

Know Your Rights



- If stopped by the cops (with or without reason)...
 - Ask: "Why am I being stopped?"
 - Ask: "Am I free to go, or am I being detained?"
 - If you are detained, do not resist.
- If asked to empty your pockets or submit to a search...
 - Ask: "Do you have a search warrant?"
 - If yes, ask to see the warrant.
 - If no, say and repeat: "I do not consent to a search."
 - If you are searched without consent, do not physically resist.
- You do not have to show ID.
- IF YOU ARE REACHING FOR ANYTHING IN YOUR POCKET, MAKE SURE POLICE OFFICERS KNOW WHAT YOU ARE DOING AND DO SO SLOWLY. NO SUDDEN MOVEMENTS.
- Five main things:
 - "I do not consent to a search"
 - "Am I free to go?"
 - "I will not talk, I want my lawyer"
 - Remain silent.
 - Call 1-800-Law-Rep-4

This information is critical in knowing like your ABC's because they are things you need to be sharing with/shouting out when the person(s) being stopped by the cops

CopWatch

When we are out on patrol, our job is to:

- A)** make sure the person being detained or searched knows their rights and is safe.
- B)** Document all officers involved and their badge/Car numbers
- C)** to try to de-escalate the situation, not escalate it.

Engaging With Police

Download the ACLU Stop & Frisk APP on your phone, this ensures that even if your phone is taken away, the footage is automatically sent to the NYCLU and can be retrieved later.

- When approaching an incident...
 - Do not get in the way.
 - Stay a safe distance away.
- If officers get too close...
 - Say: "I am a safe distance away. You are now violating my rights."
- If asked to step back...

- Take one step back while saying and repeating: “I am exercising my right to record and document police activity.”
- Additional best practices...
 - Remain calm but firm.
 - Do not show fear.
 - Do not stay quiet. Keep talking continuously.
 - Ask: “Am I breaking any law?”
 - Say: “This video is going straight to the New York Civil Liberties Union. The footage will not be lost.”
 - Do not stay silent.
 - If alone, wear a phone headset and periodically speak into the mic to give the appearance of having backup.
 - Say: “I am just making sure no one’s rights are being violated.”

Filming the cops:

- **You CAN record cops in public** – recent court decision, it is legal to film the cops, definitely yes in Chicago and Illinois; in most (but not all) of the country
- No exact distance, recommendation is grabbing distance + a step, might want to be further than that
- Cops can’t charge you with filming, but they can arrest you on something else if they decide they want to arrest you

Filming specifics:

- 2 people or more
 - 1 person filming
 - 1 person “engaging”; stay between cops & camera
- Hold the camera away from the officer to prevent them from grabbing it or knocking it out of your hand.
- Make sure you get a wide angle so you don’t miss anything.
- Say your location, the time and date, and anything else that will help the ACLU find out what occurred and where.
- Zoom in on the officers’ badge numbers, the car number, and the precinct number (usually on the car).
- If you are recording close to where the incident is occurring, Have a second camera recording the wide angle behind you. This way, If the front team is arrested, the back team gets it on camera.
- The person filming:
 - Record all the way thru the incident.
 - Narrate what you’re seeing. Say the date + time.
 - Show and tell the location (intersection).
 - Film police, NOT the person(s) they’re harassing
 - Try to film & say license plate #, cop car #, etc.

- The person “engaging”:
 - Stay in between the camera person and the police
 - Try to shout out the FDLA number to call (1800 Law Rep 4)
 - Try to shout out vital KYR info
- If you have more than 2 people:
 - 2nd camera person (this person can be more discreet, zooming out and recording whole incident from far away)
 - Old-fashioned note taker (describing the whole scene, writing vital info down)
 - Social media
 - Legal aid



Inform the person being stopped of their rights

Police like to tell cop watchers that we are “interfering with their investigation. We need to be mindful of how close we are to the incident and that we don’t engage with the person being arrested and limit or engagement with the arresting officer. Some ways to get vital know your rights information to someone being stopped is to:

- Speak loudly.
- Speak to whoever you are with, or just out loud. (do not speak directly to the person being arrested or prevent the officer from doing his job. Document everything from a “reasonable” distance)
 - Example: “Hey Elsa, did you know this man does not have to consent to a search? and that he can fight whatever they illegally found in court?!”
- Shout out “Know Your Rights” info from a reasonable distance.
- Try to get the contact info of the person being stopped, or from someone who might have been with the person at the time of the arrest/detainment.

Legal Considerations:

- Cop watching = increasing your chances of interacting with police & potentially being arrested
- Be careful with unnecessary risks – drugs, alcohol, knife (over 3 inches)
- Risk factors; things to consider, stakes of an arrest, ways police may target you
 - parole / probation / warrant
 - immigration status
 - race, gender presentation
 - different IDs
 - staying at a shelter, curfew

Safety Considerations:

- Different for each person – trust your instincts – stay aware.
- Physical safety – we know the cops are dangerous and unpredictable, can be violent even if you do everything right. That said, can people think of ways to decrease the risk of physical violence from the cops? (hands visible, don’t approach from behind, polite, voice, no sudden movements, calm, eye contact)
- Do NOT cop watch alone.

- If being told you are “interfering with an investigation” by CPD, you can say..
 - “I am just making sure no one’s rights are being violated.”
 - “Am I breaking the law?”
 - “I am watching from a reasonable distance.”

- If officer gets closer to you, you can say...
 - “I am a safe distance away. You are now violating my rights.”

- If asked to step back...
 - Take one step back while saying and repeating: “I am exercising my right to record and document police activity.”