

Recording public officials

Rights and responsibilities on both sides of the lens. For residents, journalists, police officers and public employees.

THE LAW

Recording in public is protected

"Nothing in this section shall preclude a person from recording the activity of law enforcement in a public area, as long as the recording activity does not delay or obstruct the law enforcement agent in his or her duties."

21 O.S. § 540

The federal appeals court for Oklahoma holds there is a clearly established First Amendment right to record police performing their duties in public. [Irizarry v. Yehia, No. 21-1247 \(10th Cir. 2022\)](#) Anyone may record a public meeting. [25 O.S. § 312\(C\)](#)

Oklahoma also lets a person record a conversation they are part of. [13 O.S. § 176.4\(5\)](#)

FOR PEOPLE FILMING

Record responsibly

- Keep a reasonable distance. Do not block doors, paths or officers.
- Say "I am recording" and keep the camera visible.
- Follow lawful orders, keep recording, and challenge the order later.
- Stay in areas open to the public.
- Do not physically resist, even if you think an order is wrong.
- Post facts, not home addresses. Label allegations as allegations.

The Guerrilla News app's Record feature saves your video to Guerrilla News as it is recorded and alerts your contacts if the recording is cut off. Nobody needs to fight over a phone.

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General information about Oklahoma law as of October 2026, not legal advice.

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FOR OFFICERS

Five rules that prevent lawsuits

1. **Filming is not a crime.** Greet the person and go about your work.
2. **No ID without reasonable suspicion.** Oklahoma has no general law requiring a person who is not driving or under arrest to identify themselves. [Brown v. Texas, 443 U.S. 47 \(1979\)](#)
3. **Words are not crimes.** Insults and criticism aimed at officers are protected. [City of Houston v. Hill, 482 U.S. 451 \(1987\)](#)
4. **Never order deletion or seize a camera** without a warrant or a genuine emergency. Journalists' work product has extra protection. [42 U.S.C. § 2000aa](#)
5. **Apply perimeters to everyone.** Do not single out people with cameras.

"Good morning. You are welcome to film in the lobby. Staff areas are behind that door and are closed to the public. The clerk has records request forms if you need one."

TRAFFIC STOPS

When the driver is recording

- Treat the phone as a second body camera. Explain each step before you take it.
- The stop ends when its tasks are done. Extending it for an unrelated investigation needs new reasonable suspicion. [Rodriguez v. United States, 575 U.S. 348 \(2015\)](#)
- You may order the driver and passengers out for safety. [Pennsylvania v. Mimms; Maryland v. Wilson](#)
- A licensed carrier must tell you about a firearm on your demand during a stop. Ask early and plainly. [21 O.S. § 1290.8\(D\)](#)
- An attorney on speakerphone can listen. Address the driver and continue normally.

Free roll-call training on traffic stops, auditors and journalists, with a certificate: guerrilla.news/training

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