

Cheatwood Inn of Court
Program April 2016 – Police Body Cameras
Judge Covington's Pupillage

Materials

- Wesley G. Jennings et al., *Evaluating the Impact of Police Officer Body-Worn Cameras (BWCs): The Orlando Police Department (OPD) Experience*, USF Executive Summary Submitted to Orlando Police Department (Oct. 16, 2015)
- Cynthia Lum et al., *Existing and Ongoing Body Worn Camera Research: Knowledge Gaps and Opportunities*, Report for the Laura and John Arnold Foundation. Fairfax, VA: Center for Evidence-Based Crime Policy, George Mason University (2015)
- Wesley G. Jennings et al., *Cops and cameras: Officer perceptions of the use of body-worn cameras in law enforcement*, Journal of Criminal Justice (Oct. 18, 2014)
- Jay Stanley, *Police Body-Mounted Cameras: With Right Policies in Place, a Win for All* (Originally published in Oct., 2013 and last updated in Mar., 2015) available at <https://www.aclu.org/police-body-mounted-cameras-right-policies-place-win-all>
- Tampa Police Department Policy on Body Worn Recording Equipment (SOP 609.9)

EXECUTIVE SUMMARY

Evaluating the Impact of Police Officer Body-Worn Cameras (BWCs): The Orlando Police Department (OPD) Experience

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*****Executive Summary of Final Report Submitted to Orlando Police Department: 10-6-15*****

Project Summary:

Following completion of the 12 month USF OPD BWC Evaluation, which was based on a randomized experiment where 46 officers were randomly assigned to wear BWCs and 43 officers were randomly assigned to not wear BWCs, the results suggest that BWCs are an effective tool to reduce response-to-resistance (R2R) incidents and serious external complaints. This evidence is robust given the randomized experimental research design where group differences were equated prior to BWC implementation. Interestingly, although nearly all of the officers were skeptical about the (positive) impact that BWCs would have on their behavior in the pre-BWC implementation survey (and to some extent in the post-BWC implementation survey), wearing a BWC did positively influence their behavior and lead to significant reductions in R2R and serious external complaints. Profound agreement was found for the utility of BWCs to improve evidence collection, report writing, and as a tool to assist officers in improving their behavior and police work in general by having the opportunity to review their own BWC videos. Finally, the majority of the officers want to keep their BWC, believe the agency should implement a full scale adoption, and are willing to train their peers in BWC implementation and operation.

Research Questions:

- 1). *“Do police officers randomly assigned to wear BWCs differ from officers not randomly assigned to wear BWCs in their frequency and prevalence of response-to-resistance (R2R) incidents, serious external (citizen-generated) complaints, internal complaints and/or officer injuries at 12 month follow-up, and are there significant difference in the frequency and prevalence of these outcomes within groups in the 12 months prior to implementation of BWCs compared to the 12 months post-implementation of the BWCs?”*
- 2). *“What are officer attitudes and perceptions toward BWCs pre-implementation and the attitudes and perceptions of officers who wore BWCs post-implementation of BWCs at 12 month follow-up?”*
- 3). *“How do BWC study participants perceive the implementation process and overall BWC experience?”*

Project Phases:

- 1). Official Records (24 months; 12 months pre-BWC implementation and 12 months post-BWC implementation)
*Response-to-Resistance (R2R), External (citizen-generated) Complaints, Internal Complaints, and Officer Injuries
- 2). Officer Surveys (Baseline, Months 4, 8, 12)
*Attitudes and Perceptions of BWCs
- 3). Face-to-Face Interviews (Months 6-12+)
*Study Officer Participants

*Thoughts on the implementation of BWCs and the overall BWC experience

Project Results:

Phase 1: Official Records:

*No statistically significant pre-existing differences (demographics or outcomes of interest) were observed between the BWC and the No-BWC group.

*Post-BWC implementation, significantly fewer BWC officers were involved in R2R incidents and had less external complaints overall and fewer were subjects of external complaints relative to officers not wearing a BWC.

*BWC and no-BWC officers had fewer R2R incidents (although the total number of R2R incidents was lower for the BWC officers) when comparing outcomes within groups at 12 months pre-BWC implementation to 12 months post-BWC implementation.

*The number of BWC officers involved in R2R incidents also significantly declined as did the total number and prevalence of serious external complaints when comparing the outcomes at 12 months pre-BWC implementation to 12 months post-BWC implementation for the BWC officers, specifically.

*No significant post-BWC implementation between or within group differences were detected for internal complaints or officer injuries.

Phase 2: Officer Surveys:

Pre-BWC Implementation Survey Results:

*Most officers felt that their agency should adopt BWCs for all front-line officers and reported that they would feel comfortable wearing a BWC.

*Officers were relatively skeptical that wearing a BWC would have any influence on their R2R incidents, external complaints, or internal complaints.

*Officers were in greater agreement that BWCs would improve citizen behavior and reduce the R2R incidents, external complaints, and internal complaints among their fellow officers.

*Officers overwhelmingly reported that the BWCs would not reduce their willingness to respond to calls for service nor would it reduce their self-initiated subject contacts when a crime has been committed.

*Officers were largely in agreement that BWCs would help resolve citizen complaints.

Post-BWC Implementation Survey Results at 12-month follow-up:

*The noticeable majority of officers were in agreement that their agency should adopt BWCs for all front-line officers.

*Nearly all of the officers reported agreement that OPD was progressive and forward thinking in its decision to take part in the BWC research study and appreciated OPD's decision to take part in the BWC research study prior to full scale BWC implementation.

*Approximately, one in four officers reported agreement that the wearing of a BWC has impacted their behavior in the field, and 30-40% of officers were in agreement that

BWCs had impacted citizen behavior, de-escalated confrontations with citizens and themselves in the community, and had impacted the behavior of their fellow officers.

- *By and large, the officers overwhelming reported agreement that BWCs are capable of improving their evidence collection and their recollection of events, minimizing errors in their reports, and that reviewing BWC video after an incident would help them become a better officer, identify ways to improve interactions with citizens, and identify issues in general that they may need to improve on.

- *Two out of every three officers who wore a BWC reported that they would want to continue wearing one upon study completion.

- *Nearly 85% of officers were in agreement that OPD was effective in its implementation of BWCs.

Phase 3: Face-to-Face Interviews:

- *BWC & no-BWC officers “rarely” came into contact with other BWC officers.

- *BWC officers would like to keep BWCs after study concludes.

- *“Extreme” benefit in using BWCs in training scenarios (e.g. report writing, tactics, etc.).

- *BWC officers would be willing to help “educate” and “train” fellow officers during full scale implementation.

- *BWC officers experienced complaints resolved in the field.

- *Some technology problems remain (e.g. cord connection, video quality for quick play back, etc.).

- *For full scale implementation to occur, a larger “BWC-specific administrative” group should be in place.



Cops and cameras: Officer perceptions of the use of body-worn cameras in law enforcement



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ABSTRACT

Purpose: There has been a recent surge in the adoption of and media attention to the use of body-worn cameras in law enforcement. Despite this increase in use and media attention, there is little to no research on officer perceptions of body-worn cameras.

Methods: This study relies on baseline data of officer perceptions toward body-worn cameras collected from surveys administered to Orlando Police officers who are participants in a randomized experiment evaluating the impact of body-worn cameras (Taser AXON Flex) in law enforcement.

Results: Results suggest that police officers are, by and large, open to and supportive of the use of body-worn cameras in policing, they would feel comfortable wearing them, and that they perceive a potential for benefits of body-worn cameras in improving citizen behavior, their own behavior, and the behavior of their fellow officers.

Conclusions: Officers are generally supportive of body-worn cameras, and they hold perceptions that these devices can be beneficial in positively affecting relevant outcomes. Study limitations and implications are also discussed.

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Introduction

Policing has been witness to a significant amount of problematic issues (Blackwell & Vaughn, 2003; Kowalski & Lundman, 2007; McElvain & Kposowa, 2004; Phillips & Varano, 2008; Weir, Stewart, & Morris, 2012; Weitzer, 2002; Zhao, Ren, & Lovrich, 2010) as well as innovation and change in recent years (Culver, 2004; Zhao, Lovrich, & Robinson, 2001). For example, regarding the latter, technology is transforming modern policing; it is enhancing crime fighting capabilities, police accountability, and police-community relationships. And, according to the Executive Director of the Police Executive Research Forum (PERF, 2012: iii), the transformation will continue: “we expect to see a new Age of Technology in policing over the next 10 to 20 years, as the technologies that we currently are testing really take hold, and new technologies that we aren’t even aware of yet become available.” Current police technologies include advanced crime analysis, artificial intelligence, GPS to track suspects and police vehicles, license plate readers, and the use of social media to receive or disseminate information, to name a few. Cameras, too, are becoming an important part of policing. These include stationary cameras to provide street surveillance, cameras mounted inside police automobiles (“in-car cameras”) and, most recently cameras mounted on police uniforms (“body-worn cameras”). All forms of cameras are thought to be valuable

for producing documentary evidence, but the in-car cameras and body-worn cameras are purported to have another key advantage: to improve the behavior of both police officer and community member in an encounter. In-car cameras were the first to take hold in the profession, but the greatly expanded record produced by cameras worn on officers (versus automobiles) are leading to their increased popularity as evidenced in the wake of recent events in New York and Ferguson. The judge that found stop and frisk activities were being implemented in an unconstitutional manner by New York Police Department officers, recommended body-worn cameras as one intervention (Floyd *et al. v. City of New York et al.*, 2013). Similarly, the tragic shooting death of Michael Brown, a Ferguson, Missouri teenager, brought the discussion of body-worn cameras to the immediate forefront of policing. Police departments across the United States are being pressured by their communities to adopt body-worn cameras and the Ferguson Police Department implemented body-worn cameras within one month of the shooting.

As body-worn cameras proliferate, there is important research that is needed. Research is also needed, however, on aspects of implementation. If body-worn cameras are as valuable as some claim, it is important that the process of adoption within police departments be as effective and efficient as possible. Relevant to this objective is understanding to what extent officers are open to agency adoption of body-worn cameras and their views of the positive and negative aspects of them. The purpose of this study is to provide some of the first ever evidence of this information through a study of officers involved in a randomized experiment evaluating the impact of body-worn cameras in law enforcement.

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Literature review

Over the past decade, video recording equipment has helped monitor and record police officers' and subjects' behavior. As above, in-car cameras were the first to be adopted by police in the United States. Literature on in-car cameras has pointed toward substantial benefits for police agencies (IACP, 2003, 2004). For instance, results suggest that in-car cameras enhance officer safety, improve agency accountability, simplify incident review, and reduce agency liability (IACP, 2004). Similarly, closed circuit television (CCTV) cameras have produced increased surveillance opportunities for police officers (Menichelli, 2014; Ratcliffe, Taniguchi, & Taylor, 2009; Surette, 2005; Welsh & Farrington, 2011).

Novel in their application, body-worn cameras provide a unique opportunity to examine the full range of police officer/community interactions. Proponents of these devices claim that they can improve the behaviors of both officer and citizen, increase officer safety, reduce use of force and external complaints, and increase internal complaints (and thus officer accountability) (Farrar & Ariel, 2013; MPD, 2013; White, 2014). In the United States, three research studies (none as of yet published as journal articles) have been completed examining the effects of body-worn cameras on police-citizen interactions according to a recent review (White, 2014). From February 2012 to July 2013, a Cambridge University study examined the effects of "wearable" video cameras on patrol officers' compliance rates in Rialto, California. In this particular study, police officers ($N = 54$) were randomly assigned to wear a body-worn camera (or not) based on the officer's work shift. Over a 12-month study period, Rialto Police Department officers exhibited a 59% reduction in the use of force incidents and an 87.5% reduction in citizen complaints when compared to department estimates for all officers prior to implementation of body-worn cameras (Farrar & Ariel, 2013). Additionally, significant treatment effects (body-worn camera shifts vs. control shifts) were achieved for use of force outcomes in which there were nearly 50% less incidents for body-worn camera shifts (Farrar & Ariel, 2013).

Building upon this research, the Mesa (Arizona) Police Department conducted a program evaluation of "on-officer" body-worn cameras from October 2012 to September 2013. In this study, 50 police officers equipped with body-worn cameras were compared to 50 demographically similar officers who did not wear body-worn cameras. The one-year pilot study yielded a 40% decrease in complaints and a 75% decrease in use of force incidents across study officers (Mesa Police Department, 2013).

Starting in April 2013, the Phoenix (Arizona) Police Department (PPD) equipped 56 officers with body-worn cameras and compared them to 50 control officers for one year. The study examined the effects of body-worn cameras on police officer complaints, as well as their impact on citizen-officer interactions (Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005; White, 2014). According to preliminary results, self-reported data indicated that most officers were comfortable wearing body-worn cameras, yet did not believe they should be adopted for all frontline personnel in the department (White, 201, 2014; Katz & Kurtenbach, 2014). Also, self-reported police officer productivity increased for officers wearing body-worn cameras, while self-reported complaints against officers decreased by 60% during the study period; official records also indicated a 44% decrease in complaints against officers (Katz & Kurtenbach, 2014; White, 2013, 2014).

While our knowledge of the impact of body-worn cameras is increasing, little to nothing is still known about the perceptions of police officers on the subject. It is important to understand this perspective, because officer buy-in can be important for effectuating the desirable outcomes. Officers who have negative views of body-worn cameras may subvert efforts by their agencies to acquire them or undermine effective implementation in the agencies that do adopt them. Conversely, officers who are supportive of body-worn cameras can produce an effective implementation that may even enhance the value of the body-worn cameras. Understanding officers' preconceived notions about the

positive and negative aspects of body-worn cameras can be useful for education campaigns within departments to increase officers' openness to the technology.

Some previous studies have surveyed officers about their perceptions of in-car or body-worn cameras; some solicited attitudes and perceptions *before* the cameras were placed in the field and some obtained the information *after* the officers had some experience with cameras. The International Association of Chiefs of Police (IACP, 2003) surveyed officers about their perceptions of *in-car* cameras *after* they had experience with them. One-third of the officers reported that they felt safer as a result of the in-car cameras. Most of the officers (70%) reported that the in-car cameras had little or no impact on their behavior and higher percentages reported that the in-car cameras had no effect on how they handled incidents (86%) and their decisions to use force (89%).

Comparatively, much of the information reported on police officer perceptions of *body-worn cameras* is anecdotal in nature (White, 2014). Exceptions include the survey results associated with the two Arizona studies described above. Four in five (77%) of the Mesa officers surveyed prior to implementation believed the body-worn cameras would cause them to behave more professionally; only 23% indicated that the department should adopt body-worn cameras for all officers (White, 2014). The Phoenix (Arizona) police officers indicated "ambivalent or negative" attitudes about the potential impact of body-worn cameras prior to wearing body-worn cameras (White, 2013, 2014). Despite this preliminary evidence, information that can be gleaned from these studies is limited.

Body-worn cameras require significant financial commitments from police departments both in up-front costs and in the costs to maintain and update this technology over time. Recognizing these considerable costs coupled with the recent surge in media attention and academic discourse on the utility of body-worn cameras in policing, it is important to gain an understanding of officers' perceptions toward the devices. This information can be used to produce information campaigns that might increase officer openness to the technology and thereby produce more successful implementation and more positive outcomes. This study will contribute to the literature by providing one of the first studies ever to examine officer attitudes toward body-worn cameras by gauging the impressions of officers in an agency before body-worn cameras were placed in the field and *prior to* high profile incidents such as what occurred in Ferguson, Missouri.

Data and methods

The current study examines police officer perceptions of body-worn cameras through data collected from officers within the Orlando, (FL) Police Department (OPD). OPD employs over 700 sworn personnel and over 100 non-sworn personnel. The department has jurisdiction of roughly 110 square miles, and services a population of over 270,000 citizens.

Participants

The data come from a larger research project examining the impact of police officer body-worn cameras, in which patrol officers were randomly assigned to one of two groups: Body-Worn Cameras and No Body-Worn Cameras. The Body-Worn Camera group was equipped with Taser AXON Flex body-worn cameras (<http://www.taser.com/products/on-officer-video/axon-flex-on-officer-video>). Study participation was voluntary, and 95 patrol officers out of the nearly 400 eligible patrol officers agreed to participate in the research project.

Baseline survey

Data analyzed in the current study were collected through baseline surveys distributed to the patrol officers ($n = 95$), who consented to participate in the study, *before* cameras were placed in the field. Baseline

surveys were used to answer the question, “What are police officer attitudes and perceptions toward body-worn camera use within their department?” Surveys were distributed online through the Qualtrics Survey Program and took between 15 and 20 minutes to complete. The survey was initially distributed in March 2014 and data collection was concluded by the end of April 2014. Ninety-one officers responded producing a 96% response rate.

Fifteen items in a broader survey (Appendix 1) were used to measure officers' general perceptions of body-worn cameras (BWCs) as well as the perceived effects of BWCs on citizen behavior, personal behavior, and the behavior of their fellow officers. Subjects responded to the items using a 5-point Likert-scale measuring study participants' level of agreement on items associated with body-worn camera implementation, with 5 indicating “strongly agree” and 1 indicating “strongly disagree.” Two items (pertaining to the impact of body-worn cameras on officers' willingness to respond to calls for service) were reverse coded so that, consistent with the other items, a 5 reflected a positive perception of body-worn cameras.

Study officer characteristics

Descriptive statistics were conducted to examine demographic characteristics of study officers. Table 1 indicates that 88.5% of the patrol officers surveyed were male, and 85.4% of the officers were White, 10.4% were Black, and 4.2% reported being of Other race. On average, the officers were 35.64 years of age ($SD = 7.99$ years), with the youngest officer being 24 and the older officer being 59 years of age. The officers had an average of 6.66 years ($SD = 5.10$ years) of experience with a range of 0.25 years to 19 years.

Analytic strategy

The analysis proceeds in two main stages. In the first stage, officer perceptions toward body-worn cameras are examined across a series of perceptual domains including their general perceptions and openness to body-worn cameras and their perceptions of the effect of body-worn cameras on citizen behavior, their own behavior, the behavior of their fellow officers, and the impact of body-worn cameras on their own and their fellow officers' use of force, number of external (citizen-generated) complaints, and the number of internal complaints. In the second stage of the analysis, mean differences are compared across the series of perceptual domains by officer gender and officer race to determine if perceptions are significantly different between male and female officers and/or White and Non-White officers. Finally, Pearson's correlation coefficients are computed in order to assess any potentially significant correlations between officer age and officer years of experience and officer perceptions.

Results

Table 1 provides the mean response for each item and Fig. 1 graphically illustrates the officers' general perceptions of and openness to

the use of body-worn cameras in law enforcement. Six in ten officers (62.7%) agree or strongly agree that their agency should adopt body-worn cameras for all of their officers ($M = 3.82$; $SD = 0.95$) and 77% agree or strongly agree that they would feel comfortable wearing body-worn cameras ($M = 4.03$; $SD = 0.96$). A considerably smaller percentage of officers (18.7%) agreed or strongly agree that they would feel safer wearing body-worn cameras ($M = 2.56$; $SD = 1.07$).

The next series of perceptual domains focus on officer perceptions of the effect of body-worn cameras on citizen behavior, their own behavior, and the behavior of their fellow officers. As displayed in Fig. 2, 40.7% of the officers believe that body-worn cameras would improve citizen behavior ($M = 2.96$; $SD = 1.19$). Fewer of them however, (19.8%) believe that the body-worn cameras would improve their own behavior ($M = 2.56$; $SD = 1.00$) and similarly, just 29.7% agree that body-worn cameras would increase their likelihood of behaving “by-the-book” ($M = 2.76$; $SD = 1.08$). A strong majority of officers (84.4%) agreed or strongly agreed that wearing body-worn cameras would not reduce their likelihood of responding to calls for service ($M = 4.34$; $SD = 0.79$) (see Fig. 3).

More officers (42.9%) believed that the body-worn cameras would increase the “by the-book” behavior of other officers, ($M = 3.16$; $SD = 0.92$) than thought the body-worn cameras would impact their own behavior (19.8%). Similarly, the officers believed it was more likely that the body-worn cameras would reduce other officers' willingness to respond to calls for service than their own. As above, 84.4% of the respondents agreed or strongly agreed with the statement that “body-worn cameras would not reduce my willingness to respond to calls for service”; a smaller percent (63.7%) believed the same for other officers ($M = 3.57$; $SD = 0.96$) (see Figure 4).

The final two perceptual domains evaluate officer perceptions of the impact of body-worn cameras on their own use of force, external (citizen-generated) complaints, and internal complaints as well as their perceptions of the influence of body-worn cameras on their fellow officers' use of force, external (citizen-generated) complaints, and internal complaints. As seen in Fig. 5, very few officers (3.3%) agree or strongly agree with the statement that wearing body-worn cameras would reduce their own use of force ($M = 2.10$; $SD = 0.79$). More of them, but still a minority, believe that the body-worn cameras would reduce the number of external (30.8%, $M = 2.90$; $SD = 1.15$) and internal (27.5%, $M = 2.82$; $SD = 1.14$) complaints against them. On projections regarding the impact of the cameras on the agency's overall levels of force and internal and external complaints, the officers expect more impact agency-wide than they had projected for themselves. As above, just 3.3% believed that the body-worn cameras would impact their own use of force, but 20% believed that the body-worn cameras would reduce agency levels of use of force ($M = 2.64$; $SD = 0.99$). The corresponding percentages for external complaints was 30.8% and 45.1% ($M = 3.04$; $SD = 1.14$); and the percentages for internal complaints was 27.5% and 36.3% ($M = 2.99$; $SD = 1.06$). (See Fig. 6.)

The second and final stage of the analysis is presented in Table 2. As can be seen there were, by and large, more similarities than differences in the officer ratings across the series of perceptual domains between the male and female officers and between the White and Non-White officers. Nevertheless, a few significant differences did emerge. For example, male officer perceptions were generally and significantly more positive in their perception that wearing body-worn cameras would improve their own behavior compared with female officers (male officers: $M = 2.63$ versus female officers: $M = 2.00$; $p < .05$), whereas female officers were more likely to agree that body-worn cameras would reduce both external (male officers: $M = 2.99$ versus female officers: $M = 3.50$; $p < .05$) and internal (male officers: $M = 2.93$ versus female officers: $M = 3.50$; $p < .05$) complaints against their fellow officers. Turning toward the mean difference comparisons between White and Non-White officers, the only significant mean difference was for the officers' perception of the effect of body-worn cameras on their own use of force. Specifically, Non-White police officers rated significantly higher

Table 1
Officer demographics

	M/%	SD	Minimum	Maximum
<i>Officer Demographics</i>				
<i>Officer Gender</i>				
Male	88.5%	–	–	–
Female	11.5%	–	–	–
<i>Officer Race</i>				
White	85.4%	–	–	–
Black	10.4%	–	–	–
Other	4.2%	–	–	–
Officer Age	35.64	7.99	24.00	59.00
Officer Years of Experience	6.66	5.10	0.25	19.00

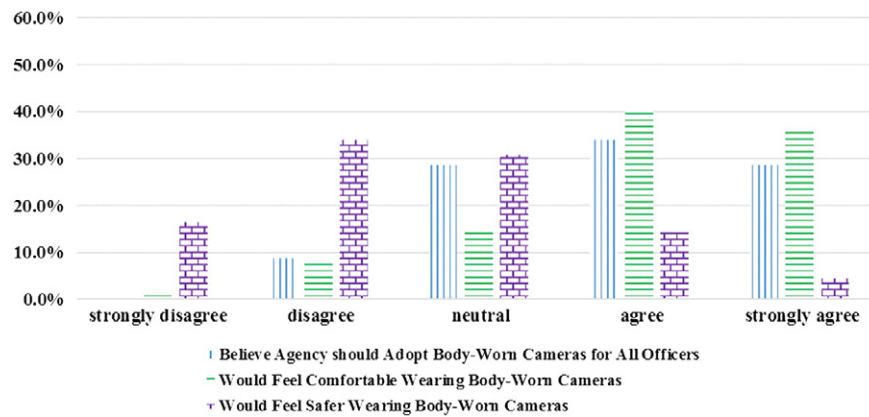


Fig. 1. Officer Perceptions of Body-Worn Cameras. Note. Believe Agency should Adopt Body-Worn Cameras for All Officers ($M = 3.82$; $SD = 0.95$); Would Feel Comfortable Wearing Body-Worn Camera ($M = 4.03$; $SD = 0.96$); and Would Feel Safer Wearing Body-Worn Cameras ($M = 2.56$; $SD = 1.07$).

agreement in their perception that body-worn cameras would reduce their own use of force compared with White officers (Non-White officers: $M = 2.54$ versus White officers: $M = 2.03$; $p < .05$). Finally, only two significant correlations were observed with older officers reporting lower levels of agreement with the potential for body-worn cameras reducing internal complaints against them ($r = -.18$, $p < .05$) and officers with more years of experience reporting higher levels of agreement in their perception that wearing body-worn cameras would increase their likelihood of behaving “by-the-book” ($r = .18$, $p < .05$).

Discussion

The profession of policing has recently been witness to and consumer of a number of technological advancements and innovations such as the use of GPS monitoring devices (Hughes & Burton, 2014), in-car cameras (IACP, 2003, 2004), and closed circuit television (CCTV) cameras (Menichelli, 2014; Surette, 2005). However, perhaps one of the most recent and significant advancements to date in policing is the use of body-worn cameras in law enforcement. In this same vein, academic and public discourse in the media around the use of body-worn cameras in policing has begun to reach near epic levels, primarily since recent high profile cases such as the tragic death of Michael Brown, a Ferguson, Missouri teenager who was shot and killed by a law enforcement officer (in the absence of video). While all of this attention has been cast toward a technological innovation such as the implementation of body-worn cameras in law enforcement, there has yet to have been any empirically sound and published research on the perceptions of the consumers of this technology (e.g., the police). In

acknowledgement of this deficiency in research and the importance of the body-worn camera debate, the current study sought out to provide one of the first ever studies to date to assess in detail general police officer perceptions of body-worn cameras and to evaluate their perception of the effect that wearing body-worn cameras may have on citizen behavior, their own behavior, the behavior of their fellow officers, and the impact of body-worn cameras on their own and their fellow officers’ use of force, number of external (citizen-generated) complaints, and number of internal complaints. A number of important findings emerged from this effort.

First, the officers generally reported considerably high rates of agreement to questions such as they believe that their agency should adopt body-worn cameras for all of their police officers, and that they would feel comfortable wearing body-worn cameras. Second, the officers demonstrated fairly high levels of agreement that they felt that citizen behavior would improve if they (the officers) were wearing body-worn cameras. Third, while the ratings were more mixed toward the officers’ perception that wearing body-worn cameras would improve their own behavior and increase their likelihood of behaving “by-the-book”, they reported resoundingly more agreement that wearing body-worn cameras would *not* reduce their willingness to respond to calls for service. Fourth, much of the same sentiment was observed when considering the effect of body-worn cameras on their fellow officers’ behavior, although the officers’ were generally in greater agreement that the body-worn cameras would improve the behavior of their fellow officers and increase their fellow officers’ likelihood of behaving “by-the-book” relative to their perceived impact on their own behavior. Comparatively, the officers also reported noticeably high levels of agreement that the use of body-worn cameras would *not* reduce their fellow officers’

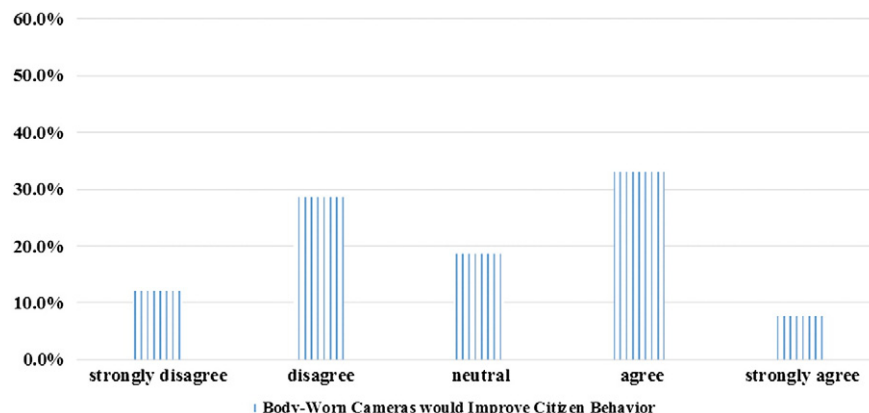


Fig. 2. Officer Perceptions of the Effect of Body-Worn Cameras on Citizen Behavior. Note. Body-Worn Cameras would Improve Citizen Behavior ($M = 2.96$; $SD = 1.19$).

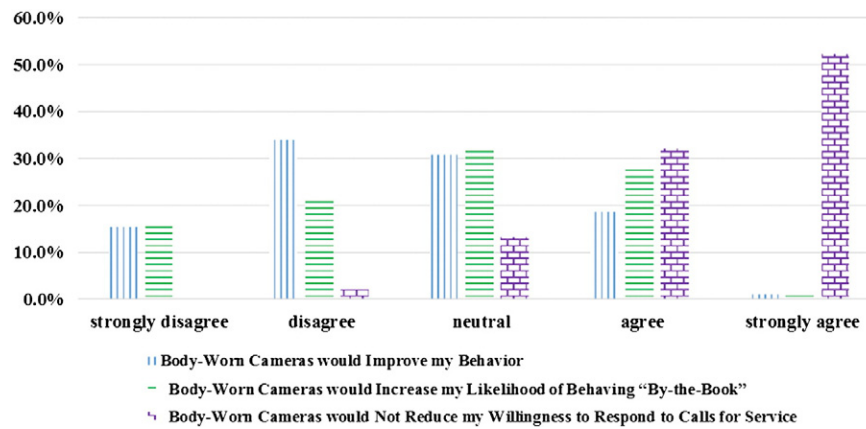


Fig. 3. Officer Perceptions of the Effect of Body-Worn Cameras on *Their Own Behavior*. Note. Body-Worn Cameras would Improve my Behavior ($M = 2.56$; $SD = 1.00$); Body-Worn Cameras would Increase my Likelihood of Behaving "By-the-Book" ($M = 2.76$; $SD = 1.08$); and Body-Worn Cameras would Not Reduce my Willingness to Respond to Calls for Service ($M = 4.34$; $SD = 0.79$).

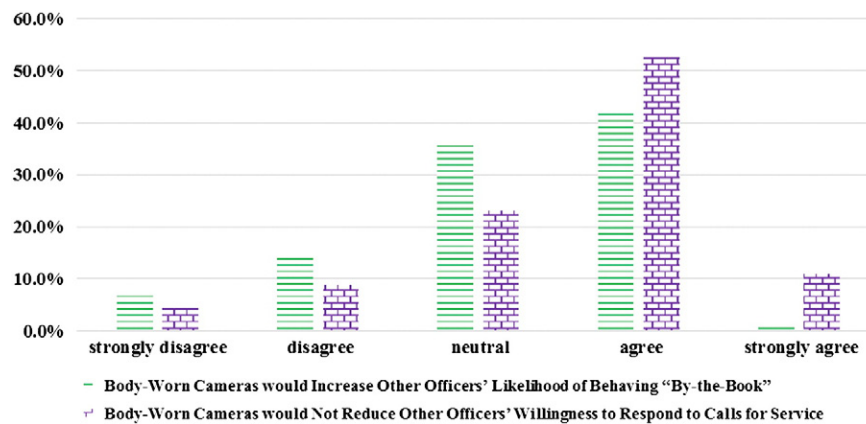


Fig. 4. Officer Perceptions of the Effect of Body-Worn Cameras on *Their Fellow Officers' Behavior*. Note. Body-Worn Cameras would Increase Other Officers' Likelihood of Behaving "By-the-Book" ($M = 3.16$; $SD = 0.92$); and Body-Worn Cameras would Not Reduce Other Officers' Willingness to Respond to Calls for Service ($M = 3.57$; $SD = 0.96$).

willingness to respond to calls for service. Finally, the officers were somewhat mixed on their perceptions of the impact of wearing body-worn cameras on their own use of force, but they were much more in agreement that wearing body-worn cameras would reduce their and, more notably, their fellow officers' number of external and internal complaints.

These findings have several implications for policing in practice and for academic discourse on the role of technology in general and body-worn cameras specifically in policing. For instance, general knowledge of police officer perceptions of body-worn cameras can address the discussion that exists within many police departments; that front-line officers would be initially hesitant. Often, police departments are faced

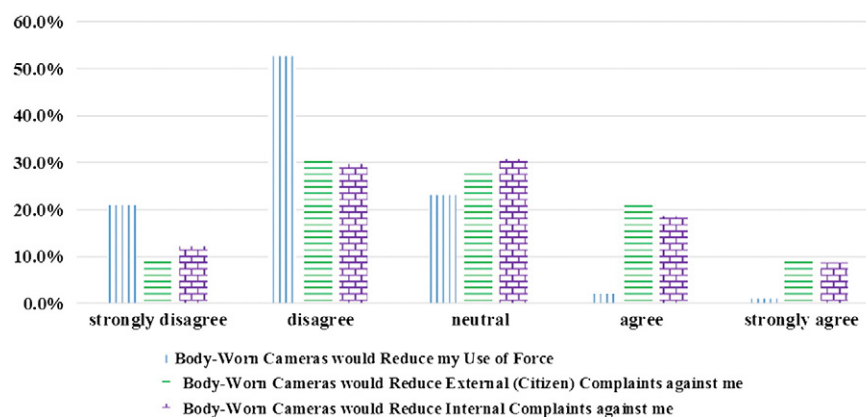


Fig. 5. Officer Perceptions of the Effect of Body-Worn Cameras on *Their Own Use of Force, Number of External Complaints, and Number of Internal Complaints*. Note. Body-Worn Cameras would Reduce my Use of Force ($M = 2.10$; $SD = 0.79$); Body-Worn Cameras would Reduce External (Citizen) Complaints against me ($M = 2.90$; $SD = 1.15$); and Body-Worn Cameras would Reduce Internal Complaints against me ($M = 2.82$; $SD = 1.14$).

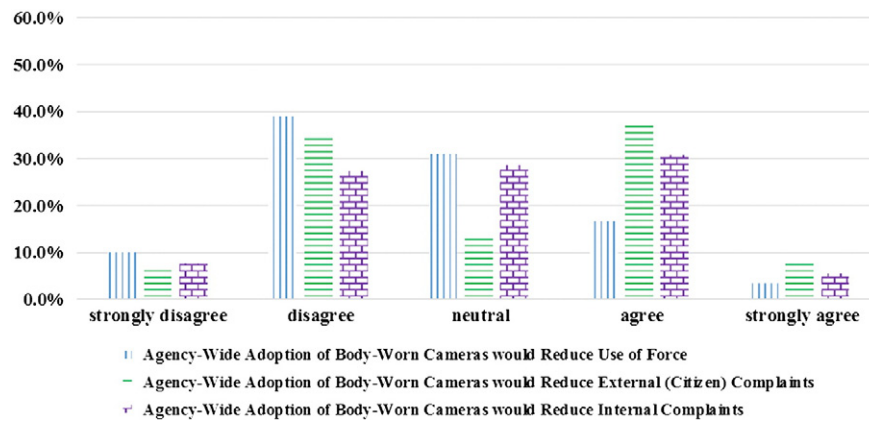


Fig. 6. Officer Perceptions of the Effect of Body-Worn Cameras on Their Fellow Officers' Use of Force, Number of External Complaints, and Number of Internal Complaints. Note. Agency-Wide Adoption of Body-Worn Cameras would Reduce Use of Force ($M = 2.64$; $SD = 0.99$); Agency-Wide Adoption of Body-Worn Cameras would Reduce External (Citizen) Complaints ($M = 3.04$; $SD = 1.14$); and Agency-Wide Adoption of Body-Worn Cameras would Reduce Internal Complaints ($M = 2.99$; $SD = 1.06$).

with questions that impact their willingness to adopt novel technologies (e.g. Are police officers "supportive" with wearing BWCs while on duty?). Direct evidence of officer perceptions, such as what has been revealed in the current study, will help inform and educate police departments surrounding their decision to adopt body-worn cameras.

Additionally, it is recommended that police departments rigorously assess their own organizational readiness prior to implementing body-worn cameras, and the current study provides the necessary starting point. Specifically, decreasing the anecdotal evidence about officers' beliefs on body-worn cameras can better set in motion empirically-based practices that benefit the officer and department. As officers generally believe that their department should adopt body-worn cameras, organizational support can be consistent across the department from the beginning. Police departments across the United States have unique daily challenges facing patrol officers, making consistent department policies on evidence collection, training, and education of body-worn cameras a must. As the current study gathered baseline data on officer perceptions prior to recent high profile cases (e.g. Ferguson, Missouri), outcomes can provide an uninhibited foundation

for such education. Lastly, the current study is capable of directly informing future practices in the field of policing. Ever apparent, the use of technology in policing is drastically on the rise. Many of the recent news media responses to tragic events in policing have re-introduced the potential impact of technology when addressing citizen-police interactions. Calls for body-worn cameras in departments across the United States are increasing, and as a result video recording technology is here to stay.

It is important to note a few limitations of the current study in order to contextualize the current findings. First, the reported findings are entirely focused on patrol officers within one large metropolitan police department. The potential impact of body-worn cameras could presumably affect non-patrol officers in unique ways not discussed or able to be addressed in the current study. Thus, future research on police body-worn cameras should take into consideration differential experiences of officers. Second, although we assess officer perceptions toward body-worn cameras, there are many perceptions of body-worn cameras not measured in the current study. Future studies should continue to explore alternative factors impacting police officer perceptions of body-worn cameras to better understand organizational factors that may impact implementation.

Table 2
Officer perception similarities/differences by officer gender, race, age, and years of experience

	Male Officers Mean	Female Officers Mean	Non-White Officers Mean	White Officers Mean	Officer Age r	Officer Years of Experience r
<i>Officer Perceptions of Body-Worn Cameras</i>						
Believe Agency should Adopt Body-Worn Cameras for All Officers	3.83	3.80	4.00	3.79	-.06	-.04
Would Feel Comfortable Wearing Body-Worn Cameras	4.07	3.70	4.00	4.04	-.01	.04
Would Feel Safer Wearing Body-Worn Cameras	2.47	3.30	2.92	2.50	-.12	-.05
<i>Officer Perceptions of the Effect of Body-Worn Cameras on Citizen Behavior</i>						
Body-Worn Cameras would Improve Citizen Behavior	2.95	3.00	3.31	2.90	-.08	.04
<i>Officer Perceptions of the Effect of Body-Worn Cameras on Their Own Behavior</i>						
Body-Worn Cameras would Improve my Behavior	2.63	2.00	2.62	2.55	.03	.13
Body-Worn Cameras would Not Reduce my Willingness to Respond to Calls for Service	4.34	4.40	4.08	4.39	.02	-.06
Body-Worn Cameras would Increase my Likelihood of Behaving "By-the-Book"	2.79	2.50	2.92	2.73	.04	.18
<i>Officer Perceptions of the Effect of Body-Worn Cameras on Their Fellow Officers' Behavior</i>						
Body-Worn Cameras would Not Reduce Other Officers' Willingness to Respond to Calls for Service	3.61	3.20	3.46	3.59	.03	.02
Body-Worn Cameras would Increase Other Officers' Likelihood of Behaving "By-the-Book"	3.19	3.00	3.46	3.12	-.05	.10
<i>Officer Perceptions of the Effect of Body-Worn Cameras on Their Own Use of Force, Number of External Complaints, and Number of Internal Complaints</i>						
Body-Worn Cameras would Reduce my Use of Force	2.09	2.20	2.54	2.03	.08	.10
Body-Worn Cameras would Reduce External (Citizen) Complaints against me	2.89	3.00	2.77	2.92	-.10	.06
Body-Worn Cameras would Reduce Internal Complaints against me	2.80	3.00	3.00	2.79	-.18	-.06
<i>Officer Perceptions of the Effect of Body-Worn Cameras on Their Fellow Officers' Use of Force, Number of External Complaints, and Number of Internal Complaints</i>						
Agency-Wide Adoption of Body-Worn Cameras would Reduce Use of Force	2.63	2.80	2.83	2.62	.04	.05
Agency-Wide Adoption of Body-Worn Cameras would Reduce External (Citizen) Complaints	2.99	3.50	3.08	3.04	-.02	-.01
Agency-Wide Adoption of Body-Worn Cameras would Reduce Internal Complaints	2.93	3.50	3.15	2.96	-.09	-.06

Note. r = Pearson Correlation Coefficient. Significant mean differences and correlations ($p < .05$) noted in italics.

Lastly, the evidence presented here only attempts to shed light on police officer baseline perceptions of body-worn cameras. It is possible that perceptions of the impact of body-worn cameras will change over time, particularly for patrol officers using the devices. And, it is to the question posed that we anticipate providing answers for as the randomized experiment in Orlando Police Department (OPD) concludes.

Taken together, the results from the current study, which is one of the first ever studies of its kind to date, suggests that police officers appear to be receptive and willing consumers of adopting and implementing body-worn cameras in their profession. Furthermore, the police officers indicate that they do not believe that the use of this technology will have any significant effect on their or their fellow officers' willingness to respond to calls for service. In addition, there are noteworthy and positive findings concerning officer perceptions of the impact of body-worn cameras on their and their fellow officers' use of force, number of external (citizen-generated) complaints, and the number of internal complaints. In the end, we believe this research has taken the first and groundbreaking step in revealing the receptiveness for and potential usefulness of body-worn cameras in law enforcement for improving citizen and police officer behavior and possibly reducing other negative outcomes that can result from police-citizen interactions (e.g., officer injury, subject injury, lawsuits). It is at this point where we wait for future empirical evidence derived from randomized experimental designs to accumulate in order to isolate the effect of these devices on police officer behavior and police-citizen encounter outcomes.

Acknowledgments

We wish to sincerely thank the Orlando Police Department (OPD), its' Administration, and particularly the officers for their willingness to participate in this research experiment and project. Our views are solely our own and do not necessarily represent or reflect those of the OPD, its' Administration, or their officers.

Appendix 1. Police Officer Perceptions of Body-Worn Cameras: Baseline Survey

Q1. What are your perceptions about the impact of body-worn cameras in policing?

Please rate your level of "agreement" for the following statements.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
I think this agency should adopt body-worn cameras for all front-line police officers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would feel comfortable wearing a body-worn camera.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q2. What are your perceptions about wearing a body-worn camera while on duty?

Please rate your level of "agreement" for the following statements.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Wearing a body-worn camera would improve my behavior in the field.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wearing a body-worn camera would improve the behavior of citizens I contact in the field.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wearing a body-worn camera would make me feel safer while on the job.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q3. What impact would wearing a body-worn camera in the field have on your own behavior while on duty?

Please rate your level of "agreement" for the following statements.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Wearing a body-worn camera would reduce my use of force against subjects.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wearing a body-worn camera would reduce the number of citizen (external) complaints I would receive.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wearing a body-worn camera would reduce the number of department (internal) complaints filed against me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wearing a body-worn camera would reduce my willingness to respond to calls for service.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wearing a body-worn camera would increase the likelihood that my behavior would be "by-the-book."	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q4. Suppose the "Agency" adopted the use of body-worn cameras for all of its front-line officers. What impact would wearing body-worn cameras have on other officers' (not you) behavior?

Please rate your level of "agreement" with the following statements.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
The agency-wide adoption of body-worn cameras would reduce other officers' use of force against subjects.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The agency-wide adoption of body-worn cameras would reduce the number of citizen complaints submitted against other officers'.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The agency-wide adoption of body-worn cameras would reduce the number of internal complaints submitted against other officers'.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The agency-wide adoption of body-worn cameras would reduce other officers' willingness to respond to calls for service.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The agency-wide adoption of body-worn cameras would increase the likelihood that other officers' behavior would be "by-the-book."	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Police Body-Mounted Cameras: With Right Policies in Place, a Win For All

Version 2.0

By Jay Stanley, ACLU Senior Policy Analyst

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Introduction to Version 2.0¹

Since we published the first version of this policy white paper in October 2013, interest in police body cameras has exploded. The August 2014 shooting of Michael Brown in Ferguson, Missouri and the subsequent protests focused new public attention on the problem of police violence—and on the possibility that body cameras might be part of the solution. The following December, a grand jury's decision not to indict an officer in the videotaped chokehold death of Eric Garner in New York City further intensified discussion of the technology.

With so much attention being paid to body cameras, we have received a lot of thoughtful feedback on our policy recommendations. Overall, considering how early in the discussion we issued our paper, we believe our recommendations have held up remarkably well. But in this revision of the paper we have seen fit to refine our recommendations in some areas, such as when police should record. And of course, the intersection of technology and human behavior being highly complex and unpredictable, we will continue to watch how the technology plays out in the real world, and will most likely continue to update this paper.

"On-officer recording systems" (also called "body cams" or "cop cams") are small, pager-sized cameras that clip on to an officer's uniform or are worn as a headset, and record audio and video of the officer's interactions with the public. Recent surveys suggest that about 25% of the nation's 17,000 police agencies were using them, with fully 80% of agencies evaluating the technology.

¹ I would like to thank Doug Klunder of the ACLU of Washington, who did much of the thinking behind the analysis set forth in the original draft of this paper; Scott Greenwood of Ohio; and my colleagues at the national office, for their valuable feedback and advice.

Much interest in the technology stems from a growing recognition that the United States has a real problem with police violence. In 2011, police killed six people in Australia, two in England, six in Germany and, according to an FBI count, 404 in the United States. And that FBI number counted only “justifiable homicides,” and was comprised of *voluntarily submitted* data from just 750 of 17,000 law enforcement agencies. Attempts by journalists to compile more complete data by collating local news reports have resulted in estimates as high as 1,000 police killings per year in the United States. Fully a quarter of the deaths involved a white officer killing a black person.

The ACLU’s Interest

Although we at the ACLU generally take a dim view of the proliferation of surveillance cameras in American life, police on-body cameras are different because of their potential to serve as a check against the abuse of power by police officers. Historically, there was no documentary evidence of most encounters between police officers and the public, and due to the volatile nature of those encounters, this often resulted in radically divergent accounts of incidents. Cameras have the potential to be a win-win, helping protect the public against police misconduct, and at the same time helping protect police against false accusations of abuse.

We’re against pervasive government surveillance, but when cameras primarily serve the function of allowing public monitoring of the government instead of the other way around, we generally support their use. While we have opposed government video surveillance of public places, for example, we have supported the installation of video cameras on police car dashboards, in prisons, and during interrogations.

At the same time, body cameras have more of a potential to invade privacy than those deployments. Police officers enter people’s homes and encounter bystanders, suspects, and victims in a wide variety of sometimes stressful and extreme situations.

For the ACLU, the challenge of on-officer cameras is the tension between their potential to invade privacy and their strong benefit in promoting police accountability. Overall, we think they can be a win-win—but *only* if they are deployed within a framework of strong policies to ensure they protect the public without becoming yet another system for routine surveillance *of* the public, and maintain public confidence in the integrity of those privacy protections. Without such a framework, their accountability benefits would not exceed their privacy risks.

On-officer cameras are a significant technology that implicates important, if sometimes conflicting, values. We will have to watch carefully to see how they are deployed and what their effects are over time, but in this paper we outline our current thinking about and recommendations for the technology. These recommendations are subject to change.

Control over recordings

Perhaps most importantly, policies and technology must be designed to ensure that police cannot “edit on the fly” — i.e., choose which encounters to record with limitless discretion. If police are free to turn the cameras on and off as they please, the cameras’

role in providing a check and balance against police power will shrink and they will no longer become a net benefit.

The primary question is how that should be implemented.

Purely from an accountability perspective, the ideal policy for body-worn cameras would be for continuous recording throughout a police officer's shift, eliminating any possibility that an officer could evade the recording of abuses committed on duty.

The problem is that continuous recording raises many thorny privacy issues, for the public as well as for officers. For example, as the Police Executive Research Forum (PERF) pointed out in their September 2014 [report](#) on body cameras, crime victims (especially victims of rape, abuse, and other sensitive crimes), as well as witnesses who are concerned about retaliation if seen cooperating with police, may have very good reasons for not wanting police to record their interactions. We agree, and support body camera policies designed to offer special privacy protections for these individuals.

Continuous recording would also mean a lot of mass surveillance of citizens' ordinary activities. That would be less problematic in a typical automobile-centered town where officers rarely leave their cars except to engage in enforcement and investigation, but in a place like New York City it would mean unleashing 30,000 camera-equipped officers on the public streets, where an officer on a busy sidewalk might encounter thousands of people an hour. That's a lot of surveillance. That would be true of many denser urban neighborhoods—and of course, the most heavily policed neighborhoods, poor and minority areas, would be the most surveilled in this way.

Continuous recording would also impinge on police officers when they are sitting in a station house or patrol car shooting the breeze — getting to know each other as humans, discussing precinct politics, etc. We have some [sympathy](#) for police on this; continuous recording might feel as stressful and oppressive in those situations as it would for any employee subject to constant recording by their supervisor. True, police officers with their extraordinary powers are not regular employees, and in theory officers' privacy, like citizens', could be protected by appropriate policies (as outlined below) that ensure that 99% of video would be deleted in relatively short order without ever being reviewed. But on a psychological level, such assurances are rarely enough. There is also the danger that the technology would be misused by police supervisors against whistleblowers or union activists — for example, by scrutinizing video records to find minor violations to use against an officer.

On the other hand, if the cameras do not record continuously, that would place them under officer control, which allows them to be manipulated by some officers, undermining their core purpose of detecting police misconduct. Indeed, this is precisely what we are seeing happening in many cases.

The balance that needs to be struck is to ensure that officers can't manipulate the video record, while also placing reasonable limits on recording in order to protect privacy.

One possibility is that some form of effective automated trigger could be developed that would allow for minimization of recording while capturing any fraught encounters — based, for example, on detection of raised voices, types of movement, etc. With dashcams, the devices are often configured to record whenever a car's siren or lights are activated, which provides a rough and somewhat (though not entirely) non-discretionary measure of when a police officer is engaged in an encounter that is likely to be a problem. That policy is not applicable to body cams, however, since there is no equivalent to flashing lights. And it's not clear that any artificial intelligence system in the foreseeable future will be smart enough to reliably detect encounters that should be recorded. In any case, it is not an option with today's technology.

Another possibility is that police discretion be minimized by requiring the recording of all encounters with the public. That would allow police to have the cameras off when talking amongst themselves, sitting in a squad car, etc., but through that bright-line rule still allow officers no discretion, and thus no opportunity to circumvent the oversight provided by cameras.

An all-public-encounters policy is what we called for in the first version of this white paper, but (as we first explained [here](#)), we have refined that position. The problem is that such a policy does not address the issues mentioned above with witnesses and victims, and greatly intensifies the privacy issues surrounding the cameras, especially in those states where open-records laws do not protect the privacy of routine video footage.

If a police department is to place its cameras under officer control, then it becomes vitally important that it put in place tightly effective means of limiting officers' ability to choose which encounters to record. Policies should require that an officer activate his or her camera *when responding to a call for service or at the initiation of any other law enforcement or investigative encounter between a police officer and a member of the public*. That would include stops, frisks, searches, arrests, consensual interviews and searches, enforcement actions of all kinds. This should cover any encounter that becomes in any way hostile or confrontational.

If officers are to have control over recording, it is important not only that clear policies be set, but also that they have some teeth. In too many places ([Albuquerque](#), [Denver](#), and [other cities](#)) officer compliance with body camera recording and video-handling rules has been terrible. Indeed, researchers report that compliance rates with body camera policies are as low as 30%.

When a police officer assigned to wear a body camera fails to record or otherwise interferes with camera video, three responses should result:

1. Direct disciplinary action against the individual officer.
2. The adoption of rebuttable evidentiary presumptions in favor of criminal defendants who claim exculpatory evidence was not captured or was destroyed.
3. The adoption of rebuttable evidentiary presumptions on behalf of civil plaintiffs suing the government, police department and/or officers for damages based on

police misconduct. The presumptions should be rebuttable by other, contrary evidence or by proof of exigent circumstances that made compliance impossible.

Evidentiary presumptions against a defendant-officer in a criminal proceeding should not be sought, as they are insufficient for meeting the burden of proof in a criminal case and might lead to false convictions.

Limiting the threat to privacy from cop cams

The great promise of police body cameras is their oversight potential. But equally important are the privacy interests and fair trial rights of individuals who are recorded. Ideally there would be a way to minimize data collection to only what was reasonably needed, but there's currently no technological way to do so.

Police body cameras mean that many instances of entirely innocent behavior (on the part of both officers and the public) will be recorded. Perhaps most troubling is that some recordings will be made inside people's homes, whenever police enter — including in instances of consensual entry (e.g., responding to a burglary call, voluntarily participating in an investigation) and such things as domestic violence calls. In the case of dashcams, we have also seen video of particular incidents released for no important public reason, and instead serving only to embarrass individuals. Examples have included DUI stops of celebrities and ordinary individuals whose troubled and/or intoxicated behavior has been widely circulated and now immortalized online. The potential for such merely embarrassing and titillating releases of video is significantly increased by body cams.

Therefore it is vital that any deployment of these cameras be accompanied by good privacy policies so that the benefits of the technology are not outweighed by invasions of privacy. The core elements of such a policy follow.

Notice to citizens

Most privacy protections will have to come from restrictions on subsequent retention and use of the recordings. There are, however, a few things that can be done at the point of recording.

1. Body cameras should generally be limited to uniformed police officers and marked vehicles, so people know what to expect. Exceptions should be made for non-uniformed officers involved in SWAT raids or in other planned enforcement actions or uses of force.
2. Officers should be required, wherever practicable, to notify people that they are being recorded (similar to existing law for dashcams in some states such as Washington). One possibility departments might consider is for officers to wear an easily visible pin or sticker saying "lapel camera in operation" or words to that effect. Cameras might also have blinking red lights when they record, as is standard on most other cameras.

3. It is especially important that the cameras not be used to surreptitiously gather intelligence information based on First Amendment protected speech, associations, or religion. (If the preceding policies are adopted, this highly problematic use would not be possible.)

Recording in the home

Because of the uniquely intrusive nature of police recordings made inside private homes, officers should be required to provide clear notice of a camera when entering a home, except in circumstances such as an emergency or a raid. And departments should adopt a policy under which officers ask residents whether they wish for a camera to be turned off before they enter a home in non-exigent circumstances. (Citizen requests for cameras to be turned off must themselves be recorded to document such requests.) Cameras should never be turned off in SWAT raids and similar police actions.

Retention

Data should be retained no longer than necessary for the purpose for which it was collected. For the vast majority of police encounters with the public, there is no reason to preserve video evidence, and those recordings therefore should be deleted relatively quickly.

- Retention periods should be measured in weeks not years, and video should be deleted after that period unless a recording has been flagged. Once a recording has been flagged, it would then switch to a longer retention schedule (such as the three-year period currently in effect in Washington State).
- These policies should be posted online on the department's website, so that people who have encounters with police know how long they have to file a complaint or request access to footage.
- Flagging should occur automatically for any incident:
 - involving a use of force;
 - that leads to detention or arrest; or
 - where either a formal or informal complaint has been registered.
- Any subject of a recording should be able to flag a recording, even if not filing a complaint or opening an investigation.
- The police department (including internal investigations and supervisors) and third parties should also be able to flag an incident if they have some basis to believe police misconduct has occurred or have reasonable suspicion that the video contains evidence of a crime. We do not want the police or gadflies to be able to routinely flag all recordings in order to circumvent the retention limit.

- If any useful evidence is obtained during an authorized use of a recording (see below), the recording would then be retained in the same manner as any other evidence gathered during an investigation.
- Back-end systems to manage video data must be configured to retain the data, delete it after the retention period expires, prevent deletion by individual officers, and provide an unimpeachable audit trail to protect chain of custody, just as with any evidence.

Use of Recordings

The ACLU supports the use of cop cams for the purpose of police accountability and oversight. It's vital that this technology not become a backdoor for any kind of systematic surveillance or tracking of the public. Since the records will be made, police departments need to be subject to strong rules around how they are used. The use of recordings should be allowed only in internal and external investigations of misconduct, and where the police have reasonable suspicion that a recording contains evidence of a crime. Otherwise, there is no reason that stored footage should even be reviewed by a human being before its retention period ends and it is permanently deleted. Nor should such footage be subject to face recognition searches or other analytics.

Subject Access

People recorded by cop cams should have access to, and the right to make copies of, those recordings, for however long the government maintains copies of them. That should also apply to disclosure to a third party if the subject consents, or to criminal defense lawyers seeking relevant evidence.

Public Disclosure

When should the public have access to cop cam videos held by the authorities? Public disclosure of government records can be a tricky issue pitting two important values against each other: the need for government oversight and openness, and privacy. Those values must be carefully balanced by policymakers. One way to do that is to attempt to minimize invasiveness when possible:

- Public disclosure of any recording should be allowed with the consent of the subjects, as discussed above.
- Redaction of video records should be used when feasible — blurring or blacking out of portions of video and/or distortion of audio to obscure the identity of subjects. If recordings are redacted, they should be discloseable.
- Unredacted, unflagged recordings should not be publicly disclosed without consent of the subject. These are recordings where there is no indication of police misconduct or evidence of a crime, so the public oversight value is low. States

may need to examine how such a policy interacts with their state open records laws.

- Flagged recordings are those for which there is the highest likelihood of misconduct, and thus the ones where public oversight is most needed. Redaction of disclosed recordings is preferred, but when that is not feasible, unredacted flagged recordings should be publicly discloseable, because in such cases the need for oversight generally outweighs the privacy interests at stake.

Good technological controls

It is important that close attention be paid to the systems that handle the video data generated by these cameras.

- Systems should be architected to ensure that segments of video cannot be destroyed. A recent case in Maryland illustrates the problem: surveillance video of an incident in which officers were accused of beating a student disappeared (the incident was also filmed by a bystander). An officer or department that has engaged in abuse or other wrongdoing will have a strong incentive to destroy evidence of that wrongdoing, so technology systems should be designed to prevent any tampering with such video.
- In addition, all access to video records should be automatically recorded with immutable audit logs.
- Systems should ensure that data retention and destruction schedules are properly maintained.
- It is also important for systems be architected to ensure that video is only accessed when permitted according to the policies we've described above, and that rogue copies cannot be made. Officers should not be able to, for example, pass around video of a drunk city council member, or video generated by an officer responding to a call in a topless bar, or video of a citizen providing information on a local street gang.
- If video is held by a cloud service or other third party, it should be encrypted end-to-end so that the service provider cannot access the video.

It is vital that public confidence in the integrity of body camera privacy protections be maintained. We don't want crime victims to be afraid to call for help because of fears that video of their officer interactions will become public or reach the wrong party. Confidence can only be created if good policies are put in place and backed up by good technology.

As the devices are adopted by police forces around the nation, studies should be done to measure their impact. Only very limited studies have been done so far. Are domestic

violence victims hesitating to call the police for help by the prospect of having a camera-wearing police officer in their home, or are they otherwise affected? Are privacy abuses of the technology happening, and if so what kind and how often?

Although fitting police forces with cameras will generate an enormous amount of video footage and raises many tricky issues, if the recording, retention, access, use, and technology policies that we outline above are followed, very little of that footage will ever be viewed or retained, and at the same time those cameras will provide an important protection against police abuse. We will be monitoring the impact of cameras closely, and if good policies and practices do not become standard, or the technology has negative side effects we have failed to anticipate, we will have to reevaluate our position on police body cameras.

Use of body cameras in different contexts

Body cameras are not justified for use by government officials who do not have the authority to conduct searches and make arrests, such as parking enforcement officers, building inspectors, teachers, or other non-law enforcement personnel. Police officers have the authority, in specific circumstances, to shoot to kill, to use brutal force, and to arrest people—and all too often, abuse those powers. The strong oversight function that body cameras promise to play with regards to police officers makes that deployment of the technology a unique one. For other officials, the use of body cameras does not strike the right balance between the oversight function of these cameras and their potential intrusiveness.

609.9 BODY WORN RECORDING EQUIPMENT

- I. PURPOSE: The purpose of this Standard Operating Procedure is to establish guidelines for the proper use, care, and maintenance of body worn recording equipment. It also provides an outline for collection and documentation of evidence.
- II. SCOPE: The procedure shall apply to all department employees who are issued the Taser Axon Flex Video System or body worn camera recording equipment designed to record both audio and video.
- III. DISCUSSION: Body worn recordings have been demonstrated to be of value in the prosecution of traffic and criminal offenses, gathering of evidence, protecting officers from false accusations, training, and ensuring transparency of police activity. In order to maximize the utility of this equipment in these and related areas, officers shall follow the procedures for body worn recording equipment.
- IV. PROCEDURES: Body worn recording equipment will be issued to officers based on the availability of the equipment. Officers who are assigned body worn recording equipment will adhere to the following procedures:
 - A. Training
 1. Officers must complete the required block of instruction prior to being issued body worn recording equipment. The training will include a familiarity with all aspects of the device and the upload process as recommended by the manufacturer.
 - B. Issue & Operational Checks
 1. Officers will fully charge the unit immediately prior to each shift or assignment.
 2. At the start of an officer's shift or assignment, to include Extra Duty and/or Special Events, they will ensure that the recording system is receiving power and functioning properly. They will also check to make sure the ready status light is on.
 3. The officer will frequently ensure the status light on the device is on during their shift.
 4. Officers who discover their issued system is not operating correctly must notify their direct supervisor immediately and arrange for a replacement device and document this action.

C. Operation

1. The body worn camera shall be located on the epaulet, glasses, collar, hat clip, or other accessories made available. They will not be worn on the center of the officer's chest.
2. The department and individual officers are likely to be scrutinized whenever there is no video on an incident where video would be helpful. Your discretion and documentation will be paramount in explaining your actions.
3. The body worn recording system SHALL be utilized to gather and record the following types of events, whenever possible, by all officers involved:
 - a. Traffic stops;
 - b. Pursuits- vehicle or foot;
 - c. Potentially confrontational citizen contacts;
 - d. Physical arrests;
 - e. Response to resistance situations;
 - f. Suspicious vehicle/person calls;
 - g. In-custody *Miranda* rights advisement and interviews (unless recording by other means inside police facilities);
 - h. Alarm responses and building checks;
 - i. Any other law enforcement activity which the officer feels could benefit from use of the body worn recording system. If there is any doubt the system should be activated. The inability to do so, and lack of recording of video in any of the above instances, must be justified in writing.
4. A **victim** should be informed that the interview will be recorded unless the victim objects. The refusal should be stated on the video by the victim, the video turned off and documented in the report.
5. The Tampa Police Department recognizes there are certain circumstances where officers may happen upon a situation requiring immediate action to prevent injury, destruction of evidence, or escape. In these types of situations officers should activate the body worn recording system if doing so does not place them or others in danger. If immediate activation is not

feasible, the officer will activate the camera at the first available opportunity, when the immediate threat has been addressed.

6. The body worn recording system may be manually deactivated by officers when they reasonably believe doing so will not result in the loss of critical documentary information, to protect tactical or confidential discussions or briefings, or when directed to do so by a supervisor. The deactivation will be documented on the video and in the report.
7. The body worn recording system SHALL NOT:
 - a. Be activated in police facilities unless in an official capacity, as part of an investigation.
 - b. Be used to record any personal activity. As a reminder, there is potential criminal and civil liability if this restriction is violated.
 - c. Be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities.
 - d. Be used to record confidential informants or undercover officers unless approved by a Sergeant or above.
8. Failure to activate the body worn recording system as outlined in this SOP, properly retain and store recordings, or the abuse or misuse of the system may result in disciplinary action.
9. Intentionally turning off the system in anticipation of a response to resistance incident or other confrontational citizen contact is absolutely forbidden, and will result in discipline up to and including termination.
10. Officers shall not erase, alter, reuse, modify, or tamper with original audio/video recordings.
11. When video is recorded during an incident requiring a report, the study field box on the MRE report should be tagged as Body Camera Video Available. The case summary and initial report should articulate that a body worn camera was used during this incident.

D. Uploading & Storage of Files

1. To charge and upload the system place the camera and battery pack in a docking station that is connected to the Internet. This will start the upload process and begin to charge the system.

2. The video will be uploaded at the end of the officer's shift or soon as practical.
3. At-home docking and uploading may be done on a voluntary basis. The requirement is to have a high speed internet connection that the provided single docking device can plug into with a Cat 5 wire and a power source. The docking station will automatically establish an encrypted connection to Evidence.com.

E. Video Review

1. The recorded video will be automatically tagged after they are uploaded. To ensure accuracy the officer is required to audit their video to ensure it is tagged correctly. This can be accomplished by many different methods. The more common method would be to review the video on the officers' MDT laptop, utilizing the Evidence Sync software and the provided USB cable. Any discrepancies are to be corrected and an email sent to Technology and Innovation describing the interview in detail. Another optional method, which is strictly voluntary, would be to use a personal bluetooth-enabled smart phone to link the camera to the Axon Mobile application installed on the device.
2. The video should be reviewed prior to writing a report to ensure consistency. Although the video is a reference in a report it shall not exclude the writing of the details in the report. As an example the term "see video" should be avoided and a detailed description of what the video observed and what may have been out of view should be described in the report.
3. Any video that is uncategorized or tagged as non-event will be kept in the system a minimum of 90 days. All video that is tagged will follow a standard retention period based on the video tagging in conjunction with the rules under F.S. Chapter 119 for retention of records.

F. Turn In

1. Devices will be assigned and tagged to an individual officer and registered to that officer in Evidence.com. If the officer changes to an assignment where a body worn camera is not used, the device needs to be downloaded first and turned into the designated Captain in their division. Officers may not loan their assigned camera to another officer or to any other person.

V. SUPERVISORY RESPONSIBILITIES: To ensure that this program maintains its integrity, it is imperative that supervisors adhere to the following procedures:

- A. Supervisors will perform random checks, at least twice per month, on all body worn recording systems assigned to their squads. If a system is found inoperable and the officer did not notify his/her supervisor, then the supervisor will investigate and report the findings. The inspection will include a review of the video stored on Evidence.com to ensure the video processes and procedures are being done correctly. The supervisor will notate the inspection in the Inspection Log.
- B. Supervisors will ensure that repairs and replacement of damaged or nonfunctional body worn recording systems are scheduled. The inoperable unit will be turned into the designated district Captain to arrange for a replacement device.
- C. Once a scene is stabilized and if there are numerous officers assigned to the scene who have assigned BWC devices activated, it is recommended the Supervisor evaluate each officer with the devices activated to ascertain if there is any value to what is being recorded. If there is no investigative value the supervisor should instruct the officers on the video to turn off their video with the reasoning for this request. The officer should immediately turn off the video. This will help prevent unnecessary accumulation of video that has no value to the case.
- D. In the event that an officer captures and records a sequence that may be of value for training purposes, the supervisor will review the incident. If the supervisor feels the recorded event would prove useful for training purposes, he will email the report number of the recording in Evidence.com to the Training Unit. The Training Unit may tag the video as “video demo” if they feel that there is value to make sure it is retained. The original tag will also be retained and handled like any other recording.
- E. It is the Supervisors’ responsibility to ensure that the report regarding the video recording is properly documented.
- F. Professional Standards Quality Assurance will be conducting periodic checks on recorded video through Evidence.com.

VI. SYSTEM MAINTENANCE:

- A. The body worn recording system is an expensive and delicate piece of equipment. It will be the responsibility of the assigned officer to ensure that the system is operated and maintained according to the manufacturer’s instructions.
- B. If any part of the body worn recording system is lost or damaged, officers must immediately notify their supervisor and document the incident in writing.

VII. RELEASE OF RECORDINGS:

- A. It is the policy of the Tampa Police Department that all recordings generated on departmental equipment are the property of the Tampa Police Department. Copying, transmitting or other reproduction of any digital recording segment generated by the Tampa Police Department body worn recording system, or removing such recordings outside the Tampa Police Department, without authorization from the Chief of Police is prohibited.
- B. Requests for copies of digital recordings by persons or agencies outside the Tampa Police Department or State Attorney's Office shall be directed to the Public Records Office and subject to the provisions of Florida Statutes Chapter 119. The requesting person will be responsible for the cost of duplication pursuant to state statute.
- C. Officers or other employees shall not retain, or distribute to any person or entity, any original or copy of any recording except as specified in the S.O.P. or as expressly approved by the officer's or employee's supervisor.
- D. Posting of footage to any social media site without prior written approval from the Chief or designee is strictly prohibited.
- E. If another assisting law enforcement agency is recorded in a video that is requested for release or administrative investigation purposes, the affected agency should be notified of the request and a copy provided to them free of charge by the Public Records Coordinator or the Professional Standards Bureau as applicable.

New SOP 609.9, dated 3/15