

HEADING

Over the past decade, witnesses and camera footage have played a pivotal role in exposing police brutality. But for many youth, the risks of intervening still carry great weight.

SUBHEADINGS

You have the right to observe events plainly visible in public

As long as the events are plainly visible in public, you have the right to observe. You have a right to record the police as long as you are not interfering with the discharge of their law enforcement duties.¹

- Stand at least 6 feet away from them
- Do not hide the fact that you are recording, and keep your phone close to your body around chest level. Holding your phone out makes it easier for law enforcement to grab.

Protect your privacy

To enhance your privacy, disable the face or fingerprint ID to unlock your phone, and use a passcode with six or more digits.

Police officers do not expect privacy when doing their job, but the people they interact with may have privacy rights that require you to notify them of your recording. In many states (see [here](#)) you must make people aware that you are recording them.

Police need a warrant to seize your device

¹ ACLU, [Know Your Rights Stopped by Police](https://www.aclu.org/know-your-rights/stopped-by-police/), <https://www.aclu.org/know-your-rights/stopped-by-police/>; ACLU, Filming and Photographing the Police, <https://www.aclu.org/issues/free-speech/photographers-rights/filming-and-photographing-police>; ACLU, ACLU of California Releases Tool to Hold Law Enforcement Accountable, <https://www.aclu.org/press-releases/aclu-california-releases-tool-hold-law-enforcement-accountable>.

Without a warrant, police can't keep your recording device.² They can't demand to see or delete your photographs or videos under any circumstances.

While you are recording, you may be asked to stop or hand over your device. If so, simply remind the police officer of your First Amendment right to take photographs or videos in public, and politely but firmly refuse consent.

Note that some officers may unlawfully arrest you for refusing to comply, so decide whether to take this risk.

Get all the details

Write down as many details as possible. You may be able to contact the person stopped afterwards, and your information could help if they file a complaint. Be sure to include:

- How many officers were present
- Their names
- Their badge and patrol car numbers
- Where they were from
- Any use of weapons (including tasers or batons)
- Any injuries suffered by the person they stopped

Witnessing is traumatic

It may take time to heal after witnessing a traumatic event. Allow yourself to process and reach out to friends, family, and medical professionals for ongoing support.

Last updated on February 1, 2023

² *Riley v. California*, 573 U.S. 373, 401 (2014).