 4



horizon with  
sun or moon

### STEP 5



360°

### STEP 6



wide

### STEP 7

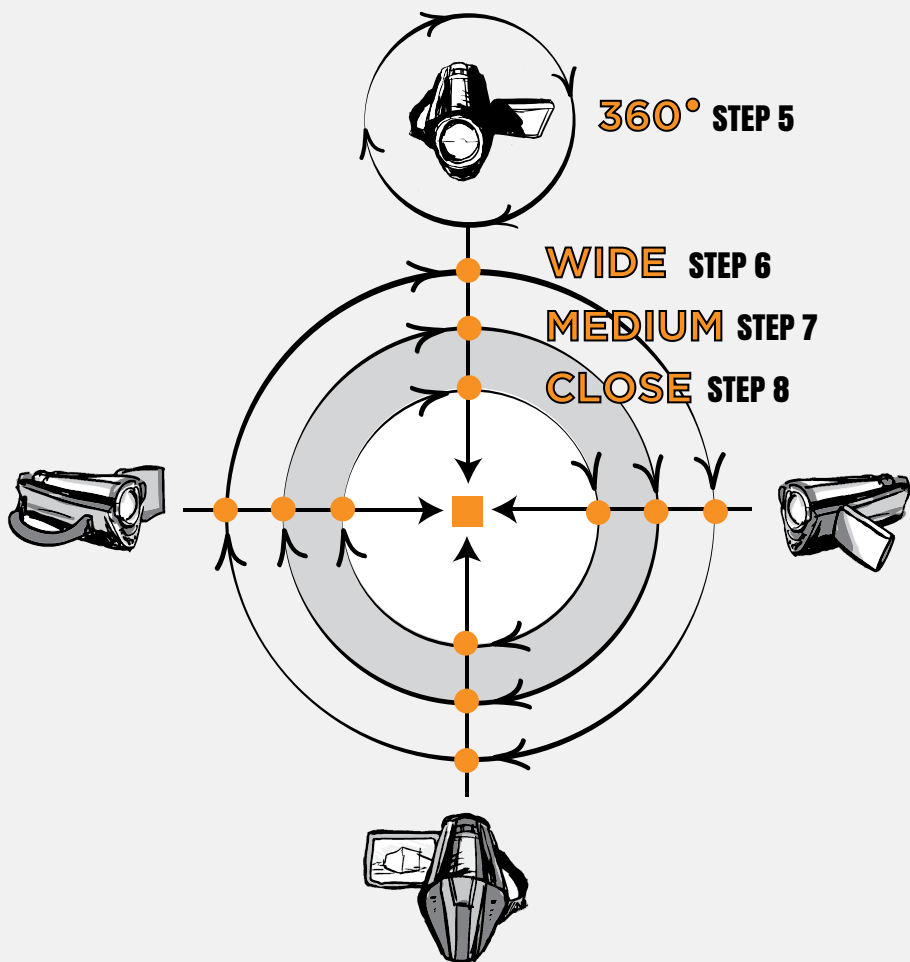


medium

### STEP 8



close up

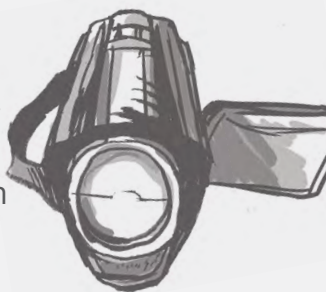


# ADDING INFORMATION

**If it's safe to include essential information then use the camera mic or a piece of paper to add the following details:**

## **STEP 1** Who, When, and Where

Record your name, contact info, date, time, and location. Include names and contact details of others that may have information about the incident.



## **STEP 2** HOW: Orient Your Viewers

While filming, clearly state how you are filming the scene – from north to south, from above the scene, etc.

## **STEP 3** What: Factual Narration (Optional)

If appropriate, add a concise and factual description of the incident while recording. Don't speak over key dialog or sounds, such as weapons being used or inciteful language, this can be valuable audio.

## **STEP 4** Wrap-Up

End by stating the time you completed filming.

- Adapt as necessary to fit your situation.
- Provide only factual information.
- Write down notes as soon as possible after the incident.
- If you need to film anonymously, see [library.witness.org](http://library.witness.org).



# LIVESTREAMING

## Things to consider

**In this day and age, almost everyone has a cellphone. Many people have streaming apps which have the power to broadcast video to the world.**

If you're streaming, keep these safety considerations in mind:

1. Your video is being watched by the police. If you're broadcasting a protest, you are giving the police real-time intelligence that can help them identify and target people for arrest. It can also help police conduct mass arrests.

2. Streams can also be used after the fact, helping police identify people for future arrests.

3. Try streaming to a private channel so only trusted audiences can watch the stream. This will also create an automatic back-up. Make sure you know how to preserve the video afterwards.

- A good method of livestreaming during police actions is to simply film the police.
- Another important thing to consider when streaming is that you are draining the battery of the device that has GPS and can tell you where you are, and potentially where you need to go. It is also the device that you use to communicate to the world. Use it wisely
- Learn more at [bit.ly/LivestreamProtests](https://bit.ly/LivestreamProtests)



Photo: WeCopwatch



# FILMING PROTESTS IN TEAMS

**FILMING WITH A PARTNER OR TEAM ALLOWS YOU TO CAPTURE MULTIPLE ANGLES AND DETAILS. THIS CAN LEAD TO MORE COMPELLING VIDEO AND MAY PROVIDE BETTER EVIDENCE IN A COURT OF LAW.**

## BEFORE

- » Discuss and establish roles
- » Assess the risks associated with each role, such as arrest or injury. Confirm that everyone accepts the risks.
- » Develop an emergency plan in case violence breaks out or someone is injured.
- » Determine how the team will communicate, e.g., by SMS or walkie talkies.
- » Set the date and time on the camera(s).

## DURING

- » Designate a point person to carry backup resources like batteries, media cards, or emergency contact info.
- » Stay in touch. Maintain regular check-ins with the team to ensure everyone is safe.
- » Let other filmmakers know about compelling shots and assist with interviews.
- » If anyone is arrested or detained, other team members should attempt to film the incident and alert support networks.

## AFTER

- » Consolidate media and give to the legal team or media collector, provide additional details about the event.
- » Protect identities before sharing.
- » If sharing online, include context and details about the event in the video's description, tags and title. This will make your video easier to find and use.

# FILMING IN TEAMS

## ROLES & RESPONSIBILITIES

### CAMERA 1

#### FILM DETAILS AND ACTION SHOTS

Film the action up close and focus on details and incidents of police or military violence. Document identifying info such as faces, police names, badges, vehicles and license plates.

### CAMERA 2

#### FILM IN THE CROWD

Capture the action. Try to keep Camera 1 in the shot to maintain context and provide additional angles. Keep the crowd anonymous by filming their backs or feet. Try to film incidents from start to finish.

### CAMERA 3

#### FILM ESTABLISHING SHOTS

Film at a distance to capture the full scope of the event. Document the location and movement of police or military. Consider filming from a window, balcony or roof to get an aerial perspective. Camera 3 should communicate major developments to teammates, such as approaching military vehicles or new formations.

### COLLECTOR

#### COLLECT, SAVE & SHARE FOOTAGE

The editor collects, analyzes and saves the footage. They can also add informational title cards within the video and blur faces when anonymity is needed.

### INTERVIEWS

Provide contextualizing details through interviews with consenting protesters or eyewitnesses. Ensure those you film are fully aware of how and where the video will be used. Discuss potential safety risks if the video is to be shared publicly, online or with authorities. If anonymity is needed, film interviewees' hands while they speak, have the subject wrap their face in a scarf, or adjust the focus to blur the image.

# SAFEGUARD YOUR FOOTAGE

## STEP 1 **Protect your media in the field:**



- Keep your memory cards safe from physical damage and confiscation
- Swap out the used card with a blank card and hide the used one
- If you have internet/cell service, set your phone to back-up immediately to a cloud or remote secure server
- Create an immediate backup to a drive that you carry with you

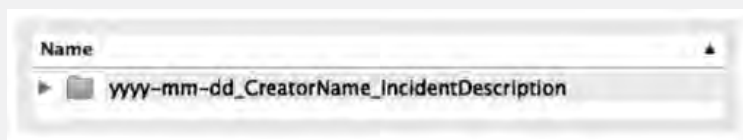
## STEP 2 **Protect your media in your camp or at home:**



- Set the write-protection lock on your memory card before transferring your media
- Back up the original file at least once, twice if possible. Once copied, don't alter the original file in any way
- Keep backup copies on separate devices and in a separate physical location from your primary copy

## STEP 3 **Organize your videos once you are out of the field:**

Do not alter the format, filenames or directory structure. Instead, place in folders with standardized names.



## STEP 4 **Track your videos:**

Use a spreadsheet or database to keep track of where you store the footage and who you share it with.

**Learn more at [archiving.witness.org](https://www.archiving.witness.org)**

# SHARE YOUR VIDEO PRIVATELY

**Stop and think before sharing your video online.** Could exposing someone's identity put you or others at risk? Once it's online you lose control of who sees it and the context it's shared in. Working with a lawyer, the victim, or a trusted friend or journalist can help you be more strategic in how the video is used to secure justice.

## STEP 1

### Research

Groups like the [Water Protector Legal Collective](#) can help. After filming an action, bring your footage to the Legal tent to be processed and shared. Choose an intermediary who you trust and who has the skills, resources and infrastructure to keep your video secure.

## STEP 2

### Decide how to Provide the Original File

If you can meet and transfer your footage in person, do so. If you need to transfer footage online, research secure options to transfer footage safely. Find more information about securely transferring footage at [bit.ly/VaE\\_TechTools\\_Transferring](http://bit.ly/VaE_TechTools_Transferring)

## STEP 3

### Provide Supplementary Information

If possible, provide a printed or electronic summary that includes:

- Time, date and specific location of where the video was shot
- A concise factual summary of what is shown in the video
- Names and contact info for the videographer, persons filmed and others who may have information about the incident
- Security information



# SHARE YOUR VIDEO PUBLICLY

If you decide it's safe and strategic to share video clips publicly online, follow these best practices:

## STEP 1

**Title** your video with the date, location, city, country and key descriptive words.

## STEP 2

**Add an accurate description.** Repeat the information in the title and add a factual summary of what is shown in the video. Facts only. No opinions. If safe, include the name and contact information of the videographer or posting organization.

## STEP 3

Make your video easier to find online by adding **tags**. Repeat the date, time, specific location, city and country then add words that describe the content.

## STEP 4

**Keep the original file.** Video sites like YouTube optimize video files for web streaming. This means the video is often compressed and stripped of key information, so you must keep your original.

## STEP 5

If you need to **obscure someone's identity**, use editing software or online tools like YouTube Blur Tool to anonymize people. Learn more at [bit.ly/howtoblurYT](http://bit.ly/howtoblurYT).

## KEY POINT

If the footage is violent or graphic add **"Graphic Human Rights Footage"** to the title and description so viewers are aware of the content and online platforms know not to take it down.

# FILMING TESTIMONY

When filming an action or protest, you will probably only have time to collect a preliminary field interview.

You may want to conduct more comprehensive interviews on camera later, after the events have ended. If you think a comprehensive interview is needed, you should talk to a legal expert.

Always think about the security of your interview subject. Don't film interviews without people's consent. This guidance should be adapted as needed. The main rule should always be: **do no harm**.

## A preliminary Field Interview is typically...

- collected by a frontline documenter;
- conducted in the field, either during or shortly after an incident;
- captured in a spontaneous manner;
- shorter in length;
- intended to collect basic information;
- to help identify if there are additional witnesses or physical evidence the witness is aware of.

## A comprehensive Interview is typically...

- collected by a trained human rights advocate or investigator;
- conducted in a safe, comfortable environment;
- separated in time and space from the incident;
- captured in a planned manner;
- longer in length;
- intended to collect thorough information about everything the person can remember; and
- to learn if there are additional witnesses or physical evidence the witness is aware of.



Photo: Youtube Account - N8tiv3 J0k3R

# FILMING PRELIMINARY INTERVIEWS

## CHECKLIST: TO PUSH RECORD OR NOT?

The decision to record an interview on camera is not always an easy one. You will need to make based on the information you have at the time. Ideally, you want to be able to answer “yes” to each of the questions before pressing record.

YES	NO	
		<i>Are there any advocacy reasons to record this testimony in addition to evidentiary reasons?</i>
		<i>Is it logistically easier to film the testimony rather than write it down?</i>
		<i>Is it safe to record a person’s identity (name, face, and voice)?</i>
		<i>Is it probable that the person can provide relevant information?</i>
		<i>Is this likely to be the only opportunity for someone to speak with this person?</i>
		<i>Does this person strike you as a credible and reliable witness?</i>
		<i>Is an on-camera interview likely to empower (rather than re-victimize) the person giving the testimony?</i>
		<i>Is the likelihood that contradictory testimony will later be given low?</i>
		<i>Is it possible to secure informed consent? (See details below.)</i>
		<i>Do I have the means to securely preserve this video footage?</i>

# PRELIMINARY FIELD INTERVIEWS

## CHECKLIST: KEY QUESTIONS

	<i>What, if any, security concerns do you have? Are there any actions you would like us to take while filming you or afterward to minimize your risks and/or the risks to your community?</i>
	<i>What is your name? Please spell it.</i>
	<i>Could you tell me the date, time, and location of the interview?</i>
	<i>Please state the date, time, and location of the event we will be speaking about.</i>
	<i>Can you describe what happened? How do you know?</i>
	<i>How do you think it happened? Why do you think this?</i>
	<i>Can you tell me to whom it happened? How do you know?</i>
	<i>If you have an opinion about why this happened, could you share your thoughts with us? What is your opinion based on?</i>
	<i>If it's safe to do so, could you share the names and contact information of anyone else at the scene or with information about the event?</i>
	<i>Are there any witnesses you believe we should talk with or any physical evidence we should film (such as property damage, injuries, impact areas, bullet holes, or environmental degradation)?</i>
	<i>Can we or someone else get back in touch with you to follow up or complete a more thorough interview? If yes, how can we contact you? What is your address, phone number, email, and any other key contact information?</i>



# SECURING INFORMED CONSENT CHECKLIST

## STEP 1

Ask if your interviewee needs **special considerations** (e.g. child, victim of recent attack, survivor of trauma, etc). If so, consider options for getting consent from a legal guardian. Don't proceed if you're unsure of their comprehension of the video's purpose and potential risks.

## STEP 2

Begin with an **off-camera interview** to introduce who you are and if you represent a group or organization.

## STEP 3

Describe why you are filming and how you plan to use it. Ensure the interviewee is **participating voluntarily and that they clearly understand the purpose** of the project, the implications of participating, and who may see it.

## STEP 4

Ask if they would like to use their **full name**, or change any part of it. Ask if they want their identity protected. If **anonymity** is needed, explain that you can conceal their identity while filming by using lighting techniques or recording only their hands. Alternately, you can propose blurring out their face or distorting their voice when editing.

## STEP 5

On-camera camera consent can include these **questions**:

- ✓ Please state your name, the date, and location of this interview.
- ✓ Do you understand what we are doing? Please explain in your own words.
- ✓ Do you consent to your interview being included in this project, including video and any other forms of media that may be used (print, photos, website)?
- ✓ Do you know who may see the final video?
- ✓ Are you aware that you can stop the filming process at any time in order to ask questions or to take a break?
- ✓ Are there any restrictions to using the information you provide us with or video itself that we need to be aware of?

# COPWATCHING

## OUR PRINCIPLES

**copwatching is the direct, non-violent observation of the police.**

We approach police stops as they are taking place, make our presence known, and document police conduct for the benefit of the person being detained or arrested.

Our goal isn't to capture police misconduct on tape, but rather to be a deterrent to police misconduct. However, if there are any questions or police misconduct occurs, we have the documentation to support the victim.

WeCopwatch supports first amendment tests, and filming covertly to document how police behave when they don't think people are watching. But that isn't Copwatch. Copwatch is the direct observation the police, with the intention of deescalation and being an advocate for the person being stopped.



# COPWATCHING

## A BRIEF HISTORY OF WATCHING THE POLICE

### DEACONS FOR DEFENSE

The Deacons for Defense were a Klan Watch organization that was conducted patrols in the deep south in 1965.

### BLACK PANTHERS

The Black Panther Party was founded in West Oakland in 1966. They would conduct police patrols armed with guns and law books.

### AIM

The American Indian Movement founded in Minnesota in 1968 also conducted police patrols.

### BERKELEY COPWATCH

Berkeley Copwatch was founded in March of 1990 in Berkeley, California. They began monitoring the police with cameras and notebooks after reports of heavy repression against the homeless community.



# COPWATCHING

## THE DIFFERENT STYLES

There are many forms and styles of Copwatching. What separates Copwatch from other forms of police watching is that we make our presence known, and that we are there for the person being stopped. How we use our body language and how we conduct ourselves reflects that.

### **Proactive Copwatch projects**

Organized Copwatch groups and initiatives that go out and proactively look for police stops in areas where police abuse occurs. These patrols and shifts are often accompanied with outreach and education.

### **Community Defense projects**

Where communities organize and advocate for each other by observing and documenting the police when they come into the neighborhood.

### **Watching random Police stops as they occur**

Often the most effective Copwatching takes place when a bystander sees a police stop taking place in front of them and they simply decide to watch.

Copwatching is often an interaction between the police and someone you know. Everybody comes into contact or is stopped by the police at some point or another in their life. Often they are their own best advocate, or the people with or around them.



Photo: WeCopwatch

# COPWATCHING

## THE ANATOMY OF A POLICE STOP

**There are many different types of police stops.**

- Calls for service where people have called the police.
- Police raids.
- And police initiated stops such, as car stops, or people on foot in public spaces.

Copwatchers find themselves at all different types of stops, but generally they're at police initiated stops taking place in public spaces.

**When the police stop someone there is a beginning, middle and an end.**

1. In a usual car stop police will activate their lights.
2. They will identify the person stopped, and maybe tell the person why they have stopped them.
3. They will go back to their patrol vehicle to check the status of the vehicle and the person, and decide whether they will let the person go, cite them, arrest them, question them further, call for backup.
4. They will approach the stopped person and, release them, cite and release them, ask them out of the car to pat search them, arrest them, question them further, search the vehicle.

It is important to understand the anatomy of a stop because it helps you understand what is happening when you arrive and begin documenting the police stop. Sometimes you arrive just as the stop is initiated, other times the officer is away from the person stopped, and they both are silent. Sometimes the police are in the midst of heavy questioning.

The more you know, the better you can conduct yourself, the better you can document the stop with time you have and the better you can impact the outcome of the stop.

# COPWATCHING

## WHEN COPWATCHING

Keep in mind that every stop is different. You will never know all the details and making assumptions isn't helpful. Be objective.

**Example:** You may see what you determine is an unlawful search of a person, and you voice your disapproval not knowing that the person is on payroll and has a 4 way search clause allowing the officer to conduct the search.

### It's great to have:

- Video and still cameras
- Copwatch cards with know your rights info and contact info
- A notepad
- Identifiable clothes such as Copwatch shirts.

It's important to let others know that you are either out copwatching, or you are have stopped at a police stop.

When informing someone offsite that you are at a police stop, do it like the police do. Give a location, nature of the stop, any identifiable officers or license plates, and how you feel about the stop.

When cop watching it is great to have a partner. The more people, the more cameras, the more angles, the more protection.

### Important Note

When proactively copwatching, be sure to have an ID, do not be under the influence, do not have warrants, or have anything illegal on you.

# COPWATCHING

## APPROACHING A STOP

Whether your out Copwatching or witnessing police stop someone in your neighborhood, walk slowly and with your hands out. You don't want to startle the police. A scared cop is a dangerous one. If you are filming, be sure to note the time, date, location of the stop as you approach. If you don't want to reveal your voice or speak over the action, consider calling someone so there is a reference to when you arrived at the stop.

### **Inform the person stopped and the cops of your intentions.**

As you arrive at the scene, let the person stopped and the officer know what you are doing. It lets the person stopped know they are being supported in what is often a very lonely and scary time, and it lets the officer know that you are there, you will not obstruct, but that you will hold them accountable.

### **There are many ways to do this.**

1. You can gesture to the person stopped that you are there for them.
2. If the police ask if they can help you, you can reply that you are just there to observe police activity and that you are not there to interfere. The person stopped can hear that and feel some assurance that you are there for their benefit.

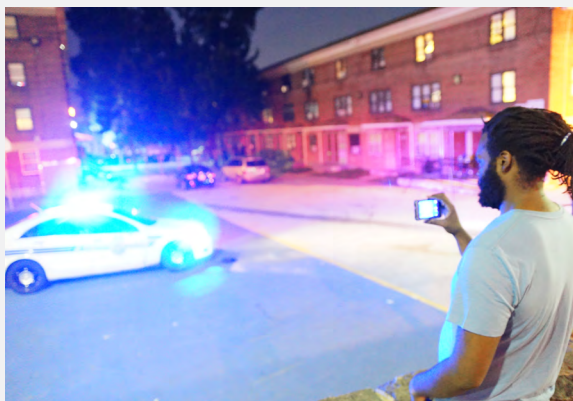


Photo: WeCopwatch

# INTERACTING WITH POLICE

If the officer asks you to step back or leave, re-affirm that you are not there to interfere, that you have the right to observe, and that you will take a step back.

If the police still take issue, you must make your own determination how to proceed. If they become fixated on you, then it is not likely there was something dangerous taking place. At the same time, you don't want to agitate a police officer, especially when there is someone stopped. The police could take it out in that person, or they could take it out on a future copwatcher.

Always communicate to the officer that you are not there to interfere, and that you have the right to.

If they give a reasonable explanation of why they want more distance - such as shots were fired, or that you are standing in a crime scene - then find your middle ground, get out of the way. But generally speaking, you have the right to walk up to a police stop and observe.

## If they call backup

If the police call for backup either for you, or the person being stopped. understand that these responding officers don't know anything about the stop, or the interactions you have just had with the officer involved in the stop.

Their job is simple. Do whatever they are instructed. If they are arriving to assist the lead officer, then you have multiple officers to document. If they are there for you, then they will either stand in-between you and the stop, or they will try to push you back. Either way, the introduced dynamic often is a tool for obstruction. Cops will position themselves in a manner to visually obstruct you. If they are pushing you back then both the audio and visual obstruction will make it harder to document the police stop. Sometimes they will communicate with you to make you pay attention to them instead of the stop.

If a responding officer is asking you questions or attempting communication with you, you can always say the fail safe:

**>> "Officer I am here to observe, I have the right to observe, I'm not here to interfere. I don't consent to this conversation."**

If an officer is overtly obstructing your ability to document you can note that on your video:

**>> "This officer is clearly attempting to obstruct my ability to observe."**

If an officer is overtly obstructing your ability to document you can note that on your video:

**>> "This officer is clearly attempting to obstruct my ability to observe."**



# INTERACTING WITH POLICE

## If out with a crew / multiple cameras

Whether backup has been called, there are multiple officers at the stop, or it's just a single officer, if you have a crew, fan out.

Every stop is different, be flexible.

If you have multiple cameras, having a camera in the front and the back of the stop, or one across the street, can be beneficial in capturing a more complete picture of what happened.

## Example scenarios:

1. A camera on both sides of the shot eliminates the ability for an officer to plant evidence, it also helps document whether an officer is conducting a pat search, or is sticking their hands in a victim's pocket.
2. A camera on the other side of the street that captures the closest cop watch group, and the police stop can be helpful as it shows the accurate distance the cop watchers closest were from the police stop. It also serves as a backup video if something takes place in the stop, or against the copwatchers.
3. A camera behind the closest camera can serve as documentation that shows more fully any interactions between an officer and a cop watcher. If a police officer grabs a cop watchers camera, then the camera just behind has captured it.

If an officer is overtly obstructing your ability to document you can note that on your video:

>> **"This officer is clearly attempting to obstruct my ability to observe."**

## Important Note

Following the conclusion of a police stop where backup is called, it's important to evaluate the entire interaction and discourse to improve future methods and practices.

# COPWATCHING

## SECURING EVIDENCE

If you film police abuse against a victim or a copwatcher, consider securing your evidence. Police will often confiscate cameras or erase video if they believe misconduct has been captured on video.

You can take a chip out of a camera and hand it off to someone who will secure it. If the camera has an internal hard drive you can trade cameras with someone else. You don't want to have interrupted documentation of an incident, however you also don't want your evidence of a police crime falling into the hands of a police.

Never edit the original files or change the file names. Save backups of valuable footage in multiple secure and trusted locations.

**Mobile Video:** If you have a cellphone that records to an offsite platform or cloud, activate it. In your video state that your group has just filmed police misconduct and that video of this exists on the copwatch cameras. Make sure your phone is password protected (not Touch ID).

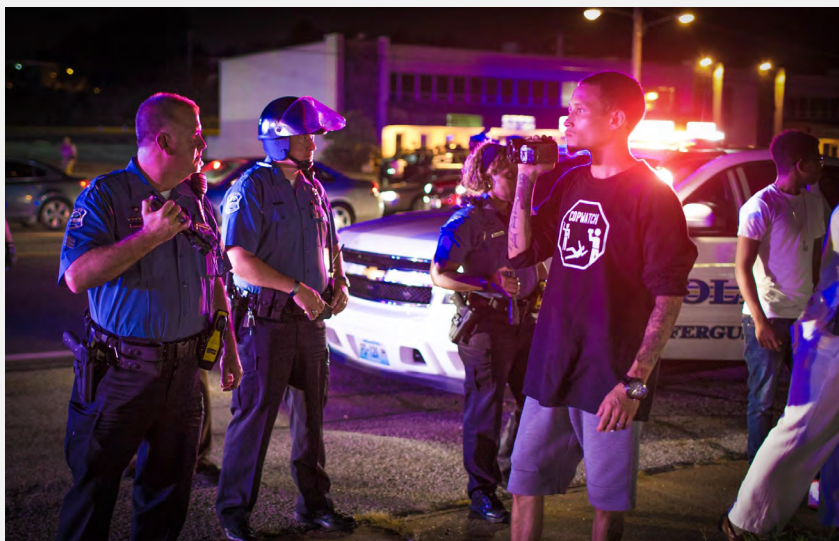


Photo: Daniel Shular

# COPWATCHING

## AFTER THE STOP

### The Police

If you can, get the badge number and name of the officers present before they get back into their vehicles, but know they may not give them to you. Try to film the badge and name plate during the approach and any other identifying details so that can attempt to identify them later.

### The Victim

Speak to the person stopped. If they are OK sharing, find out why they were stopped and offer them a copy of the video. You can also offer them a training or ask them if they want to get involved. If you have a card with contact info, be sure give it to them.

### Arrest

- If the person is being arrested, ask if you can call someone for them.
- Connect with any witnesses who might know arrestee and know how to get the video to their community.
- Call down to the jail with the time and location of the arrest, and ask for the person's identity and their charges.
- If that doesn't work, call the public defenders office with the time, date, and location of the arrest, and try to find the person that way. Also let them know that you have video and want to be a witness.

These are just ideas and concepts. We hope that some of this is helpful. And always feel free to contact WeCopwatch at [WeCopwatch@gmail.com](mailto:WeCopwatch@gmail.com) We love you all. Be safe out there. — The WeCopwatch Family



Photo: WeCopwatch

# LEARN MORE:

Get more free media activist resources at  
**[library.witness.org](http://library.witness.org)**

Learn more about Video as Evidence at  
**[vae.witness.org](http://vae.witness.org)**

Guidance on archiving and preservation  
**[archiving.witness.org](http://archiving.witness.org)**

Getting started with digital security  
**[bit.ly/DigiSecPrime](http://bit.ly/DigiSecPrime)**

Learn more about WeCopwatch at  
**[wecopwatch.org](http://wecopwatch.org)**

“These Streets are Watching” Copwatch Documentary  
**<https://www.youtube.com/watch?v=GKeM6zWfAjs>**

# GET IN TOUCH:

This is a work in progress. We’d love to hear your questions and thoughts. Please get in touch at [feedback@witness.org](mailto:feedback@witness.org) or [WeCopwatch@gmail.com](mailto:WeCopwatch@gmail.com)



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**SEE IT  
FILM IT  
CHANGE IT**

