



Note: this document was last edited on 07/15/20. The context in which we're CopWatching – including social distancing orders and enforcement, policing of protests, and broader political and social conditions – is changing rapidly. We will update these guidelines as needed.

WHY IT'S IMPORTANT TO COPWATCH DURING THE PANDEMIC

Discriminatory, abusive policing is nothing new for the NYPD (and other law enforcement agencies operating in our New York City). However, the COVID-19 pandemic and the role the NYPD has been playing in enforcing social distancing rules has created new conditions for abuse. The NYPD's abusive social distancing enforcement has disproportionately impacted the same communities it has always targeted (low-income communities of color, youth, New Yorkers who are homeless, etc.) and has most severely, disproportionately impacted Black communities.

On top of this, the NYPD's aggressive enforcement of low-level, quality-of-life offenses (aka Broken Windows policing) and other forms of over-policing can contribute to the spread of the coronavirus by putting officers into close contact with New Yorkers and cycling people through unsanitary precincts, courts and jails. It is important not to forget this as New York "opens", while coronavirus cases surge in other parts of the country.

For these reasons, it is essential that we monitor and document police activity to deter, de-escalate and expose abuse – a practice called **CopWatch** – during this period and always. The Justice Committee is calling on New Yorkers to #WatchTheCops and #FilmThePolice during the pandemic, as New York moves through its phases of opening and beyond, while still practicing social distancing in order to help stop the spread of COVID-19.

FOR THOSE WHO ARE SELF-ISOLATING TO LIMIT EXPOSURE

For those who are still staying at home as much as possible to limit exposure, you still can and should practice CopWatch:

- Out your window or from a fire escape or roof.
- While you are outside for other essential reasons, for example to purchase supplies, exercise, walk a companion animal, seek medical treatment, bring supplies to loved ones in need and, while you're going to and from work in you need to.

SAFETY GUIDELINES

Practice social distancing:

- Never go closer than 6 feet to officers you are monitoring or community members you are trying to support. Not sure what 6 feet is? Keep a car's length between you and the incident.

Assess the situation. CopWatching is legal (including during a pandemic!). However, when you CopWatch, there is always an elevated risk of being arrested or targeted by the cops in some other way. Remember: the goals of CopWatch are to deter, de-escalate and document, not to make a political statement by getting arrested.

- Assess your risk: What is your immigration/citizenship status? Do you have an open case? Are you on parole or probation? Are you carrying weapons or contraband? Are you feeling even-tempered and focused? What will the consequences be if you're arrested?
- Assess your conditions: Who are you with? (no one, your pet, someone vulnerable, someone who also does CopWatch etc.)? Are there other people around? Are they also observing? How hostile are the cops?
- Then decide: Do you feel safe enough to film? Do you want the cops and community person to know you're watching? How close to the incident do you feel you can safely be? (Remember never to go closer than a car's length away.)
- Keep in mind: every situation is going to be different, so while there are certain key things you should always do, you will



always have to assess and make choices based on conditions.

Call a friend. Let them know where you are and that you're CopWatching. Text or call them where the incident is over. That way, someone will know if you're arrested.

If the police ask you for your ID, use your judgment! You are within your right NOT to show ID. Plus showing ID could bring you into closer contact with officers. However, the reality is, cops frequently detain or arrest people who choose to assert this right. Your goal is to not be arrested so you can continue filming the incident. Additionally, if you are taken to a precinct, it will increase your potential exposure to the coronavirus. If asked for ID, try to keep your camera running during your interaction with police. If you decide to show your ID, keep your distance as much as possible (for example, by stretching out your arms.) You can say, "I will give you my ID, but I'd like to keep as much distance between us as possible to protect us both from COVID-19 infection."

If you have disinfecting wipes, wipe down your ID after taking it back. Wash your hands as soon as possible afterwards and don't touch your face before you do.

When filming in the subway, keep in mind "ancillary" equipment (additional lights, mics, tripods etc.) is not allowed.

Debrief if necessary. It's sometimes even more difficult to observe abuse and harassment on your own, because you can offer the person being targeted less support and you don't have your team to back you up. Call someone a friend or someone from your organization and talk through what you witnessed.

GUIDELINES FOR COMMUNICATING WITH THE POLICE AND THE PEOPLE THEY ARE TARGETING

Communicating with a Community Member

When you approach an incident: Remain calm. As soon as you approach, check the lapel of the officers or the vehicle they are driving to see what precinct or command they're from. If you feel it will not escalate the situation, explain to the person/people being targeted that you are just watching/documenting to make sure the cops do not violate their rights or become abusive. **Examples:** "I'm just going to stand here from over 6 feet away and watch to make sure the cops don't violate your rights." or "I'm just filming the police to make sure they don't become violent."

***If the police start talking to you move on to the "If the police approach you" section below.*

If the police don't approach you and don't seem to mind your presence: ask the person/people being targeted if they are ok and if they know why they're being stopped. They may answer. They also may not for many reasons: they're afraid, the police immediately tell them to be quiet, they don't understand you etc. Don't take it personally. Don't push, but if it seems appropriate and safe, ask if they need you to call someone for them, get a phone number and make the call.

If the person/people being targeted asks you to stop filming: Do your best to continue filming. Reassure them that you're just filming the police to make sure they're ok. Use your judgment! If a community member is experiencing an emotional crisis and/or your presence seems to be making the community member increasingly upset, you may want to stop filming or move farther away from the incident. However never leave the incident.

If the Police Approach You

You can say: "I'm not obstructing you in any way. I'm only exercising my legal right to observe the police while you are doing your job. I am over 6 feet away. I am practicing social distancing."



If the police say you don't have the right to observe and/or film: Confidently repeat the phrases above. You do have the right! Even if you feel you have to put the camera down, try not to turn it off.

If the police tell you to get back: Say you will step back. Take one step back. While stepping back say, "I'm cooperating. I have stepped back. I'm not trying to stop you from doing your job. I'm just exercising my legal right to observe the police. I am over 6 feet away." As the police continue to tell you to step back, continue to take one step back while repeating this response. Do your best not to allow the police to make you leave the scene or push you back so far than you cannot see what's happening. You have the right to observe from a "reasonable distance". Exercise that right!!!

If the police come within 6 feet of you: Step away from them, while saying, "You have come closer than 6 feet to me. You are putting us both at greater risk of infection."

If the Police Are Not Practicing Social Distancing with the Community Member They are Targeting

If you feel it will not escalate the situation, announce what's happening or say it loudly to someone you're with. You can say, "The police are closer than 6 feet to that community member. They are not practicing social distancing rules. They are putting themselves and the community member at greater risk of infection."

EFFECTIVE COPWATCHING

Guidelines

- Always wear your CopWatch hat:
 - If you are at home and hear sirens: look out your window or go to a fire escape or balcony if you have one. Have your phone or camera ready.
 - Monitor police presence in your neighborhood and plan your essential trips (exercise, shopping etc.) or other outings for times and locations where there are more likely to be police activity.
- Connect with your neighbors safely – talk with them through doors, from a 6-foot distance or by phone. Share this information and ask them to contact you and the Justice Committee if they observe abusive police activity.
- Coordinate with neighbors, loved ones or members of your mutual aid pod, if you're in one. Take essential trips outside or other outings at different times of the day and share information with one another about what you're seeing.
- Get the full shot. (Try to get the full bodies of the cops and the people they are targeting in your frame.)
- Keep your phone or camera ready. Keep it charged and make sure there is storage space on it.
- Document key info. Record the date, time, location and identifying info about the cops by saying them into your camera or taking notes (if you're not filming). Describe any police misconduct you see. (E.g. "They are searching the community member's pockets. They not give their consent." "The cops are closer than 6 feet from the community member.") However, don't fully narrate what's going on or add commentary as you may drown out what's being said during the incident and/or inadvertently incriminate yourself or others.
- Encourage others around you to observe and/or document. Remind them to stay at least 6 feet from you and the incident.
- If someone is being arrested and you feel it will not escalate the situation, ask if they need you to call someone for them, get a number and make the call. If you feel you can support beyond just documenting, ask for their legal name so you can track them through the system.

Options

- If someone's rights are being violated: discuss Know Your Rights information with someone you're with or another witness. (E.g. "Isn't it true that you don't have to consent to a search? Isn't it true you should say out loud 'I do not consent to this search?'" or "Isn't it always a good idea to exercise your right to remain silent?")
- If there is brutality:



- Organize on-lookers to chant, while reminding them to stay at least 6 feet away from you and the incident.
- Say loud enough for the cops to hear, “I am exercising my right to document this police brutality.”
- Say loud enough for the cops to hear, “They are not resisting.”

What to Look Out For

In this period, we should especially keep an eye out for:

- Discriminatory/disparate enforcement of social distancing rules.
- Officers engaged in unsafe activities that are likely to spread the virus (e.g. getting closer than 6 feet to people, putting their hands on someone etc.).
- Police targeting/harassment of those with increased vulnerabilities, e.g. homeless NYers, workers, youth etc.

WHAT TO DO WITH YOUR FOOTAGE

- Please send your CopWatch footage to the Justice Committee. You can email us at info@justicecommittee.org or WhatsApp footage to 347.752.8070. To discuss the best way to send your footage, call 347.752.8070.

What About Posting?

- CopWatching is about exposing police misconduct. In cases of clear misconduct and excessive force, it's important to get the footage out there. However, when posting footage, keep in mind that your purpose is to support victims and survivors of police violence and misconduct. Some things to consider before posting footage publicly:
 - Do I have consent from the person I'm trying to help or from their family or friends? In many cases, it may not be possible to get consent – for example, if the person being targeted is alone and they are taken into custody. However, when it's possible, ask for permission to post the footage publicly.
 - Could I potentially harm the person I'm trying to help or other community members by posting this footage? For example, if your footage appears to show a community member breaking the law, making this footage public could further criminalize them. ICE can also use footage to locate someone they're looking for.
- If you are unsure how to proceed, contact the Justice Committee right away at info@justicecommittee.org or 347.752.8070. We can help you decide what to do with the footage. We can also advise and support you if you're afraid of potential retaliation by the police.
- If you feel it's important to post footage right away, but want to protect the identity of the person you're trying to help, MovStash is an app that can be used to blur faces. This is an app we have not used much, but are experimenting with.