

FILMING IMMIGRATION ENFORCEMENT



Immigrant rights are human rights. Filming encounters with immigration enforcement can help protect your loved ones and your community by exposing abuses, deterring violence, and serving as evidence. But if the video isn't captured safely and ethically, there can be unintended harm to both the person being filmed and the person filming.



EVALUATE RISKS

Risks occur when you film, share, and preserve footage of state violence. The nature of these risks and the options for **harm reduction** will vary across people, contexts, and circumstances. **Filming is not always the best (or only) option.** Assess risks for yourself and others before you film. Things like perceived identity (including and beyond race, gender, mental health status, etc.), a vulnerable immigration status, or history with the criminal legal system could elevate the risk level. **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.



CENTER CARE

Keep in mind that witnessing and experiencing state violence can be traumatic or distressing during and long after. Try to identify what can help you calm your nervous system and care for yourself and others. If you are able, ask the person experiencing violence what they need and what could help de-escalate the situation. **Prioritize dignity, agency, and safety.**

Your first priority should be to **do no harm**. Exposing someone's identity could put them at greater risk. Filming could be unsafe for you and lead to arrest or retaliation. Always **assess the risks** before you hit "record." If filming is unsafe, consider notifying support networks and/or writing down details after the incident.



KNOW YOUR RIGHTS

- **It is legal to film** immigration and law enforcement in public in the United States, regardless of your immigration status, as long as you don't interfere.
- Be aware that agents may falsely identify themselves as police officers during an enforcement, but you should not lie.
- You and your devices are more vulnerable to searches **at the U.S. border and within 100 miles of it**. Since laws and policies are constantly changing, regularly consult trusted sources, such as the [National Immigration Law Center](#), for the most up-to-date Know Your Rights information.

MORE RESOURCES:

- 👁 [Immigrant Defense Project](#)
- 👁 [We Have Rights Animated Video Series](#)
- 👁 [Immigrant Justice](#)
- 👁 [Transgender Law Center](#)



PREPARE

- **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 information handy.
- **Enabling auto backup** can prevent footage from being lost, deleted, or confiscated. Cloud servers can come with risks of breaches or cooperating with law enforcement, so be mindful about keeping sensitive footage there long-term.
- **Delete sensitive data** like images of or contact information for anyone at risk— especially when filming at or near borders.



FILM WITH INTENTION

- **If safe**, let the person being detained know that you are there to **observe and document** the agents' behavior. Stop filming if the person being targeted requests that you do so.
- **Film key details** such as law enforcement badges, uniforms (or lack thereof), license plates, weapons, communications between agents, signage, property damage, border fences or walls, surveillance and body cameras, or other people filming. Document all agencies working together.
- **Stay focused** on law enforcement activity instead of civilians. Film wide shots and/or people's feet or backs to anonymize identities.
- 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 filming from a distance, add context through **factual and unbiased commentary** such as stating the location, number of agents/officers, badge numbers, etc.
- Anything said or learned during the arrest is admissible in court. When filming or sharing online, be careful not to allege anything about the person's country of origin, immigration status, or criminal history.



THINK BEFORE SHARING

Pause before you share publicly or start livestreaming. Determine if you need to protect anyone's identity, including your own.

If posting online, be aware of what information the platform is collecting. For example, cellphones often capture GPS coordinates in the video's metadata. If this information is uploaded with the video, it could be used to trace the footage back to you.



PRESERVE YOUR MEDIA

Save the original file in a safe place. Never delete the original file or change the filename.

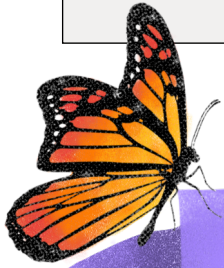
If you do edit, do it from a copy. Refer to our [archiving decision tree](#) for more key points.



LIVESTREAMING

WITNESS does NOT recommend sharing footage on social media or livestreaming without consent from the person involved and/or direct representatives including lawyers or family members.

- 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.**
- Consider streaming to a **trusted set of viewers**, such as an attorney or legal observers on a private channel.
- It can be helpful to describe what's happening or recap what happened 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.
- While some sites may let you save the video on their platform, others delete the video after a set time period. If you think your video contains evidentiary content, it's good to **download and preserve a copy** on your secure devices.



FREE THEM ALL

