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WE'RE WATCHING

A guide to recording
the police & ICE

VIDEO

**PUBLIC
ACCESS
DESIGN**

HOW TO START

Documenting the New York City Police Department (NYPD) and Immigration and Customs Enforcement (ICE) is legal and protected by the Constitution. You can support the safety of your loved ones and communities by deterring, de-escalating, and documenting law enforcement violence and misconduct. This practice is called Cop Watch or ICE Watch.

Any time you see police or ICE activity in your community, stop, watch, and start documenting the incident on your phone or camera:



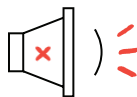
Get the full scene. **Don't zoom** in too much—you don't want to miss something.



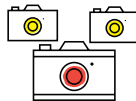
Say the **date, time,** and **location** on the recording.



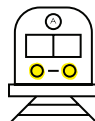
If you can, read **license plate** and/or **badge numbers** out loud.



Describe any **misconduct** you see—but don't talk too much. You want to record the audio of what's going on.



If you feel comfortable, **encourage others** to film.



If you're in the subway, filming with phones and cameras is legal, but using other equipment may not be.

What do I do with the footage?

Don't post it right away! It could end up hurting the person you're trying to support. Before posting, ask for permission from the person or their family.

Ask a lawyer or community organization what to do. See page 14 for Justice Committee's contact information.

For more information on ICE

Go to page 11.

If you are the target, do not film. **This is true for Cop and ICE Watching too.**

After the incident is over, victims and witnesses should write down:

Date and time of the incident

Information about the officers:

- How many officers there were
- Any identifying information, like their names and what their uniforms looked like

Whether they:

- Touched or pulled out their guns, made verbal or physical threats, or used force
- Handcuffed or detained anyone
- Searched anyone or anything

If they were trying to get into a home:

- How they did it
- If they entered with or without the consent of someone in the home
- What they did inside the home

STAYING SAFER

Remember the **3 R's**: In **reality**, documenting officers increases the risk of arrest because they often don't like to be watched. But, it's legal. You have the **right** to document the NYPD and ICE, and you should, because it's our **responsibility** to keep each other safe.

Check out the situation first. Ask yourself:

What's going on? How many officers are there? How escalated is the incident?



If an incident is already escalated, officers may escalate it even more if they see someone documenting close to them.

Are there other people watching and documenting?



You may be safer if you're on a team of Cop Watchers or if other people are around.



Am I in an okay state to Cop Watch?

If you've been drinking or taken other substances, you may want to sit this one out.

What am I risking and what are the consequences if I'm arrested?

Are you on probation or have an open case? Are you an immigrant at risk of deportation? Are you carrying weapons or anything illegal?

All of these things put you at greater risk. You're not helping your community if you get arrested or detained and deported.

**Use what you see to make a plan.
Ask yourself:**



Do I feel safe enough to document?



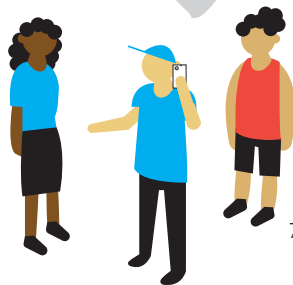
Do I want the officers to know I'm watching?



How close do I feel I can be?

If you do decide to Cop or ICE Watch, call a friend. Make sure to tell them: where you are, what is happening, and when you're done.

If you don't feel comfortable with the officers knowing you're watching, stopping to talk on the phone can be a good cover.



WHEN APPROACHING AN INCIDENT

To approach an incident:

1. Stay calm and breathe!
2. Don't make sudden movements.
3. If you speak with officers, use a calm but assertive tone.



When communicating with community members:

1. If you feel it won't escalate the situation, tell the community member that you're watching the police or ICE to make sure they don't violate their rights or become abusive.
2. If the community member doesn't want to be filmed, explain that you're there to protect them and film the police. However, if the situation escalates, you may want to move farther away or lower the camera.

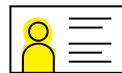
If officers approach you, say:

I'm not obstructing you in any way. I'm only exercising my legal right to observe the police while you're doing your job.



If officers say you don't have the right to observe or film, **calmly and assertively repeat the statement above.**

If officers ask for your ID:



If you're not at risk for deportation, you may want to show your ID.

If you are at risk for deportation and ICE asks you for ID, they may be able to detain you by confirming your identity. Refusing to show your ID may be the best option.

You have the right to refuse to show your ID, but asserting this right often angers police and makes it more likely they will arrest you. You don't want to get arrested so you can still document the incident.

If officers tell you to get back, take a step back and say:

I'm cooperating. I'm taking a step back. I'm not trying to stop you from doing your job. I'm just exercising my legal right to observe.



If the police continue to tell you to get back, continue to take one step back while repeating this. Try not to let them push you back so far that you can't see what's happening.

You have the right to observe as long as you are not interfering with law enforcement activity. Exercise that right!

If someone's getting arrested:

If you feel like it won't escalate the situation, you can ask the person getting arrested if they need you to call anyone.

Tell the person getting arrested **not to sign anything** and to **assert their right to remain silent.**

IDENTIFYING, DOCUMENTING, & INTERACTING WITH ICE

How do I know if it's ICE or the NYPD?

You might not be able to tell. Sometimes both ICE and NYPD officers wear plain clothes!

If they're in uniform, NYPD officers will be marked as "NYPD" or "City of New York Police." **Look at their arm patches, badges, vehicles, and backs.**

ICE agents may or may not be marked as ICE or DHS (Department of Homeland Security). They often try to present themselves as police and may dress in bullet-proof jackets, plain clothes, or windbreakers that say "police" **but not "NYPD."** Their vehicles may be marked as ICE or DHS.

Where might I see ICE?

In NYC, ICE usually identifies specific people they want to arrest and then tries to find them (versus stopping everyone they think they can deport). These days, ICE agents are arresting people at home, work, courthouses, and homeless shelters, and by pulling them over while driving.

If you're in public and believe you're documenting ICE officers, you can say to them:

Is this person free to go?

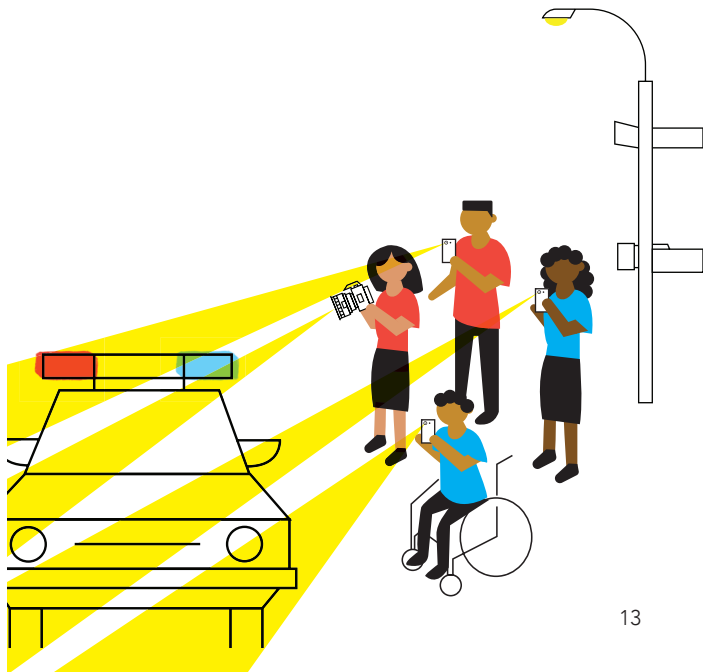
Do you have a signed warrant?

On the street, a warrant signed by an ICE officer is enough to make an arrest. But to enter your home, ICE officers need a warrant signed by a judge.

If you need to locate loved ones who have been detained:

Look online at locator.ice.gov. You can find a phone number for a specific facility at www.ice.gov/detention-facilities

To find someone's court date, call Immigration Court at 800.898.7180. You will need their Alien Registration Number (A#).



FOR ADDITIONAL HELP, CONTACT:

Justice Committee
justicecommittee.org
info@justicecommittee.org
(347) 752-8070

This guide is for informational use only and is not legal advice. Speak to a lawyer for legal advice on your situation.

This project was produced through **Public Access Design**, a program of the **Center for Urban Pedagogy (CUP)**. Public Access Design projects use design to make complex urban issues accessible to the New Yorkers most affected by them. **publicaccessdesign.org**



The **Center for Urban Pedagogy** is a nonprofit that uses the power of design and art to increase meaningful civic engagement. **welcometoCUP.org**



Justice Committee (JC) is a grassroots organization dedicated to building a movement against police violence and systemic racism in New York City and empowering low-income Latinx and other people of color to address these issues. **justicecommittee.org**



Jade Broomfield is an illustrator and graphic designer based in New York. **jadejbroomfield.com**

Collaborators

CUP: Ingrid Haftel, Nick Johnson, Aska Mukuti, Oscar Nuñez

Justice Committee: Juan Ramon Aguirre, Varun Bhatnagar, Karina Hurtado-Ocampo, Amir Khafagy, Yul-san Liem

Design: Jade Broomfield

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