

## MigraCam Smartphone App

The goal of the MigraCam smartphone app is to help undocumented people living in border communities notify their family members if they are detained in a raid or traffic stop. MigraCam does that by recording incidents and streaming them live to emergency contacts. MigraCam has a built-in alert system for important notifications from the ACLU's Regional Center for Border Rights and Know Your Rights information in video format. The app can be used in border regions across the United States. MigraCam is available free on the Android and iTunes app stores in English or Spanish.

---

## MigraCam Features

MigraCam allows you to collect video evidence of law enforcement interactions at the Texas border and at interior checkpoints. Border residents live in a highly-militarized zone where their movement is restricted due to multiple checkpoints, and Customs and Border Protection (CBP) agents are frequently seen roaming streets and neighborhoods. MigraCam gives residents who endure the heavy presence of law enforcement a tool to protect themselves in the event of a raid or stop. A simple phone mount in a vehicle can transform the user's phone to a dash camera to record what happens inside the vehicle. The app is also useful at work to catch video of ICE raids that often sweep up multiple people without notice.

### **Use your voice to open MigraCam**

If voice command is enabled on your phone, you can simply say *"Ok Google or Siri open MigraCam"* to start the app. After ten seconds, your video will start streaming and your emergency contacts will be notified.

### **Recording and streaming the incident**

When you open the MigraCam app, a countdown timer will start immediately. If you don't tap the screen to stop the recording, the app will begin recording you with your front facing camera once the countdown ends. That video will begin streaming to the MigraCam servers and the emergency contacts you designated will receive a link to view the video via email and text. The video keeps streaming until you hit the end button.

### **Notify family and friends (emergency contacts)**

During set up you'll be asked to enter up to three emergency contacts' email addresses, phone numbers and a message. The friends and family members you list will be sent a link

to your streaming video along with the message you set. They will have the option of sending that video to the ACLU of Texas.

### **Track your location**

Your location is tracked to send to your emergency contacts along with your video. Sharing your location will be useful in the event that you are detained or arrested.

### **Option of sending the video the ACLU for further review.**

Your emergency contacts can mark your video as a false alarm or forward it to the ACLU of Texas legal team for further review.

### **Alerts in app and via notifications**

Alerts will appear at the top of your app screen and in push notifications on your device for real-time notifications and warnings. Older notifications and warnings will be available in your alert inbox box inside the app.

### **Know Your Rights**

The app includes links to Know Your Rights information, a quick reference summary of your rights, and a video explanation.

## **MigraCam FAQs**

### **Where can I find MigraCam and is it free?**

MigraCam is free smartphone app available on the iTunes and Android app stores. MigraCam is a free app designed to allow users to record law enforcement interactions and to share that recording and the location of the incident with emergency contacts.

### **Does the app have any other features?**

Yes, the MigraCam app contains ACLU bulleted and recorded Know Your Rights information and links to publications. User will also receive alerts for warnings and action opportunities.

### **Is the MigraCam app available in multiple languages?**

The app is currently available in English and Spanish.

### **Who developed and/or paid for the MigraCam app?**

The ACLU of Texas and Quadrant2 developed the app.

### **Is the MigraCam app free?**

Users can download the app at no cost. The goal of MigraCam is to help ensure everyone can exercise their First Amendment rights to record law enforcement as well as notify their

loved ones in case they are detained. The ACLU believes that in order to reach that goal the app must be available to everyone, without a fee.

### **In a nutshell, how is the MigraCam app different from other police recording apps?**

MigraCam's goal is to notify family and friends as soon as an event occurs. Users are prompted to add an email address and a phone number of the three people they would want notified if they're swept up in an ICE raid or detained during a routine police stop. The reality of many undocumented individuals living in border communities is that these things happen daily and could affect them at any time. MigraCam is a tool to stream interactions with law enforcement so that emergency contacts have a record of what happened. For their part, Mobile Justice apps send video through a review process for the purpose of legal intake and ACLU Blue sends video through a review process for the purpose of community engagement. Another difference is that the MigraCam app automatically starts streaming 10 seconds after opening, unless the user interrupts the countdown. Other ACLU apps require the user to initiate recording or upload prerecorded video.

### **How are users notified of alerts and updates?**

MigraCam's alert feature places updates on the main screen when users open the app. Older alerts will be stored in the alert inbox which is accessible through the app menu.

### **How do you determine which videos are reviewed by the legal department?**

Emergency contacts will have the opportunity to share the video with the ACLU of Texas legal team. There is no expectation that videos shared with the ACLU of Texas will be investigated by an ACLU of Texas attorney. If you'd like to request legal assistance from the ACLU of Texas, [submit an official complaint form](#).

### **Can this app be used in public meetings, classrooms, polling places, and other settings?**

The primary purpose of the MigraCam app is to offer a tool and forum for individuals to record and share law enforcement interactions, which generally occur in everyday public spaces like sidewalks, streets, and stores. The First Amendment protects the right to film government officials performing official duties in public. In Texas, it is illegal to record a conversation without consent only when the speakers have a reasonable expectation of privacy. That's why filming police officers and other law enforcement personnel interacting with the public in the course of their duties is legal, as officers have no reasonable expectation of privacy when they interact with the public.

State law permits individuals to use recording devices at public meetings so long as the recording is not deemed to disrupt the proceeding. State law prohibits video recording in polling places. There is no blanket restriction that prevents recording at public schools; however, a school board can set reasonable rules that restrict the use and possession of recording devices on school grounds. And as with any recording device, there may be legal restrictions on use of the app depending on the specific situation.

### **What recording restrictions should I be aware of in Texas?**

Texas is a “one-party consent” state: You can record a private conversation if you are a party to the conversation, even if no one else knows about the recording. If you are not a party to the conversation, you need to get permission from someone who is. However, since law enforcement officials have no reasonable expectation of privacy when they interact with the public—as outlined above—the First Amendment protects your right to record police interactions or government officials who are performing official duties in public.

### **Will ACLU attorneys review footage?**

There is no expectation that an ACLU attorney will review any videos submitted via the MigraCam app. When users submit video, they are serving as a witness to police interactions on behalf of all Texans and agreeing to share the video with the emergency contacts they have designated in the app. As such, videos sent to the ACLU are not privileged. For more on this topic, see the End User License Agreement (EULA).

### **How long will the ACLU keep information received through MigraCam?**

The ACLU may delete any information you submit and may post any information you submit for as long as the organization deems appropriate.

### **Can users contact the ACLU after they submit a video to confirm that the ACLU received it or to ask the ACLU to represent them in a lawsuit?**

Individuals can contact us at [info@aclutx.org](mailto:info@aclutx.org) to inquire about the status of a video. Response times may vary depending on volume. When you stream a video you are not requesting legal help, you are documenting a law enforcement interaction and sharing it with your emergency contacts. If you are interested in requesting legal assistance, [you may submit a complaint online](#).

### **Will users retain a copy of the video on their phone?**

The MigraCam app stores videos on a user’s smartphone and streams a duplicate video to the user’s emergency contacts.

### **Can immigrants, including those who lack authorization to be in the U.S., use MigraCam?**

Yes. Everyone has the same rights when interacting with law enforcement regardless of immigration status. However, users should be aware that police encounters that result in arrest can result in authorities checking that person’s immigration status, which could lead to deportation.

### **What is a MigraCam emergency contact?**

Emergency contacts are people designated by the app user to receive a link to a live stream of a law enforcement interaction. Up to three emergency contacts will receive texts and emails from the user in the event that MigraCam app is opened and allowed to count down past 10 seconds. Emergency contacts can be changed at any time in the settings section of the app.

### **Is it legal for emergency contacts to receive videos?**

Yes. As outlined in the EULA, anyone who streams video via the app gives their emergency contacts permission to view or review it.

**Will videos submitted via MigraCam be made public?**

No. The EULA clarifies that MigraCam videos are not for public consumption, and the video will not be used on websites such as YouTube or other platforms. The EULA also outlines that the individual who submits video to the ACLU of Texas does not have any copyright or other property interest in the video, and forfeits control over it. Users who want video made public should upload or record video using the ACLU Blue app.

**What happens if the police ask the ACLU of Texas for video of an incident?**

The ACLU of Texas will respond to all police requests and warrants as appropriate. The ACLU of Texas has no duty of confidentiality; submitted videos not for legal review for possible representation.

**What happens if evidence of a crime is captured on the videos and submitted via ACLU Blue?**

Generally, there is no obligation to report evidence of a crime to the police. There are two exceptions: There is an obligation to immediately report any felonies where there's risk of serious harm or death and there is reason to believe that it hasn't been reported [*Tex. Pen. Code Ann. § 38.171 (West)*]. Texas also mandates the reporting of evidence of aggravated sexual abuse of a child [*Tex. Pen. Code Ann. § 38.17 (West)*].

**What happens if users submit pornographic images?**

If footage submitted via the MigraCam is not a legitimate police interaction, there's no expectation that the ACLU of Texas will do anything actionable with the video.

**What happens if the subject or bystanders in the video don't want the video posted? Does the ACLU of Texas have to take the video down?**

Generally, no. Individuals have a right to privacy only where there's an expectation of seclusion from others. There's no privacy expectation in places open to public view. That obviously includes the stage for most police encounters: public spaces like city streets or stores open to the public. And it can also include exposed windows in private residences [*Roberts v. CareFlite, 02-12-00105-CV, 2012 WL 4662962, at 5 (Tex. App.—Fort Worth Oct. 4, 2012, no pet.)*].