



# Video Vigilantes

Published Jul 21, 1991 at 8:00 PM EDT

Updated Mar 13, 2010 at 6:08 PM EST

By [Newsweek Staff](#)

FOLLOW



**O**K, America, let's go to the videotape. Here are just some of the plays of the month caught by average citizens in recent weeks:

In Ft. Worth, Texas, a vacationing Ohio woman spots Patrolman E.J. Parnell vigorously subduing a suspect by the side of Interstate 30. From 250 yards away, she records Parnell clubbing the handcuffed man--taking 24 powerful, over-the-head swings before a passing truck blocks her lens. Parnell maintains his innocence. But Police Chief Thomas Windham condemns the incident, played repeatedly on local TV, and suspends him temporarily. Ft. Worth, Windham suggests, isn't Los Angeles.



arrive, but the victim, William Kiley, doesn't tell them about his tape. Instead, he gives it to KPIX-TV, which broadcasts it widely in the Bay Area.

In Houston, doctors at Texas Children's Hospital suspect child abuse and hide a camera in the room of a 7-month-old girl. They catch her mother holding her hand over the baby's nose and mouth. Confronted with the tape, the woman broke down; police

say she confessed.



**Barefoot Vitality**

New York Neurologists: This Shoe is a Must Have for 2025

 Barefoot Vitality

[Learn More](#)

In downtown Detroit, a melee breaks out as a crowd disperses after the Freedom Festival fireworks display. A man with a video cam catches a group of young black girls as they beat one white woman outside a luxury hotel, then attack another who had just fended off a would-be chain snatcher. That tape, too, turns up on the tube. Tipsters recognize and finger the alleged assailants while the city reels over its latest racial incident.

America has a new breed of heroes: the video vigilantes. Part accidental tourists, part masked avengers, part high-tech snoops, they are out there waiting, 14 million owners of video cameras, fingers on the pause button, prepared to get the goods on hated neighbors, suspicious baby-sitters or brutal cops. The best footage generally is a matter of being at the right place at the right time with the camcorder handy and juiced up. But ever since George Holliday happened to spot Rodney King being brutally beaten by Los Angeles police from his balcony last March, more and more amateur muckrakers are grabbing their gear and calling the local TV station at the slightest hint of news, hoping to spark the next big national story. "It reminds me of Watergate--when everyone wanted to be an investigative reporter turning over all the stones in government," says retired Los Angeles Superior Court judge Robert Weil. "After Rodney King, everyone with a video camera wants to be a George Holliday."

Amateur cameramen have played a key role in law enforcement as far back as 1963, when Abraham Zapruder recorded John F. Kennedy's fatal motorcade ride through

Dallas. Back then, home-movie equipment used film that had to be developed and required adequate light. Today, advancing technology has made cameras ever smaller, lighter and cheaper--and that has put extraordinary power in the hands of anyone with as little as \$600. With its unblinking power to record events verbatim and in graphic detail, the video camera is a "new truth-telling device that can cut through lies," says Jack Nachbar, a professor of popular culture at Bowling Green University. "The gun used to be the great equalizer--you can say this is like the new six-gun, in a way. It can really empower ordinary people."

In recent years ordinary people empowered with ordinary video cameras have blown the whistle on illegal garbage haulers, tuna fishermen slaughtering dolphins and stockyard workers abusing animals. Legally savvy citizens are taping their own surgical procedures, wills and prenuptial agreements: Martina Navratilova's ex-lover Judy Nelson recently produced a tape of the pair joyfully signing their 1986 cohabitation pact, which Nelson claims the tennis star has breached. AIDS activists routinely take video cameras to demonstrations to record possible tussles with police. (In New York, crews from DIVA-TV--Damned Interfering Video Activists--are met by camera-toting cops, who make their own tape of any incidents.) Pro-life activists picketing clinics now carry cameras as well as signs. ("Our intention is never to video the women [seeking abortions], although now that you bring that up, it's an idea," says Lynn Mills of Michigan's Rescue, a pro-life group.) Pro-choice groups counter that even the fear of being caught on tape has a chilling effect on behavior--a concept school administrators have also caught on to. When officials in Anahuac, Texas, couldn't afford to put surveillance cameras on every rowdy school bus, they simply mounted empty camera boxes and rotated their lone camera among them--a ploy that enforced discipline just as well. "It changes little devils into little angels," says transportation chief Monroe Kreuzer.



Camcorders have also become the indispensable companion of insurance-claim busters and private investigators trailing adulterous spouses. Nothing speaks so eloquently to a cheating spouse as a tape of a romantic dalliance shown in color on the family TV. Employers are training cameras on employees, looking for illegal activity or just plain loafing. Some criminals are even brazenly taping themselves in illegal acts. "This is straight-up D.C. hustling!" boasts one of five Washington toughs in the play-by-play commentary of a 1989 assault. The videotape, which served a key role in winning convictions last month, was complete with graphic scenes of the defendants beating a victim unconscious, laughing and urinating on his face.

Taken together, the camcording of America is changing the face of law enforcement, citizen action and news gathering. But it is raising troubling questions as well. Is anything that occurs anywhere, any time, fair game for anyone with a camera? Does an amateur have the same protections as professional journalists if his home video turns up on the news? The law has lagged far behind advancing technology. No specific laws, federal or state, govern the use of video surveillance, according to Janlori Goldman of the American Civil Liberties Union's Privacy and Technology Project. Courts have generally required law-enforcement officers to obtain warrants, or the consent of one participant, before planting hidden cameras. But ordinary citizens who videotape events in the open face no such restraints. "We were appalled by the fact that the Romanians kept their outdoors-sidewalk cafes, whatever--under photo surveillance," says George Washington University law professor Jonathan Turley. "But in this country, our Sonys are doing what the Romanian secret service could never hope to."

To Turley, the rise of video vigilantism poses clear and growing dangers. "Big Brother is now your neighbor," he says. "All these people running around with video cameras are playing with dynamite." The threats to individual rights and reputations are all the more worrisome when TV news becomes involved, instantly disseminating tapes of incriminating scenes nationwide. In courtroom settings, judges carefully weigh the admissibility of such tapes, evaluating, among other things, the full context of the filming and whether the tape would unduly prejudice a jury. TV news directors rarely apply such standards to news clips. "Video is wonderful, but until we have all the facts regarding what happened prior to a segment, it only tells a small part of the story," says Bob Hasty, attorney for Parnell, the Ft. Worth cop in the recent beating incident. Hasty claims that before the camera started rolling, the suspect had been extremely violent, kicking out the window of the patrol car and trying to escape.

Repeatedly airing such scenes on TV can create other problems--including whipping up such a frenzy of public opinion that a fair trial may be difficult. (But not impossible: celebrity carmaker John De Lorean was caught on FBI tape buying cocaine but was acquitted by a jury.) Adds Doug Elder, president of the Houston Police Officers Association: "These cameras are so popular I'm worried that we're going to have a case where because of intimidation, an officer didn't use a necessary level of force and we'll get somebody hurt or killed because of it." Widely televising evidence tapes can also leave a damaging impression well beyond the scope of the law. Donna Walterhouse, the Chattanooga, Tenn., baby-sitter shown nationwide slapping her infant charge in 1989, will probably never outlive the incident, according to her lawyer, James D. Purple Sr. He says prosecutors should not have released the tape because Walterhouse had already pleaded guilty. After serving her sentence, she received threatening phone calls and was forced to leave Chattanooga. "It was like taking a sledgehammer to an ant," says Purple.



On the other hand, it is precisely in cases like child abuse, police brutality and official misconduct that videotapes can capture incontrovertible evidence of wrongdoing that otherwise might not be proven. In its investigation of the LAPD after the Rodney King incident, a blue-ribbon commission declared last week that, without the videotape, the beating complaint probably would have been dismissed because of contradictory oral testimony by other witnesses. Bart Daniel, the U.S. attorney for South Carolina, says videotapes have been critical to the bribery cases he is bringing against more than a dozen state legislators in an FBI sting called Operation Lost Trust. "When you have witnesses just testifying against a public official, it's basically their word against his--and you'll have all sorts of fine citizens testifying on the official's side," Daniel says. "We've got these guys not only taking the money but being tough, crude, talking about how they can wheel and deal...It's overwhelming. No jury [so far] has stayed out long."

Well aware of the power of such evidence in "your word against mine" cases, law-enforcement officials are increasingly making their own videotapes of arrests, demonstrations and confessions. Some departments routinely equip patrol cars with video cameras. Nacogdoches County, Texas, Constable Darrell Lunsford flipped on the camera in his patrol car last January as he stopped a weaving car--and ended up filming his own murder. Last week the two defendants were convicted, largely on the strength of the graphic footage.

Police videotapes have proved particularly useful in drunk-driving arrests. Confronted with vivid footage of themselves staggering, giggling or falling down drunk, drivers are far more likely to plead guilty. But some defendants have occasionally challenged the

use of such tapes. Nabbed for drunk driving in Pennsylvania in 1986, Inocencio Muniz was videotaped undergoing standard booking procedures. His speech was slurred and he was unable to answer one question. His attorney argued that part of the tape could not be used as evidence because Muniz had not yet been read his Miranda rights. But in an 8-1 decision last year, the U.S. Supreme Court ruled that "any slurring of speech and other evidence of muscular coordination" on the tape was physical evidence, not testimony, and therefore not protected by Miranda. (Muniz skipped town while the case was on appeal and hasn't been seen since.) Meanwhile, John Rich, chief of the DUI department for Cumberland County, says the tapes are still rolling at his booking facilities, and they have been a great boon to police operations. "We'd make a million dollars if we could take these tapes to 'America's Funniest Home Videos'," he says. "When we asked one guy if he had any scars, tattoos or markings, he pulled down his pants to show us a tattoo on his rear."

Video is also a common fixture in courtrooms. It is now standard procedure for prosecutors to present videotaped confessions and just as standard for defense attorneys to argue that they were coerced. Expert witnesses often testify by tape, backed up by a cottage industry of consultants who coach them on how to dress, talk and make themselves up to appear in their most persuasive light. Even dead people can testify on tape. Personal-injury cases often turn on professionally produced videos depicting a "day in the life" of disabled victims. Insurance investigators try to discredit such films with their own surveillance tapes. Injured Nebraska truck driver Napoleon Briggs was refused higher disability payments when his employer produced footage, shot by a private investigator, of him cranking a lawn mower and lifting furniture. "You can swear on a stack of Bibles that the tape showed just one day of a man's life, but the judge says, 'I saw it with my own eyes. I believe what I see'," says Briggs's attorney, Thomas Hallinan.



Does a citizen have any protection against being followed around all day and videotaped? In general, anything that occurs in public, or can be seen from a public place, is fair game--and P.I.s pride themselves on stretching the definition. Last fall Sandy Martin of Lawrence Investigations in Chicago filmed a couple having sex on the bank of a stream in a forest preserve. Martin paddled by in a canoe, pretending to shoot the foliage, but actually getting graphic tape of the pair. Perry Myers of Myers Services has filmed couples through open windows. As long as he stayed on the street or sidewalk, there was no legal reason not to film, he says. Subjects could conceivably contest such surveillance in court, but they usually don't. "They're embarrassed when they get caught," says Texas gumshoe Clyde Wilson. "They're like the old rat. He doesn't want any more cheese. He just wants out of the trap."

Privacy law does afford some protections against the electronic eye. People do have a "reasonable expectation of privacy" that prevents public disclosure of private acts, for example. In 1985 Susan Kerr made love with her boyfriend Dan Boyles in the home of a friend's parents. Unbeknown to her, Boyles's buddies had hidden a camera in an open closet. Months later she learned that the tape was being shown at Boyles's frat house at the University of Texas. She filed suit against Boyles and others and the jury awarded her \$1 million. Boyles has appealed, but that has generated yet another legal confrontation. Defying a court order that the tape be sealed, the law firm representing Boyles made two copies and associates were caught watching one in a conference room. The firm was fined \$2,000, and paid Kerr a reported \$650,000 to settle her claim that her privacy had again been invaded.



Citizens can sue if their images are used for commercial purposes without their consent. (Disneyland, for instance, posts warning signs whenever a promotional film is made in the park.) There are also protections against being depicted in a false light. (You cannot be shown on the news allegedly smoking marijuana when it was really a regular cigarette.) But preserving and protecting your rights in the courts can be a cumbersome, expensive process. "People using video cams aren't petty tyrants, but collectively, they could kill your right to privacy, not by a single blow but by a thousand paper cuts," says law professor Turley. Curiously, your voice enjoys greater protection under the law than your picture. Federal law requires a warrant for secret wiretaps but is silent on videotaping. States are even more strict: in Maryland, for instance, police can tape a drunk-driving arrest but can use only the video and not the audio portion.

Video might be regulated in the future, but it won't be sharply curtailed in public places. Something more than privacy is at stake here: the American love of gizmos, television and the right of Everyman to redress wrongs, and that is a powerful combination. "You can't outlaw the use of video cameras," says Laura Murray of the New York Civil Liberties Union. "They've become part of our existence. We're just beginning to see all the ramifications." As the rock-and-roll philosopher Sting used to say, Every move you make, every breath you take, I'll be watching you.



---

[Request Reprint & Licensing](#)

[Submit Correction](#)

[View Editorial & AI Guidelines](#)

**Recommended For You**



**Pregnant Gisele Bündchen reflects on new beginnings in 2025**



**As woman burned alive on NYC subway car, bystanders watched — and filmed**



**Team of US investigators join probe at site of Boeing crash in South Korea**





**Boeing issues statement after deadly South Korea plane crash**



**The three Death Row sentences Joe Biden did not commute**



**New travel requirements for Americans in 2025: What you need to know**



**Airlines with best on-time arrivals records revealed**



**Police "mystified" after woman doused with gas, set ablaze on walk to store**



**Matthew Livelsberger had theory about mystery drones: Alleged manifesto**





**Norovirus outbreaks: Doctors warn common precaution won't prevent illness**



**Luigi Mangione has groupies outside jail**



**Man found with leopards' burns at New York Penn Station: What we know**

SPONSORED CONTENT



Taking Metformin? Use This Household Food To Lower Blood Sugar

Gluco6



Brooklyn: Stunning New 2-Bed Senior Apartments: Take A Peek Inside!

Search Ads



Billionaires Shaken By The Odd Way She Made Her Millions

Push Button Millions Solutions



Brooklyn: Fresh-Built 2 Bed Senior Apartments - Take A Look Inside!

Search Ads



Warning Signals That Your Heart Is Failing! (Find Out More)

Search Ads

BIPOLAR TEST

The results may surprise you:



Bipolar Test: Take This 2 Minute Test Online!

Search Ads

Trending





## 01 'Landman' Star Opens Up on Whether Show Will Return for Second Season

[2 comments](#)

---

## 02 Donald Trump Calls for Judge Juan Merchan to Be Disbarred

[265 comments](#)

---

## 03 Donald Trump Gives Mike Johnson New Instructions

[41 comments](#)

---

## 04 Veterans Get GI Bill Benefits Boost From VA: What to Know

[28 comments](#)

---

## 05 HMPV: China's Neighbors Respond Amid Virus Outbreak

[8 comments](#)

---

[← Back To Homepage](#)

## THE DEBATE

### Trump Used to Understand That Legal Immigration Hurts American Workers, Too

By [Kevin Lynn](#)



VS



### To Fix the H-1B Visa Mess, Take a 'Moneyball' Approach | Opinion

By [Kristie De Peña](#)

## OPINION

---

### 2025 Will Be a Pivotal Year for Ukraine and Russia | Opinion

By [Daniel R. Depetris](#)



### Bourbon Street Massacre Is What 'Globalize the Intifada' Looks Like

By [Josh Hammer](#)



### Russia's Coming Economic Crisis May Help Trump End Ukraine's War | Opinion

By [Ariel Cohen](#)



### Trump Used to Understand That Legal Immigration Hurts American Workers, Too

By [Kevin Lynn](#)



### Why We Haven't Seen the Last of Islamic State | Opinion

By [Gabriella Tejeda](#) And [Colin P. Clarke](#)



---

## Fixing the H-1B Visa Begins at Home—Not With More Migrants | Opinion

By [John Mac Ghlionn](#)



---

## To Fix the H-1B Visa Mess, Take a 'Moneyball' Approach | Opinion

By Kristie De Peña



---

## Girls' Violence is Rare—But Not Their Violent Victimization | Opinion

By Emily J. Salisbury



---

## Israel Faces a Reshuffled Strategic Deck in Syria | Opinion

By [Ilan Berman](#)



---

## Why Even a Jihadist Syria Is Better Than Assad | Opinion

By [Sheila Paylan](#)



---

## Jimmy Carter's Legacy: Failure Is OK if You're a Democrat | Opinion

By [Paul Du Quenoy](#)



---

## Jimmy Carter's Legacy in the Middle East Is Both War and Peace | Opinion

By [Dan Perry](#)



Science >

Health >

Rankings >

Opinion >

Entertainment >

Fact Check >

My Turn >

Education >

Events >

Sports >

Podcasts >

Better Planet >

Better Workplaces >

Vault >

Mightier >

Autos >

Newsletters >

Unconventional >

Vantage >

Experts >

Voices >

---

## Trending

Israel at War

Vladimir Putin

Russia-Ukraine War

Donald Trump

---

Digital+ Monthly (Ad Free Trial)  
**\$1.00**

Digital+ Yearly \$49.00

Premium Monthly \$9.99

Premium Yearly \$99

---

## Newsletters in your inbox [See all](#)

The Bulletin (Daily)  
[See Sample](#)

The Gist of It (Daily)

Geoscape (Twice a Week)

The 1600 (Daily)

The Josh Hammer Report (Weekly)  
[See Sample](#)

For The Culture (Three Times a Week)  
[See Sample](#)

## In The Magazine

- Discoveries (3 Times a Week)
- Like & Subscribe (Daily)
- Breaking News (As it Breaks)
- The Debate (Twice a Week)
- Pawsitively (Daily)
- Better Planet (Weekly)
- Newsweek Pulse (2x3 Times a Month)

Email address

[Sign up now](#)

You can unsubscribe at any time. By signing up you are agreeing to our [Terms of Service](#) and [Privacy Policy](#).

[January 17  
2025 Issue](#)

## Company

[About Us](#)

[Masthead](#)

[Diversity](#)

[Announcements](#)

[Archive](#)

[Policies and Standards](#)

[Mission Statement](#)

[Leadership](#)

[Newsletters](#)

[Press Center](#)

## Terms of Use

[Cookie Policy](#)

[Copyright](#)

[Privacy Policy](#)

## Editions:

[U.S. Edition](#)

[日本](#)

[Polska](#)

[România](#)

## Contact

[Advertise](#)

[Careers](#)

[Contact Us](#)

[Corrections](#)

[Terms & Conditions](#)

[Terms of Sale](#)

[Privacy Settings](#)

© 2025 NEWSWEEK DIGITAL LLC