

Newsweek

Walter Scott's Death Is a Tragic Reminder How Important It Is to Film Police

By [Matthew Feeney](#)

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South Carolina police officer Michael T. Slager is [facing a murder charge](#) after footage emerged of him fatally shooting an apparently unarmed man following a traffic stop last Saturday. [The disturbing footage not only shows that Slager shot eight rounds](#) at Walter L. Scott while he was fleeing, it also appears to show him planting his Taser next to Scott after he is brought down.

The incident is the latest reminder of how important it is to protect the right to film police officers doing their jobs.

The footage, which can be seen below and contains graphic content, clearly contradicts police reports.

According to police reports, Slager fired his Taser at Scott after pursuing him onto a grassy lot after a traffic stop prompted by a broken taillight. The Taser reportedly failed to subdue Scott. Slager reported via radio: "Shots fired and the subject is down. He took my Taser." Police reports also stated that officers performed CPR and first aid on Scott.

The video, which was captured by an onlooker, begins with Scott fleeing from Slager after what police reports claim was a scuffle over Slager's Taser. Slager, standing flat-footed, then fires eight rounds at Scott, who falls to the ground roughly 15 to 20 feet from Slager after the eighth round is fired.

The coroner [reportedly told](#) one of Scott's family lawyers that Scott was hit by five times: once in the ear, once in the upper buttocks and three times in the back.

The video appears to show Taser wires attached to Scott as he flees the encounter. If they are Taser wires, the beginning of the video confirms police reports which claim that Slager's Taser did not stop Scott.

However, it is hard to see any of the footage backing up Slager's claim that "He took my Taser." Indeed, the video shows that after he handcuffed Scott Slager went back to where the scuffle

occurred, picked up an object and then dropped that object next to Scott. Despite claims made in police reports, the video does not show officers performing CPR on Scott.

One of Slager's attorneys, who is reportedly "[no longer involved](#)" in the case, said [earlier this week](#) that Slager felt threatened and believes that he acted appropriately, two claims that will be hard to justify given what the video shows.

The video will undoubtedly play a key role in Slager's case. [According to](#) Justin Bamberg, a South Carolina House representative and one of Scott's family lawyers, "If there was no video, I do not believe that officer would be in jail."

Filming police officers doing their jobs is a good way to help ensure that officers are held accountable for their actions. Today, many citizens have phones which can record video and audio. These recordings can play an important role in investigations of alleged police misconduct. Readers interested in filming police officers ought to read [this July 2014 ACLU primer](#) on recording the police. Some highlights:

When in public spaces where you are lawfully present you have the right to photograph anything that is in plain view.

Police officers may not confiscate or demand to view your digital photographs or video without a warrant.

Police may not delete your photographs or video under any circumstances.

Police officers may legitimately order citizens to cease activities that are truly interfering with legitimate law enforcement operations

Some readers may live in [one of the minority of states](#) which have so-called "two party consent" laws. The ACLU states the following:

In situations where you are an observer but not a part of the conversation, or in states where all parties to a conversation must consent to taping, the legality of taping will depend on whether the state's prohibition on taping applies only when there is a reasonable expectation of privacy. But no state court has held that police officers performing their job in public have a reasonable expectation.

It is tragic that police officers sometimes commit crimes against the people they are tasked with protecting. Fortunately, it is becoming easier for members of the public to capture evidence of police misconduct.

Because Scott's final moments were caught on camera, Slager is facing a murder charge and years behind bars rather than the prospect of a continued career in law enforcement. Without the video, [here is what](#) we might have read about Walter L. Scott's death.

For more on the case, read my colleague Jonathan Blanks's related [PoliceMisconduct.net](#) post. In 2010, the Cato Institute released a video on the topic of police officers on camera. Watch that video below.

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