

Shooting the Wounded

How to document your injuries for lawsuits and criminal defense

Why document injuries?

To give you a better chance of winning your case. Though having pictures or even video of your injuries won't guarantee that you'll win, it can drastically improve your chances. It's harder for a cop to prove he used the "minimum force necessary to subdue the perpetrator" if the "perpetrator" has photos of giant bruises on her neck and cut marks on her wrists from where her handcuffs were on too tight. Also, reports from a doctor can create a record of injuries that don't show up on film: torn muscles, concussions, etc.

Documenting your injuries simply means that you get written and visual proof of them so that even after they've healed, you can prove that they existed. If you are thinking of suing the police or filing a complaint, evidence of brutality can help you build a stronger case. Here are a few tips to make documenting easier.

How to photograph injuries

Even the marks of severe injuries can disappear quickly. Generally, the darker your skin is the less your injuries will show up on film, and the more important it is to follow these guidelines.

- The better your camera and film is, the better your pictures will turn out. A regular 35mm camera is better than a disposable one, but if that's all you have, don't wait to get a 35mm before you start taking pictures.
- The first picture should be of your whole body. After that, the photographer should get close to the injury, taking pictures as they're getting closer to it. This proves that you're the injured person in the pictures, and you don't just have close-up pictures of someone else's bruised arms.
- Take pictures as close as possible to the injury to show the most detail. Be aware of the limitations of your camera – it'll get fuzzy the closer you get, especially if it's a disposable camera. The label on your disposable camera should tell you how close you can take pictures with it. For regular cameras, the best distance varies with your equipment, but three feet is a safe distance.
- If it's a small injury, it's even more important to get a good photograph of it. Try taking pictures of it from different angles, with different light (direct sunlight, indirect lighting, etc.).
- Be careful not to use a flash when taking a close-in picture. Flashes, bright light and spotlights right on the injury tend to reflect off the skin.
- If it's a big injury, put a ruler next to it in one of the pictures to show how big it is (but make sure you take some pictures without the ruler, to show you aren't hiding anything). If you don't have a ruler, use something with a standard size, like a dollar bill.
- Don't rely on any one picture to show your injury. You should take at least six pictures of any one injury.
- Right after the incident, take a full roll of pictures of all your injuries.
- Keep taking pictures every day or every other day to show how they change. For example, bruises can take a few days to fully darken.
- Keep taking at least six pictures of each injury.
- Keep a diary of who took the pictures and when you took them, so you know that photo #22 is from the sixth day after you were attacked and your mom took the picture.
- You should have a blank wall behind you in the pictures – no clutter or personal items in the background.
- Don't smile or frown in your pictures. Try to have a neutral expression. Also, don't flex your muscles or pose more than you have to to show your injury.
- Do the same for every injury you have.

Talking to doctors to document injuries

The good news is that doctor's testimony is given a lot of weight by the courts and by the press, and having a doctor's report on your injuries, especially ones you can't see, can really help your case.

- Go to a doctor you can trust as soon as possible. If you can't afford to pay for one, check the phonebook for clinics where you can get treatment for free.
- A lot of injuries disappear quickly and are hard to see – like the marks handcuffs leave when they're put on too tight. When you go to a hospital (and if you feel safe), tell every nurse, technician, and doctor who looks at you about each of your injuries (including less severe ones) and how you got them.
- It's important, especially in a free clinic, not to let doctors or medics rush you so that you can't tell them about each of your injuries and how you got them. Ask them to write down your injuries in detail, especially injuries you can't take pictures of, like sprains, strains, and things like broken noses or ribs.
- Doctors see injuries all the time, and might not remember yours if they don't document them on the spot.
- If the doctor recommends follow up treatment or appointments, it's important to go. This will give you more credibility and let the doctors keep documenting your injuries.
- Hold onto any forms you get from *anyone* at the hospital/clinic.

Warning

It can be risky going to a hospital right after you're injured by the police. Emergency room workers sometimes call the police when people come in looking like they've been in a fight – especially if they're poor or of color.

However, there are steps you can take to keep yourself safe. For example, you can go to a doctor you have a relationship with, or be dressed up nice when you go. Of course, if it's a potentially life-threatening injury, consider taking the risk of going to the closest hospital immediately. If you've already been cited and released or gone to jail and been released, you don't risk as much by going to a hospital and telling them exactly what happened to you.

Other evidence

- Keep a diary of all of your injuries. Lots of the effects of injuries don't show up for days or weeks after, so keep a detailed log. Write down how your injuries feel, any new aches or pains, and any new problems you are having since the attack, and how you are feeling. Also include if you have missed any days of work because of these injuries.
- Keep evidence! For example, if you have bloody clothes, put them in a garbage bag and put the bag in a freezer. Same goes for rubber bullets or tear gas canisters.
- Also hold onto all paperwork you get from the cops or the court (e.g. arrest report, property receipts, booking photos, etc.).

Photographing the scene of the incident

A lot of the same rules for photographing apply when taking pictures of the scene of the incident with the police. Start by taking a panoramic photo of the surrounding area then zoom in with photos getting closer and closer to where the incident happened. Make sure street signs, building numbers, and/or landmarks make it into the picture to establish where it is, if possible.

If there's crucial evidence, like bloodstains on a wall, take photos of it from different angles, with different light, from different distances. This will help your chances of having at least one that shows what it actually looks like.

Finally, try to sketch a birds-eye view of what the scene looks like; this will help other people understand what happened, and help you keep your own story straight

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