

FILMING IMMIGRATION ENFORCEMENT

BE SAFE. BE ETHICAL. BE EFFECTIVE.

Filming encounters with immigration enforcement can expose human rights abuses, deter violence, substantiate reports and serve as evidence. But if the footage isn't captured safely and ethically, there can be unintended harm to both the person being filmed and the person filming.

Your first priority should be to do no harm. Exposing someone's identity could put them at greater risk. Always assess the risks before you hit "record" and consider other ways to respond if filming is unsafe (e.g. alert support networks and/or write down details after the incident).

KNOW YOUR RIGHTS

- **It is legal** to film immigration and law enforcement in public in the United States, as long as you don't interfere.
- Be aware that agents may falsely identify themselves as police officers or lie in the course of enforcement, but you should not lie.

MORE RIGHTS INFO

Immigrant Defense Project

- immigrantdefenseproject.org/ice-home-and-community-arrests/

American Civil Liberties Union

- bit.ly/ACLU_Right2Record
- bit.ly/ACLU_KYR_Immigrants
- bit.ly/ACLU_KYR_Border



BE SAFE

- **Avoid locking your phone with fingerprint, face, and pattern ID.** Law enforcement can't force you to give up your passcode without a warrant or court order, but they can ask or coerce you to unlock your phone with your fingerprint.
- **Have a legal support number and/or a trusted contact's info handy.**
- **Encrypt your phone, regularly back it up, and delete sensitive data** like images of or contact information for anyone at risk of deportation or arrest.
- **Be aware that immigration agents and police care mainly about their safety, not yours.** Moving quickly or suddenly to get a phone or reaching into your pocket could escalate the situation.



FILM THE DETAILS

- If possible, film key details such as law enforcement badges, uniforms (or lack thereof), license plates, weapons, communications between agents/officers, signage, property damage, border fences/walls, surveillance and body cameras, and cameras or other individuals filming. Document all agencies working together.
- Stay focused on law enforcement activity instead of civilians. Make targets and/or protesters harder to identify by filming very wide shots and/or filming people's feet or backs.
- Make it easier for investigators, journalists, and lawyers to verify your video by filming street signs, buildings and landmarks. If filming inside or outside someone's home, don't expose details of their living situation without consent. Doing so could put other members of their family at risk.



NARRATION



- **Let the video speak for itself.** If violence occurs, stay calm and quiet. Lawyers and investigators will need to hear what's happening.
- If adding narration won't interfere, or if filming from a distance, add context through **factual and unbiased commentary** such as location, number of agents/officers, etc.
- Anything said or learned during the arrest is admissible in court against the target. When filming or sharing online, be careful to not allege anything about the person's country of origin, immigration status, criminal history etc.

SHARE ETHICALLY

- **Think before you share or start livestreaming**, and determine if you need to protect anyone's identity including your own.
- **Be aware of what information your device or sharing platform is collecting in relation to your video.** For example, if you have GPS turned on, you are gathering GPS coordinates with your images. These details have the potential to trace footage back to the person who filmed. This is especially important if you decide to share publicly.



LIVESTREAMING



- **Livestreaming can expose people's identities and other sensitive information** far more easily than recorded video, but sharing any videos online –live or not– is risky.
- **Phones can default to sharing your location.** Be aware what location details you are sharing.
- **Consider streaming to a trusted set of viewers**, such as an attorney or trained legal observers on a private channel.
- **It can be helpful to describe what is happening** through factual commentary. Work with a partner to keep an eye on what's happening in the periphery and to check viewers' comments and questions.
- Only some sites let you save the video on their platform. If you think your video contains evidentiary content, it's good to download and preserve a copy on your secure devices.
- **Learn how:** <http://bit.ly/PreservingLiveVideo>

PRESERVE YOUR MEDIA

Save the original file in a safe place. Never delete the original file or change the filename.
If you do edit, do it from a copy.

Get more filming tips:
bit.ly/EYESonICE



**SEE IT
FILM IT
CHANGE IT**