

CHECKLIST: Should You Use Legal Video Advocacy?

Video can be a powerful tool, but it's not a magic wand. It works best in collaboration with other tools and tactics. Sometimes it's not the right strategy to use at all. If you want to use video to support your client in pre-sentencing, parole or clemency proceedings, or any other legal strategy, review these questions to determine if video is the right tool:

Strategy

- Will video help demonstrate something about your client that writing/in person presentation cannot?
- Will the audience (i.e. judge/DA/panel) allow or be receptive to the use of video?
- How will your client's personality translate on video (through their own voice or as reflected upon by others)? Will this help or hurt them?
- Will you have the time to prepare your client or interviewees before filming (either in person or on the phone)? How can you ensure they feel comfortable on camera?
- How will you prep your interviewees to ensure no potentially damaging or incriminating information about your client is communicated in the video? This is especially important for pre-sentencing videos.
- Will you use other strategies will you use in conjunction with the video?

Ethics & Security

- Is your client and/or their community open to using video and able to participate?
- Building trust with your client and/or their community is essential to effective legal video advocacy. Do you have the time and capacity to make this a participatory process? How will you do that?
- Are your interviewees fully informed and have they given consent to how this video will be used, where it will be shown (i.e. in court or to a judge/DA), how it might be repurposed if shared online? Are there possible repercussions?
- Are there any safety and security concerns for your interviewees? i.e. Do you need to protect identities of people who have vulnerable immigration status or face retaliation for speaking out? How will you help mitigate these concerns?
- What ethical challenges do you anticipate and how will you navigate them? How will you work through challenging conversations with interviewees on-camera? Are you able to bring in a social worker or provide any other emotional support resources?

Logistics & Production

- Do you have enough time, training, resources and capacity to plan, prepare, film and edit? (Filming in prisons can require sending equipment lists one month in advance)
- Can you tell the story in under 10 minutes?
- What logistical challenges might you face in filming with your client or their community? Can you travel to the community? Do you have access to compelling photos or memorabilia of your client?