

# YOUR RIGHTS TO TAKE PHOTOGRAPHS AND VIDEOTAPE AT FERRY TERMINALS

- Individuals have the right to photograph or videotape law enforcement officers performing their duties in public. This includes recording law enforcement officers as they speak with or arrest someone on the street, on a sidewalk or in areas open to the public at a ferry terminal. An individual need not be a journalist to exercise this right. Photographing and taping police activity can help hold officials accountable for incidents of misconduct.
- It is a crime intentionally to obstruct or interfere with the police conducting their official duties, and people can be arrested for doing this. So, individuals exercising the right to photograph or videotape law enforcement should do so from a location and in a way that does not actually obstruct or interfere with the police. Individuals must also comply with any local laws prohibiting interference with pedestrians or vehicle traffic.
- Since 9/11, law enforcement officers have increased their scrutiny of public places they consider to be possible terrorist targets, including government buildings, ferry docks and mass transit. If you take pictures in such areas, police may decide to question you. Individuals do have the right to remain silent and not to answer questions. Although you are not required to explain your conduct, some individuals choose to provide an explanation to allay police suspicions.
- Police cannot seize or destroy the photos or tapes made by a person lawfully exercising their rights simply because police would prefer these materials not to exist. However, if the photos or tapes constitute evidence in a case, the police may request them or may use a subpoena or search warrant to obtain them. If this occurs, the police should provide a receipt and advise the individual what can be done to regain possession of the items once they are no longer needed as evidence.

**If the police confront you and order you to do something, follow their orders. If you believe police have acted improperly, you have the right to file a complaint or take other action later.**

