EYES ON ICE: Know Your Rights & Practical Tips for Filming Immigration Agents

June 13, 2017
Before we get started...a few logistics

- Mics muted/ cameras off
- Technical questions - message us directly in the chat box or feedback@witness.org
- Q&A at the end
- Webinar will be recorded and shared
- Spanish translation available afterwards
- Share on social #EyesOnICE
Jackie Zammuto
U.S. Program Manager
@JackieZammuto

Pali Makam
U.S. Program Coordinator
@PaliMakam
WITNESS trains and supports human rights defenders around the world to use video safely, ethically, and effectively to expose human rights abuse and fight for human rights change.
Michelle Parris
Staff Attorney
@ImmDefense
Immigrant Defense Project promotes fundamental fairness for immigrants accused or convicted of crimes.

We have been monitoring Immigration and Customs Enforcement (ICE) raids and community arrests for over three years.
Today’s Agenda

● The power & perils of filming ICE
● ICE tactics & documenting
● Your right to film ICE
● Capturing impt details when filming
● Sharing ethically
● Livestreaming
● Digital security concerns
● Q&A
Who is ICE?

Immigration & Customs Enforcement (ICE) is the federal agency that detains & deports immigrants.
The power & perils of filming ICE

Why focus on documenting ICE?
The power of filming ICE

Photos/video can help community organizations verify reports & rumors of ICE presence or raids.
The power of filming ICE

Documentation of ICE abuses can be evidence or support in individual cases.
The power of filming ICE

Filming ICE can expose human rights abuses & help communities challenge state violence.
The perils of filming ICE

Exposing someone’s identity or location could put them at risk of ICE enforcement or retaliation.
The perils of filming ICE

Filming could be unsafe for you or those around you and/or lead to arrest.
Takeaways

● Filming can help individuals & communities challenge state violence & deportation.

● However, it is important to assess the risks before filming, uploading to social media or sharing widely.

● Also, consider if other ways to document.
How ICE tactics affect filming
Generally, ICE raids are designed to catch people off-guard.

FYI: Home raids usually happen early in the morning (5-8am).
ICE raids are geographically spread out.

- Cars
- Courthouses
- Homes
- Workplaces
- In public spaces
Many ICE raids take place out of public view in homes.

So, important to train community members in households at risk -- not just raid responders.
Immigration agents aren’t always recognizable.

Sometimes, they present themselves as police. Sometimes, they work with local police.

Example: Santa Cruz, CA police gang raid with ICE - mercurynews.com/2017/02/23/santa-cruz-police-homeland-security-raids-immigration-status-not-gang-related
ICE agents often lie to confuse people, get into homes without proper warrants & find the person they want to arrest.

So, many people don’t realize it is ICE until the end of the raid.

In recent years, ICE usually has targeted a specific person to arrest, but probably return to more sweeping raids in the future.

ICE is likely to try to intimidate or harass witnesses, especially as Trump’s ICE conducts more “collateral arrests.”

So, witnesses should consider the risk of violence, arrest and/or deportation if documenting.
Things to document
ICE agents often use questionable tactics to get into a home to arrest someone.

- Force/violence
- Intimidation
- Lies
ICE agents sometimes do extensive searches in homes without proper warrants or permission.
ICE agents sometimes engage in racial profiling.
ICE agents are often rude or dismissive -- including towards witnesses.

They routinely conduct raids in front of vulnerable witnesses, like children.
There are many ways to document ICE abuses:

- Filming or taking photos during a raid
- Interviewing witnesses on camera right after a raid
- Security camera footage
- Writing down what happened right after the raid
- Saving communications from ICE, like voicemails
Takeaways

● Identify those (incl. U.S. citizens) at risk of experiencing an ICE raid. Tell them about ICE tactics & help them plan for documentation in case of a raid.

● Document ICE abuses, especially where agents use force, intimidation or deception.

● Even if a witness didn’t film, think of other ways to document the raid. Ask relevant questions about abuses, write down answers ASAP after raid.
For more info on ICE tactics & how to fight back, visit immdefense.org/raids-toolkit.
For Know Your Rights info on encounters with ICE, visit immdefense.org/ice-arrests.

FYI: IDP/CCR created a wall poster for the home that reminds you of what to say & what to write down just after a raid.

Another good resource for collecting info after a raid:
Mijente Raid Evidence Collection Form (paper version has all questions)
https://mijente.net/raid-evidence-collection-form/
Know Your Rights -
The Basics on Filming ICE
Know Your Rights - Filming ICE (The Basics)

- **It is legal to film ICE in public.**
- **Film openly.** Some states have laws against secret recordings.
- **Don’t interfere** with the arrest.
- **Back up** if directed or you may face arrest.
CAUTION:

Even if they tell you to stop filming, you have the right to continue so long as you aren’t interfering.

While there are only limited situations where they can take your phone, be aware they may do it legally or illegally.
What to film? Tips on Capturing Important Details
Sergio Hernández - 15 y/o
US - Mexico Border
Justice Sonia Sotomayor asked Kneedler if he had seen the cellphone video that appeared on YouTube, which captured the events at the center of Tuesday's case.

Sotomayor said she had watched the video, "and I can't square the police officer's account of this incident with the film."
BE SAFE

ICE is more concerned with their safety than yours!
BE SAFE

Remember, video is not the only way to document!
Prepare

Avoid fingerprint ID to lock your phone

Have trusted contact info handy

Secure your electronic devices

Clean up your social media

Set automatic backup for photos/videos

Example: Baltimore, MD, Cops try to delete video evidence but fortunately it’s backed up: https://lab.witness.org/portfolio_page/kianga-mwamba/
Film the Details

- Focus on the officers, not civilians
- Capture the full scene
- Get details: badges, license plates, weapons
- Get context: street signs, landmarks, other cameras present
Narration

What you say might be used against you or others in court.

If you speak, try to focus on facts - not feelings or info about others in the video.

If violence occurs, try to stay calm and quiet.
Immediately uploading to social media can pose threats to the victim and filmer/uploader.

If possible, speak with the family or victim first. Get support from a lawyer, trusted journalist or local advocacy org.
Share Ethically

*This is top priority for filming immigration-related events*

Protect identities

Be aware of information associated with your device

Think before you livestream

Example: New York, NY, Ramsey Orta believes he was targeted for filming cops in Eric Garner case
https://www.democracynow.org/2016/7/13/two_years_after_eric_garner_s
Preserve Your Media

● Make copies of the footage, and save in different secure locations
● Never edit or rename the original
● If you edit, do so from a copy
● You can make edits to the copy that you share, such as blurring faces in videos manually or using YouTube’s Face Blurring feature to protect identities.
Counter Narratives

I Am A Dreamer: Undocumented and Unafraid
a film by Perla Lopez
For more filming tips visit library.witness.org

En español: es.witness.org
Takeaways

- Video documentation can help verify human rights abuses and violations
- ICE is more concerned with their safety than yours
- Sharing video content ethically and protecting identities are the top priorities for filming immigration related events
- Be aware of your digital security
Question & Answer

• Please type your questions into the question box.
"A Hate-Free Zone is not just a declaration, but the practice of building a community defense system that will allow us to defend our communities from workplace raids, deportations, mass criminalization, violence and systemic violation of our rights and dignity. **A Hate-Free Zone does not happen without the people in this crowd, in this neighborhood, in this city. The times we are living in now demand we work as communities to love and protect each other.**" - DRUM leader Poonam Das

DrumNYC.org
Thank you for participating!

Contact us:
Jackie Zammuto - jackie@witness.org
Michelle Parris - michelle@immdefense.org
Palika Makam - palika@witness.org

Follow us for updates:
IDP: @ImmDefense
WITNESS: @witnessorg