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## **Videotaping Police during Political Demonstrations**

### **Purpose of this Manual**

This manual is meant to provide a basic overview of proven tactics for video taping police at demonstrations. This information is presented with the hope of having as many people as possible attending these demonstrations carrying video cameras and having knowledge of how to use them effectively. It is hoped that you the reader will become one of these people.

### **Why Videotape Police**

Video cameras are, if properly employed, one of the most effective tools for documenting what occurs and containing excesses by the police.

The majority of arrests are usually a form of control and harassment. During a typical demonstration they are usually for trivial things like "jaywalking" or "offensive littering" (i.e. throwing a cigarette butt down in the street.) Other times, there may be blatantly over the top behaviors, even involving the use of chemical agents and projectile weapons, or circling hundreds of demonstrators followed by mass arrests. In any case, letting the police know that there's a record being made and that they are accountable is one of the best ways for law-abiding citizens to control and prevent these harassing tactics.

### **Assembling a Team for Videotaping Police**

Like a person involved in any sort of direct action, the person videotaping may utilize and might require support. Support positions may include the following:

- Runner. It is this person's responsibility to take any tape the person with the video camera makes of the police activity and to get that tape out of the area as quickly as possible.
- Buddy. Also known as "eyes." This person keeps an eye of what's going on as the person with the video camera photographs the action. This person is watchful for:
  - a) Other incidents;
  - b) Any police officer or officers approaching the video camera operator.
- Reporter. This person can provide descriptions of what occurred for later broadcast or legal records. This person can also interview witnesses or victims of police misconduct.

It is also a good idea if several people with video cameras work together. One or more can go in close and others can hang back. By recording what is happening to the person going in close, the people on the periphery provide an increased measure of safety. Alternatively, people with cameras may stand on opposite sides of an incident. In this way they both monitor each other and make a more complete record of what is occurring.

### **What to Videotape during a Demonstration**

#### **a) Using Videocameras to Prevent Arrests and Beatings**

What is important to videotape depends a lot upon what occurs. Sometimes cops seem to be trying to fill a minimum quota for numbers of arrests. Then you'll see them arrest people for stupid things like "jaywalking," "offensive littering" (i.e. discarding a cigarette butt,) or simply because someone is standing on the wrong side of a line. Let's face it, mass demonstrations are big overtime bucks for cops. For example during the 2001 Seattle WTO Anniversary demonstration, cops were received about a quarter million dollars to corral a couple of hundred demonstrations. To justify this continued spending, you need results, hence cops create arrests.

In these cases it's a good idea to be proactive. Whenever you see a cop, or especially several cops moving to some demonstrators your video camera should be on. If it's night and you've got a light on your camera, turn that on too. If cops are aware they are being recorded, this can prevent many arrests.

To anticipate what the police are doing, you'll want to pay attention to them, and begin to notice the nuances of what they're doing. If several of them start marching in a single direction, if they change to a "harder" riot uniform, those are indications that something is going to occur. Your camera should be rolling.

A good strategy is to bring more tape and batteries than you anticipate that you'll need. When police do something it happens quickly. It's recommended that you have your camera running anytime you even suspect that something might be about to occur. Many of the videotapes that are produced during demonstrations only capture what's going on after something takes place. It takes awhile for a video camera to power up and then begin to run tape. If you start rolling tape when the incidents about to start, you're probably going to miss a lot. Tape is inexpensive. Batteries are rechargeable. If you have a choice, use them and edit down.

#### b) Videotaping when the Police do Decide to Arrest or Abuse Someone

One choice to make is how much of a participant you are willing to be while videotaping. Being as professional and as neutral as possible will maximize your credibility, both in the field, and when appearing in court later. If you're there with a fist in one hand, your camera in another and a shirt that says "fuck the cops", and if your audio tracks got you saying chants, good luck on getting a jury to believe your tape's an objective record.

It is okay, and can be important to let the police know you are videotaping them while they are making an arrest. While there are some cops who join the force for altruistic reasons and are relatively decent people, there are some that seem to enjoy hurting people. Given that a study by the New England Journal of Medicine showed a substantial number are spousal abusers, this should not be a complete surprise. Tactics observed in past demonstrations included police tossing a demonstrator between them to make it look as if the person was resisting arrest. Police also circle around people so that what they are doing to them cannot be seen.

This is precisely why it is important to videotape every arrest and every potential arrest that takes place. The police hate to be seen doing these things and video cameras are simply the best tool for exposing and controlling this behavior. If a cop knows that they are being videotaped when an arrest is going down, the arrest is likely to be a lot gentler. This is especially true if the cop or cops believe that this tape is going to be broadcast somewhere. Most of the local cops have families who live in the area. They don't want their parents, children or spouses to see them behaving in a brutal manner. Asking the arresting officers questions such as their names, badge numbers, supervising officer, and the charge can let the police know they're being watched and get information at the same time. The more accountable the police officer feels that they are, the better the chance that they're liable to behave during an arrest.

If you do tape a cop being particularly brutal, try keeping it on your local cable access channel for the next six months, making sure the officer's name gets mentioned a lot. This can do a lot to change behavior.

#### When Cops Cluster Around their Victim

One of the most common techniques cops use when they're arresting someone or using excessive force is to circle around their victim or victims so that they can't be seen. There are several techniques for penetrating the cops when they go into a circle during an arrest. One is to simply get in as close as you can. Since cops have been known to attack cameras with their batons, this is where older or less expensive cameras are recommended. It is a really good idea in this situation to have someone holding the cameraperson's back and ready to yank him or her out.

The other strategy when the cops circle around someone they are arresting is to hold the videocamera above your head and point down. This is where the flip-out view screens on some of the newer cameras can be most effective. A good image stabilizer is helpful too. If your camera lacks one of these side

screens the best technique has proven to be putting your lens as wide as it can go and simply pointing the lens at the action while holding the camera over your head.

### What's Useful to get on Videotape

In these sorts of situations most attorneys find it useful to show the physical relationships between the actors. The most typical charges at demonstrations revolve around things like people crossing a line on the street or standing on the curb instead of the sidewalk. Many an arrest charge has been dismissed simply because it's been shown a person was not standing where the officer said they were. If you begin videotaping an incident, it's a good idea to leave the camera running until the incident is over. Many prosecutors try to use the gaps in a videotape to attack it.

The most basic technique for good pictures is to try to brace yourself against something so that your camera doesn't shake. Again, the image stabilizer function on your camera can help here, but it's still limited in terms of how much it can correct. Since you're trying to cover a lot of the action, leaving your camera in wide angle is recommended.

If you're trying to make a record it's a good idea to get the time and location. Since it's difficult to get details such as street signs, or badge numbers when you're on the fly, it's often better to read these into your microphone.

Let me repeat that, read the time and location constantly into the microphone of your camera, particularly at the beginning or ending of a shot.

If you're making a record of an extended event it's a good idea to record some tape every five minutes or so. You can make notes on such things as the demeanor of the crowd, numbers of people present, number of police present, if they are wearing hard or soft uniforms, number of weapons that they are carrying, their demeanor, etc. Remember that the police have people in their employ designated to capture what demonstrators are doing, so your main job is to keep an eye on the police.

Oh, in case I forgot, it's also a really good idea at the beginning or end of each shot to read out the location, time and date.

### Interviewing Witnesses

It's always a good idea to interview witnesses.

The basic technique for friendly is to start with a very open ended question. This can be something like: "What happened?" "Can you describe it?"

From there you can start going into specifics. Things like: "what happened next?" How did folks react? Did you see anyone get hurt? How?" etc. The general approach if you've got a coherent friendly witness is to start broad and get narrower and more specific. If anything's unclear during the interview, it will be unclear to the audience. Ask them to explain.

If you're witness may be a little frazzled, you might start with a slightly leading question: "What did the cops just do?" "So you were just tear gassed, how'd it happen?" are good examples of this.

If you've got a witness who's completely frazzled, you might want to cut your losses, if they're taking too much time. It's always a balancing act between what your subject's doing and what else is going on. Hence if you see others getting the same interview, it may not be the best use of your talents to cluster in and get the same interview instead, focus on what else is happening or is likely to happen. Ideally videographers share their footage.

It's a good idea to get a contact for the witness. If you're not someone who's known to them, witnesses may be reluctant to give their information, even their names. It's understandable. One thing that's worked is to have a piece of paper that they can mail later to either your organization, or the legal support group - again a good idea for people to work together.

One good location to do interviews is around where the medics are working. It's good to have a record of people when their injuries are fresh, and to make visual documentation of them. Again, though there's a balancing act here, and you don't want to interfere with someone who's just been injured. Evaluate the situation, take lots of deep breaths (barring chemical agents) and use common sense.

Another good thing is to have folks outside the jails t at the end of an action to talk to releasees about any irregularities or abuses that may have occurred. If they're too frazzled see the above about getting contact information.

### Witnessing Less Lethal Weapons and Other uses of Force

The Seattle WTO Ministerial seems to have served as a military trade show for the merchants of less lethal technology. They've become so omnipresent that police spraying a few hundred people with pepper spray can be seen as a "restrained use" even by the alternative (as opposed to corporate) media.

The important thing to remember is that these weapons all have narrow parameters around which they are designed to be used, almost none of which are possible in a demonstration.

Projectile weapons ("rubber bullets," "bean bags," "dowels" etc.) should be fired at certain distances. Even if you missed an incident on videotape you should read into your video camera a record of how far the weapon was fired from before it struck someone. Many of these weapons are meant to be skip-fired, that is not fired directly at people, but ricocheted, off the ground. Note if a weapon is fired directly at someone. There are limited areas of the body where someone may be struck safely with these weapons. Generally these are the same areas that it's okay to spank a child, the meaty areas, the thighs and buttocks, period. Under almost no circumstance should someone be struck with these weapons in the head, or remotely near any other vital organ. Of course these are all violated routinely. Document them. Get witnesses. Get officer's name, or available of identification (if none visible, get that.) Oh and record the time, date, location, and any witness statements about what lead up to the attack. See above for getting contact info.

Chemical Agents include CS or "tear gas" (used on the Viet Cong by our government) and OC or "pepper spray." There are strict rules about the distance that these can be used from, and the length of exposure that a victim can receive. Note these. These weapons should only be used in areas where there is free flowing air. If it's a confined place (car, phone booth, doorway, etc), the person's being exposed to more than even the manufacturer deems safe. Make a record of this as above. Time, location, contacts, etc. Also note if the person receives treatment. These are required by the manufacturers. Interference by cops with medics, or others administering the aid that the cops should is something to document.

### More Basic Tips

It's crucial to have several videotapes. If you videotape an incident, a runner can get it out of the area and you can continue videotaping. If the cops start a circling action and look like they're ready to start making arrests, you can get your videotape out of the area and keep taping. It's nerve wracking to have to decide if you want to stay in an area and get what's happening, or get out and save the tape you already shot. It's better to prevent yourself from being in that situation.

It's also good to carry extra batteries. Typically the worst acts of police misconduct come at the end of a day, particularly when police are tired. It's also when videographers tend to run out of power for their camcorders. Some batteries go as long as 15 hours (at least according to their manufacturers) on a single charge. If you're going to be doing this a while, batteries are a good investment. They're also where a lot of the mark up is so you can barter with a sales person around this, or check for opened box ones.

If you're working with an attorney, labeling a tape "attorney work product, privileged and confidential," makes it a little bit harder for the cops to use it without your permission. This depends a lot on jurisdiction and is stronger in some areas than others. You may have more rights as a credentialed press.

### Choice of Video Camera

Choice of video camera is also something to consider. Video cameras run the gamut from relatively inexpensive ones costing three hundred dollars or less, to ones that range into the tens of thousands of dollars.

One of the first criteria to consider if you're going to be getting close to the cops is what you can afford to lose. Unfortunately camera shy cops do occasionally try to break video cameras. Thus, you may wish to simply purchase a camera that won't leave you bankrupt if it's injured or destroyed. Also the camera's that give you the best image on badly lit streets aren't often the same ones that get you a clean image of a well-lit interview subject.

### Selection of Format if you are getting a Video Camera

Video cameras come in a variety of tape formats.

### Low End Analog

These are the most basic formats, 8mm, VHS-C and VHS. Of the relatively inexpensive camcorders on the market, my personal bias is to eight millimeter over the slightly more convenient VHS-C camcorders, because you get more tape for your money, slightly better resolution (roughly 240 lines of resolution vs. roughly 280 lines) and the tapes hold up better over repeated use. 8mm gives you a 2 hour tape that can run anywhere from \$2-\$8 depending on vendor, and quality of tape. VHS-C gives you a half hour of tape for the same amount of money and usually records in mono. The one advantage of VHS-C is that it can play in a VHS VCR – 8mm requires you to use your camera for playback, though it's relatively easy to copy to a VHS or other format tape. Reliable no-nonsense 8mm cameras are super cheap with the influx of digital. \$200 is not unheard of. The draw back to the influx of digital is that the lower end cameras are not made with as many features as they once were. Few, for example, have microphone inputs, which are crucial if you'll be using your camera to record speakers.

### High End Analog

Other formats will improve your picture markedly and are worth considering if you are looking at putting your work on the media. Hi-8, and the somewhat rarer SVHS will give you about 50% more resolution (roughly 400 lines of resolution) than 8mm or VHS. You'll be looking at \$300 for the most basic model, though you can occasionally find them for less as the newer digital cameras become more commonplace. Again, there are problems with less available features on the camera as digital becomes more pervasive. There are lack of microphone inputs on most current models. Others don't have an output that allows the camera to playback and export the tape at full resolution. The tapes run considerably less money (about half the cost per minute) of the digital, so can make good, relatively high resolution "thrash" or secondary cameras.

### Entry Level Digital

Digital 8 or Mini DV will double the resolution of an 8mm or VHS tape (500 lines of resolution), but the starting point is \$400. Most of these cameras have firewire or similar digital input/output that enables you to copy either to a computer or other digital video w/o loss of image quality, much like copying a file onto a computer disc. You do want to check this with the less expensive models. If you do purchase a digital it's recommended that you make sure your camera has one of these firewire inputs. This, and an actual firewire cable can enable you to trade and copy footage in the field with another videographer with no loss of image quality whatsoever. The popular format Digital 8 was created out of the older 8mm technologies. These cameras can playback older 8mm and hi-8 tapes. It generally costs less to run these cameras – tapes cost less - and you tend to get more features for your money. They have several drawbacks. The resolution isn't quite as clean as Mini-DV, the cameras are not as ruggedly built, and you have to use your camera for all tape playback, as dedicated Digital 8 decks don't exist. These do make okay street cameras, and give you the option of doing digital exports of older 8mm and hi-8 video. However if this is your first camera and you're in this price range, you're probably better off looking at a DV format camera. Mini DV is slightly higher resolution though you're often looking at about \$10 or more for a one-hour tape, though they can go as long as \$4. Older Mini-DV cameras frequently require more light than the other cameras, so can often produce beautiful video with enough light but can get quite grainy without it, in most of the newer ones this problem seems to have been defeated. This is especially true of the higher end cameras with three CCD's (chips.) You'll want to pay attention to the lux rating if you're doing a lot of night shooting – typically you'd want 1 lux for this type of work (as the numbers for lux get bigger you're needing more light). The optical zoom (the part that comes from a lens, not through electronics) on older Mini DV is also typically less than on other cameras, though this seems like it's being rectified in the newer ones.

### Other Features on Videocameras

There are features to consider which will improve your video, though they all add a little to the cost. - Image stabilization is a feature that eliminates shaking and will improve your picture. These are invaluable when you're in a jostling crowd, or moving around police who are trying to block you. It can add about a hundred dollars to the price, but is becoming ever-more common. There are several types of image stabilizers; the worst of these digitally crops your image and losses about 35% of your resolution. The best of these is optical image stabilizer. Also acceptable is the chip based stabilizer or steady-shot, which has minimal degradation of image.

-Batteries. The industry is moving from the older Ni-cads to longer running Lithium-ion batteries. For Ni-cads, there are “no-memory” batteries that can give you a much longer running time, though still not as high as the Lithium-ions. With any of these, whatever your advertiser or sales person tells you, it’s a good idea to drain them of all power at least once a month, and then give them a full recharge. Failure to do this will cause your battery to develop a diminished charge. It’s an excellent idea to have more than one battery.

- A flip out view screen can be extremely helpful in a fast moving street scene. Cops will circle around a demonstrator they’re arresting or beating, push back onlookers till you’re only able to see a crowd of cops etc. In these cases having a flip screen can let you hold a camera up in the air and look down, or hold it between a cops legs all while having a reasonable idea of what you’re videotaping. This can also be helpful in a situation where a spokesperson is giving a conference and is being circled by reporters.

-A small microphone will also improve your sound quality. Sound is one of the weakest components of most non-professional videos. Choice of microphone depends a lot upon whether you will be video taping with a reporter. If you have a reporter, a simple stick microphone will work best. If there is no reporter, a zoom microphone may be best to capture the action. Generally it’s a good idea to try to find a mike from the same manufacturer as the camera to limit compatibility problems.

- A small light is good for night shooting when much of the worst of police behavior occurs, though budget conscious activists have accomplished the same thing with duct tape and a small flashlight. Some of the newer Sony cameras have an infrared device built into them that can actually record a decent image with no light for about twenty feet, and can be extended beyond that with attachments.

- Tripods can provide a more stable picture. Obviously, the larger ones can slow down your speed, though work great for videotaping staged events. Some folks have been known to use single legged unipods.

#### The Advantages of Looking Professional

Another school of thought is that the more professional you look, the more the cops are going to be cautious of you. Activists and alternative media folk with cameras that look relatively close to what the networks are carrying, and a press pass from what appears to be a respectable news organization have been known to chase off phalanxes of cops.

More common is that you are less likely to get pushed out of an area by the police. This can allow you to get shots that someone who’s an activist, wearing a ski-mask and nose rings with a camera will miss: arrests, interviews with spokes-people, etc. Also, as the cops have begun embracing the technique of blocking all exits to street demos and arresting everyone inside, more professional looking videographers have had better luck getting out of these traps.

#### If You’re Not Part of a Media Group Now, You Might Want to be

The other consideration is if you are a representative of a legitimate media outlet, you are on stronger legal foundation and less vulnerable to the cops. For example, there is a Washington State law that makes it difficult for average person to videotape the audio portion of an event. This law does not apply to the “media.” Also media are often exempted from police dispersal orders. It’s something to consider.

If you are considering this route during a large event you may want to consider applying for a press pass from the municipality where the event is taking place, or from the organization hosting it. This will gain you the ability to cross many lines you would not be able to as a demonstrator.

#### Protecting yourself from the Police

With the escalation of police tactics against demonstrators, including chemical agents and projectile weapons, videographers need to be aware of what is out there so that they can protect themselves. Some folks are concerned about the “image” of having a gas mask. The bottom line is if you’re lying on the ground with a medic washing tear gas from your eyes, your not getting video when you should.

A good basic gas mask is recommended and can be purchased from most local army surplus type stores. Avoid anything with glass around the eyes. The Israeli gas masks are the cheapest, but are not designed to withstand the heavier duty stuff. It’s also a good idea to have a discrete looking bag for this, something that looks like more video gear. Police do tend to target people they perceive as “threatening” in appearance, so it’s important to be able to carry it discretely.

Since gas masks have been outlawed at past demonstrations, it’s a good idea to be familiar with the other alternatives. One method of improvising a gas mask is to crush charcoal briquettes and sew them into

a cloth. The finished product must be large enough to cover both mouth and nose. Keep this moist – a sealed plastic bag works well. Another method is to soak a large handkerchief in vinegar.

If gas masks are unavailable, eyes can also be protected with swim goggles or ski goggles, though the cloth areas of the ski goggles should be covered with duct tape, or the chemicals may leak in.

Other good basic articles are bike helmets and the protective gear favored by roller bladders. These will give some protection against batons, while at the same time avoiding a threatening appearance that may provoke police.

### Getting Your Videotape Seen

If you happen to videotape something particularly damning, getting your tape on the air may be a good course to consider. The logic being that if the cops are shown misbehaving they are less likely to repeat the action.

One of the best tools for this locally is cable access television. In most areas, a person can for minimal expense, produce a show they want without corporate interference. If you have lead-time before an event it's a good idea to try to schedule airtime as near to an event as possible. Some access facilities actually have "cable drop" facilities that can be accessed for live broadcast from a remote location. There also possibilities with increased streaming capabilities for remote productions from the location of a demonstration. Other producers have literally bicycled tapes to studios. A good format for a show that's not expensive to produce involves setting up a few people with the gift of gab to give commentary in front of a mobile production studio, with quickly cued tapes being inserted into the program. There are several quasi-national video outlets such as Free Speech TV, Deep Dish TV that sometimes can be worked with if your event is significant enough.

You may, want to consider, if it's particularly damning, negotiating with one of the local stations about airing your piece. NEVER under any circumstances give these people your original tape. Many of the professionals work daily with the cops and if they're not sympathetic with the cops, they're certainly reluctant to jeopardize their relationship. Give the professional media only copies of your tape, and give them only what you'd want them to show. If events that you videotape can be reedited, corporate media have been known to do that. Also, if they offer to pay you, read any contract, and make sure they're not preventing you from showing the piece anywhere else.

### About the Author:

Paul Richmond has more than a decade's experience of tracking police misconduct at political demonstrations. Videos he has shot have been used to acquit numerous activists, and bystanders of false or inflated charges over the years. His work has helped clarify the law so that citizens may videotape police, helped to "redistrict" a police precinct that had one of the highest per capita kill rates in the country, and helped to end a pilot program that had the National Guard accompanying police on drug raids. During the Seattle WTO Ministerial he initiated the program which fielded 200 legal observers, and initiated the creation of the Independent Media Center, training dozens of videographers. He is the author of numerous articles, as well as the report on the WTO Waging War on Dissent and a producer of the recently completed documentary Urban Warrior about the militarization of police. He is a private attorney in Seattle with much of his practice being the defense of demonstrators and going after bad cops.

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