Cop Block
Guest: Pete Eyre
January 6, 2014

Pete Eyre is a co-founder of CopBlock.org.

WOODS: I sort of know what Cop Block is all about, and I think anybody who hears the name has kind of a sense of what it is. So it's a cool and useful name in that sense. But maybe you can tell us what the main idea of it is, and then what made decide you and one or two other people decide to start it up?

EYRE: Definitely. CopBlock.org. It's a centralized project supported by a diverse group of individuals united by the shared goal of police accountability. So the tagline for Cop Block is, "Badges don't grant extra rights," and that's really what we choose to focus on. That tends to be what sets Cop Block apart from some of the other police accountability sites: we're trying to strike the roots and point out that, hey, just because this person has a specific attire or a certain title, it doesn't bestow upon him or her any additional rights. It's a decentralized network in the sense that we rely on submissions on the site for people that want to share thought-provoking ideas with other people, or instances that they themselves have had with police employees whether they're pro or con. We tend to get more that are con. More people have negative experiences, and the idea, then, is to try to inform other people about that situation so that it can act as a deterrent for future police employee misdeeds, and also help them get accountability in their situations. So instead of just saying, for example, the Memphis police department beat me up, the individual could say, "John Smith, who works at Memphis PD, beat me up, and here's their contact information," and things like that. So we can direct attention to people who need to be held accountable.

WOODS: Are you guys using video cameras as a way of bringing about police accountability and spreading the word about bad incidents? Is it primarily using video equipment, or is it verbal testimony?

EYRE: It's most definitely we encourage everybody in all police interactions to document that interaction, whether that be with video or audio, and hopefully with a streaming application. A lot of people today have smartphones, and there's a number that lists at least six free streaming applications that can be gotten for the android and the iPhone. Another purpose of CopBlock.org is to act as a resource hub so that people can go there and learn about their rights, be more articulate in standing up for their rights, and protect their rights and those of others. So if they happen to witness something happen on the street, or as they drive across town, the camera, as Judge Napolitano said, is the new gun. It simply captures the truth.

A lot of police employees have gotten used to people filming police interactions. Some haven't, but we still encourage everybody to film all their police interactions. And I advocate that people inform police employees when they are filming, just to help reinforce that visual cue that yes, this is being documented. The idea is like the schoolyard bully. They might get away with picking on a handful of people time after time, but if those people start speaking out or standing up for their rights, it's going to deter that bully. So we encourage people to document it and then share that with others, to upload it. And the value of the streaming application is that it's stored offsite. So myself, a number of my friends, and people that we've received stories from have had footage deleted. They've had camera devices taken and in some instances

destroyed. The benefit of using the streaming application is that the content is stored offsite in a safe location and can't be deleted by the police employee.

WOODS: What exactly are the legal ramifications involved in recording a police incident? Do they vary by state, or is it the case that everywhere in the United States you're perfectly within your rights to be videotaping an incident with the police?

EYRE: We just actually created a page called "Film the police." It's at CopBlock.org/filmthepolice. It goes over these instances, provides some samples of how you might want to respond, just engage, and then the legalese that pertains to each arbitrary political boundary. So it is perfectly legal everywhere in the states to film a police employee, to film anybody out in public. Where the stipulations vary is in regard to the capturing of audio, so some states they're known as two-party consent states. So that's, again, why I just default and encourage people to default to informing people that this is being documented for my records or something to that effect, because that will at least make them aware, and there can be no claim that you were secretly recording the conversation.

Myself and Ademo Freeman, who actually founded Cop Block, we had gotten felony wiretapping charges in Massachusetts a few years ago, and we were able to beat those. Again, heavily reliant on the court of public opinion making everything public, and it is a tactic that has been used. The most recent places to strike down those wiretapping laws against people filming were Maryland and Illinois and then Massachusetts. So it is definitely worthwhile to do, because for anybody that's been in a situation with a police employee that hasn't gone well, where it's not been documented, it becomes your word against that police employee's word. They're unfortunately, and not surprisingly, given more weight in legal land, so having that documentation can really, really change the dynamic of the situation and cause you to be free to go on your way before your rights violations are compounded even further.

[time 00:11:43]

WOODS: What have you found to be the most common kinds of examples of police abuse that somebody might run into?

EYRE: There are a lot of catch-alls police employees will use whether that's interfering or resisting or disorderly or things like that, but generally people tend to be, I would say, kidnapped and caged. That's another thing we try to do at Cop Block: speak plainly and not to use the legalese terminology. An act is wrong for you or me. It doesn't become right for somebody just because they have a badge, and if an act is called by one name for you and me, it's not dressed up in some magical legalese when done by someone with a badge. So we try to point out the fact that if somebody's wrongly aggressed upon, they were transported to the facility, it's they were kidnapped and caged.

So in these instances when people are aggressed upon when they're approached, some people strongly advocate that you remain silent whenever involved with a police interaction, which is a good default to have especially if you don't feel comfortable. But on some level, at some point, if you do know your rights, and you are comfortable, I personally try to answer questions with questions. So when that police employee interacts with you, they might try to trip you up. They might try to solicit information from you, and they may threaten you. And these are all the course of [**indiscernible**] that they are legally permissible to do.

So you asked, "What are some of the most common things?" It could be anything from jaywalking or just not answering questions fast enough. Things like this could then be claimed by the police employee as justification. They might then not say you're ordered to do this, but they may word their demands in a way that the person feels that they're obligated to comply or else. Failure to do that might then result in these frivolous charges being made. So it's really across the board these days. I would say anything you could think of has practically been—any action has a chance of being ruled illicit or [**indiscernible**] to be so at least causing that person more difficulty. These charges could be laid with no legal basis but done just to harass

the person in a sense. So, again, that's why it's so key to film and record these things, to help capture the truth and really establish what happened.

[time 00:14:41]

WOODS: I'll tell you, I love "kidnapped and caged." That's hardcore, man. That's good stuff. So tell me: have there been incidents that have been captured that were then distributed to you guys at Cop Block that you then publicized where justice was done or at the very least where you feel like some injustice was then broadcast to the world in a way that it wouldn't otherwise have been? What have been, in other words, the most outstanding incidents in the short history of Cop Block?

EYRE: That's a good question, and honestly I tend to think about the positive impact that the decentralized network Cop Block delivers as being one akin to the marginal revolution or evolution in that been daily we receive a lot of emails or messages from people appreciative of the content or the resources available and see them being implemented. That's even a better thing: seeing people that might not otherwise know.

Now we've reached the extent that it's crossing the culture where people that don't even know of these organizations have taken it upon themselves to film police interactions and look out for each other. So I would point to that as some of the best impact that's been had. But I mean there are countless stories on the site where people have incidents. They document them, they disseminate them, and it results in a call flood. I think that's one thing that we helped make more common. I saw the benefit of it personally back in 2009 when myself and Ademo Freeman and our friend Jason Talley were arrested in Mississippi, and there was a call flood done. It resulted in hundreds and hundreds of calls, and that definitely helped free us from the cage and eventually get the treats levied against us dismissed.

I think that sort of model was so well documented that it's been replicated by others, so again that it's mitigated the chance of other people reaching those situations or if they do, then there's a much better chance of there being a favorable outcome. Again because of the public attention, I think. They saw this more recently with Amanda Billyrock, an activist in New Hampshire who got kidnapped and caged, and she's since been very outspoken about what happened. In her most recent video she named the police employee most responsible for her treatment and just outlined it. It personalizes it.

I guess one of the goals, then, is for people that have not yet had any negative police interactions to see that there is a pattern, and it's not just isolated incidents. It's not just people that are deserving of just treatment. It's soccer moms and regular folks whose rights are being violated. So the more it's being documented, disseminated by these people, the more it's seeing that there's a pattern. Then the question becomes: why is this a pattern? Then if we can point to the institution and the perverse incentive that exists because of that then we could start to maybe look for better alternatives. Also in doing that, I would say recognize that it's not an anti-police thing. There are some police employees that are well motivated and went into that occupation for good reason. So it's trying to show to them as well that they could provide as good a service through consensual interaction, have better job satisfaction and not be working with heavy-handed, crooked people.

[time 00:18:42]

WOODS: You mention the perverse incentives. I'd like to get you elaborate on that in just a second, because when I think about the government's police, I think of it this way: if they're going to be there, they might as well be protecting me from burglary or assault. They might as well be doing something that protects me in my rights. But it seems like they don't do such a good job at that. If you look at the statistics on what percentage of criminals they actually wind up catching, prosecuting, and punishing, it's negligible. They don't want the criminal class to realize this, because everybody would turn into a house burglar tomorrow if they knew how few people get caught and wind up being punished.

So on the one hand, they don't do the things I need them to do. But they do do things I don't want. I'm not a drug user, but I don't care if somebody's using this or that drug. It doesn't affect me at all. But they spend all those resources on that. I had an old friend who used to use the term anarcho-tyranny. So on the one hand they won't actually be effective in targeting crime, so it's *anarcho* in the worst possible sense. But what they do target is just ordinary people who committed a bureaucratic infraction or something, and they'll come down hard on them. That's what I see as the perverse incentives. What do you have in mind?

EYRE: I would agree with your assessment. These institutions, at the end of the day and at the start of the day, were founded on these double standards, that a group of people have the right to steal from others under the guise of protecting them. So once that double standard is allowed for, the incentive is for that institution, that association of people, to just grow the size and scope of their operations to what we have today. Instead of having the incentive to deter crime and to make victims whole, they have the incentive to accrue more revenue, to issue more ransom notes. So they go for people that are not going to be as likely to have difficult cases to solve or even to push back against, whether it's a $20 ransom note for a seatbelt violation or $200 for this or that. Some people might be more inclined to pay it and write it off instead of questioning it. That just fuels it and allows it to continue on unabated.

So that's why we really advocate that people recognize the fact that when there's no victim there's no crime. So there's no initiation costs to another person or to their property, then there's no rights that somebody, especially an uninvolved third party, has to step in between that interaction and claim that some ransom was owed. It's based on the incentives of this institution. What we see today now is these police outfits receiving MRAD vehicles that are being returned from overseas that were used in military ventures abroad. These are being distributed to police outfits through DHS grants as well as a number of BearCats—hundreds of BearCats have been distributed. Drones are now being utilized by more and more police outfits, so it's not a surprise that that's being done. Again, because these are the built-in incentives. If people really do care about mitigating police brutality then you can't just try to look for new leaders or better reforms or civilian review commissions. We have to really understand why that is happening and then strike the root and move towards better alternatives.

WOODS: So you wouldn't say that it's just a matter of capturing more police abuse now that we have cameras, etc. It's that there's more of it to capture?

EYRE: Regardless of whether cameras were involved in the past ten years or so, the first cop-watch group started in 1990 in Berkeley, and a year later Rodney King happened. Especially since then, I think the value of cameras was recognized, especially as technology became less expensive and their use proliferated. The hope is that since these incidents are being documented to such an extent, people not yet affected by police employees are able to see this pattern again, and we can act to implement a change, as we each, one mind at a time, withdraw our consent for these institutions based on violence.

So I do think we are at a pretty pivotal time in terms of human history with the spread of the Internet and technologies and things like that. And we shouldn't neglect to mention some friends and allies that have more tech-savvy skills that are able to ascertain information through the Internet, people like Snowden, some of the other folks that seek to liberate information. Again, the censor, the people that are trying to control other people, they want to control the free flow of information, and they've done that throughout history. If we can work in parallel with some of these folks, I think we can have a pretty big impact together.

[time 00:24:15]

WOODS: If somebody goes to CopBlock.org, what can that person find out? I noticed you have quite a few likes on Facebook, so what kind of stuff? I want to send people over there. What are they going to see there?

EYRE: There's a lot of resources there I would encourage people to check out. Our YouTube page has a lot

of videos that I think will help demonstrate some of the actions that are thought to be effective during police interactions. I really encourage people to check out the groups page—there are almost 150 groups on there, some more active than others. Some are just online. Some are out in the streets and do regular patrols. But I would encourage people to reach out and connect with the group in their area, because it really does make a difference if you have some like-minded folks on the ground and that you can brainstorm with and collaborate with.

Also, I'm a big advocate of ideas-based activism. So to have a real good foundation yourself, to invest in yourself, to try to introduce yourself to ideas you may not have heard, especially not in government school or through the corporate media. So we have a library page that has some content on there that I think is pretty thought-provoking. Then we have some resources, the know-your-rights content and flyers you can print out and things like that. So it's CopBlock.org. It got founded in January of 2010, so it's been around for about four years now. So it's had some good traction since then. The site is now getting upwards of between 125,000 and 50,000 unique views a month.

It's transitioned from a group blog initially, where a handful of us were sharing our own thoughts and commenting on incidents that happened elsewhere, to a group to a submission-based site where, as we mentioned before, people are able to share their stories. And that's something we really try to emphasize. There's a "submit a post" section. If you, whoever's listening, have an incident yourself, or you want to comment on some story you saw, I would encourage you to utilize that, because we're all going to learn together. That's the benefit. When two people come together and share ideas, they can both leave better off, having either caused themselves to critically think about their ideas they currently hold or to modify or even replace their own views. That's really what we try to facilitate on the site: a place for that to happen.