

BEYOND THE DEVICE: EXAMINING BODY WORN CAMERA PROGRAMS AND
POLICIES IN TEXAS

A Dissertation

Presented to

The Faculty of the Department of Criminal Justice and Criminology
Sam Houston State University

In Partial Fulfillment
of the Requirements for the Degree of
Doctor of Philosophy

by

Alexis Rain Rockwell

May 2022

BEYOND THE DEVICE: EXAMINING BODY WORN CAMERA PROGRAMS AND
POLICIES IN TEXAS

by

Alexis Rain Rockwell

APPROVED:

Jason R. Ingram, PhD
Committee Director

William Wells, PhD
Committee Member

Willard M. Oliver, PhD
Committee Member

Phillip Lyons, PhD
Dean, College of Criminal Justice

DEDICATION

There are countless individuals I would like to dedicate this dissertation to. First, and foremost, this is for those who chose the path less traveled. Those who, without determination, the guts, and the outright stubbornness, would not have made it to the end of their journey. Whatever that journey may be, this final project is proof that anyone can do it if they're bound and determined to.

To those fellow graduate students currently in programs, applying for programs, or dreaming about this process in the future. The work and passion it takes to complete any degree is a lot. I am proud of all of you, and I am happy to be among some of the greatest. Remember that your mental health and well-being are just as important as the program.

To my grandparents, John Rockwell, Jr., Carolyn Rockwell, Neil Woodyard, Sr., and Marilyn Woodyard, I dedicate this project and my future career. You four are my guardian angels and I am forever grateful to know you all are looking down on me and cheering me on. Y'all were always my biggest cheerleaders and helped me see more than my potential when you were still with me.

ABSTRACT

Rockwell, Alexis Rain, *Beyond the device: Examining body worn camera programs and policies in Texas*. Doctor of Philosophy (Criminal Justice), May 2022, Sam Houston State University, Huntsville, Texas.

The purpose of this paper is twofold. The first purpose is to examine the quantitative aspects of police department body-worn camera utilization as of November 2020. The second part is to conduct a policy content analysis of body-worn camera policies from police departments in the state of Texas. The current dissertation utilized both survey data from 740 police departments on their adoption and utilization of body-worn cameras across the state of Texas, and 218 body-worn camera policies from a sample of those 740 agencies. The dissertation used a mixed-methods approach to better capture a complete picture of the current state of body-worn camera programs in Texas. The results for the descriptive analyses from the quantitative portion show most police agencies who responded (85%) employ body-worn cameras to their officers. Of those agencies, 95% employ cameras to over 75% of their officers. The results for the remaining quantitative analyses point towards the need for additional policy analyses. The qualitative analyses showed BWC policy contents and their specific wordings and how they varied between multiple agency types and sizes. The conclusions and implications showed the importance of increased standardization of body-worn camera policies, of specific wording within policies and how they depict discretionary points, and of the examination of multiple agency types and sizes within police policy analyses.

KEY WORDS: Body-worn cameras, Police, Policy.

ACKNOWLEDGEMENTS

Throughout my PhD program and especially during the writing process of this dissertation, I received an unsurmountable level of support and guidance.

First and foremost, I would like to thank my mentor and dissertation chair, Dr. Jason Ingram, and the rest of my dissertation committee, Drs. William Wells and Willard Oliver. Dr. Ingram, I am grateful for your guidance throughout my time at Sam and my growth as a person and scholar. Without your mentorship, I would not have made it through this program and became the confident scholar I am, ready to take my place in academia. For all of that and more, thank you. Dr. Wells, you gave me an opportunity to do what I love, working with police agencies and making a difference in the policing field. I am forever grateful for your assistance and guidance with my work through LEMIT and finishing this dissertation. This project or dissertation would not be possible without your help. Dr. Oliver, I thank you for showing me that studying policies can be fun and rewarding. Your class helped get this project from my mind to paper.

To the Bill Blackwood Law Enforcement Management Institute of Texas personnel and agencies, thank you. My time working as research assistant has taught me so much and I am ready to take what I have learned with me wherever I go. Specifically, thank you to Dr. Rita Watkins, Executive Director for LEMIT. You allowed me to work on so many projects, especially trusting me to work on the BWCs in Texas Project. Without LEMIT, none of this would be possible.

I would not be who I am today without my chosen family, the Salty Scholars, Dr. Wesley Smith, Dr. Kathleen Padilla, Frank Benton, Dr. Josh Shadwick, Justin Delvo, and Dr. Layne Dittmann. You are all inspirations to me, and it truly takes a village. Your

guidance in school, career, and just life has helped me become the best version of myself. My village means the world to me, and I love every one of you as my own family.

To Binx, my furry companion. You have been there with me since the beginning of my graduate school career. Your comfort and cuddles helped me through more than you'll ever know. My little fluffy co-author, with a loud voice that always comforts me, thank you.

To Erin Lowe, my platonic soulmate. From our first introduction to CJ class to being undergrad roommates all the way to today, we have come a long way, and you have been there for me from the start. Your unwavering support, your unshakable loyalty, and your ever-amazing ability to make me laugh in the worst times is the reason I have finished this dissertation and this PhD. You were there at 2 am when I was doing first-year stats homework and continued to be there when I needed someone to talk through my chapters with. I love you with all my heart and I couldn't do this life without you.

Finally, I would like to thank my family, Joe, Angel, and Ashton Rockwell. No thank you will ever be enough to cover what y'all have done for me, and I love y'all beyond words. Mama and Daddy, you have supported all my crazy dreams from the beginning. Your strength and understanding allowed me to take my goals and dreams and make them a reality. Y'all are my rocks and my superheroes. Ashton, my amazing little sister, who I can count on, no matter what. This is our 'pincushion.'

To all those in these acknowledgements and more, thank you. We did it!

TABLE OF CONTENTS

	Page
DEDICATION	III
ABSTRACT	IV
ACKNOWLEDGEMENTS	V
TABLE OF CONTENTS	VII
LIST OF TABLES	X
LIST OF FIGURES	XII
CHAPTER I: INTRODUCTION	1
Limitations to Prior Literature	2
Current Study	4
Importance of Study	6
Organization of Dissertation	7
CHAPTER II: LITERATURE REVIEW	8
Body-Worn Cameras	8
Importance of Policies	15
Prior Police Policy Literature	16
BWC Policies	22
Conclusion	28
CHAPTER III: METHODOLOGY	30
Chapter Overview	30
Current Study	30
Project Description	31

Project Phase One: Qualtrics Survey	32
Project Phase Two: BWC Policies	37
Chapter Summary	52
CHAPTER IV: RESULTS – QUALTRICS SURVEY	54
Introduction.....	54
Sample and Data Analysis	54
Utilization	55
Policy Information.....	62
Accountability.....	65
Improvements	66
Conclusion	67
CHAPTER V: RESULTS – POLICY CONTENT ANALYSIS.....	69
Purpose/Overview of the Chapter.....	69
State-Mandated Policy Contents.....	70
Policy Areas Outside Mandated Contents	79
Conclusion	123
CHAPTER VI: RESULTS – CONTENT VARIATIONS	132
Overview and Purpose of the Chapter	132
Breakdown of Agencies from Survey Responses.....	132
Breakdown of Agencies who Provided their Policies	134
Focused Policy Content Areas.....	136
Policy Contents within Municipal/Local Agencies by Sizes.....	137
Conclusion	161

CHAPTER VII: DISCUSSION	167
Chapter Overview	167
Restatement of Study Purpose	167
Main Findings	168
Implications	178
Limitations	184
Future Research	186
Conclusion	187
REFERENCES	188
APPENDIX A	200
APPENDIX B	202
APPENDIX C	208
VITA	245

LIST OF TABLES

Table	Page
1 Policy Areas Addressed in the BWC Policy Review Scorecard.....	26
2 Agency Type Breakdown	39
3 Agency Size Breakdown (N=218).....	40
4 Does your Agency have BWCs? (N=740).....	55
5 How many BWCs does your Department have? (N=616).....	56
6 Approximately what Percentage of Patrol Officers Wear BWCs? (N=616)	57
7 BWC Program and Policy Timelines (N=616).....	58
8 What Division(s) or Unit(s) are BWCs used in? (N=616).....	59
9 Costs (N=616).....	60
10 Pros and Cons of BWC Programs (N=616).....	61
11 Training (N=616).....	63
12 Policy-Required Activation (N=616).....	64
13 Policy-Required Deactivation (N=616)	65
14 Discipline/Sanctions (N=616).....	66
15 Complaints (N=616)	66
16 Ways their Agency Policies can be Improved (N=616)	67
17 Overall Mandate Results (N=218).....	73
18 Senate Bill 158 Components of Non-Compliance (N=45).....	75
19 Texas Occupations Code 1701.655 Components of Non-Compliance (N=87)....	78
20 General Issues Codes by Documents (N=218)	81
21 Activation Codes by Document (N=218)	86

22	Deactivation Codes by Document (N=218).....	90
23	Data Transfer and Download Codes by Document (N=218).....	93
24	Data Storage and Retention Codes by Document (N=218).....	98
25	BWC Viewing Codes by Document (N=218)	101
26	Public Disclosure Codes by Document (N=218).....	108
27	Additional Training Codes by Document (N=218)	113
28	Additional BWC Viewing Codes by Document (N=218)	115
29	Other Agency Policy Links Codes by Document (N=218)	118
30	Policy Violations and Consequences Codes by Document (N=218).....	119
31	Policies Page Lengths and Timelines (N=218).....	122
32	What Types of Agencies Responded to the Survey? (N=378)	133
33	What Sizes of Agencies Responded to The Survey? (N=378)	134
34	What Types of Agencies Provided their Policies? (N=218).....	135
35	What Sizes of Agencies Provided their Policies? (N=218)	136
36	State Mandates by Non-Municipal Agency Type.....	151
37	Activation and Deactivation by Non-Municipal Agency Type	154
38	BWC Footage Viewing by Non-Municipal Agency Policies	157
39	BWC Policy Violations and Consequences by Non-Municipal Agency Policies.....	160

LIST OF FIGURES

Figure	Page
1 Example Retention Period Schedule	139

CHAPTER I

Introduction

Body-worn cameras (BWCs) are an emerging technology for police agencies in the United States, as 47 percent of agencies nationwide have implemented BWC programs as of 2016 (Hyland & Davis, 2019). The attention on BWCs continues to grow as the public and agencies alike are increasingly concerned with accountability and transparency of the police. These concerns stem from officer-involved shootings and deaths of minority individuals. Additionally, the *President's Task Force on 21st Century Policing* (2015) called for increased use of technology within police agencies. These major events have further driven agencies to implement BWC programs (Stoughton, 2018). The proliferation of BWCs in policing has also led to a considerable amount of research on the devices and their impacts, with the majority published in the past five years (Gaub & White, 2020; Lum et al., 2019; Malm, 2019; Rowe et al., 2017; White & Fradella, 2018).

Empirical research on BWCs has focused largely on officer and citizen attitudes toward BWC devices or the impact of the devices on officer and citizen behaviors (Lum et al., 2019). In general, officers hold favorable views towards BWCs after they have worked with the devices for a time. Their positive feelings towards the technology primarily stem from evidentiary benefits and protection of themselves and their profession (Hyatt et al., 2017; Lum et al., 2019; Rowe et al., 2017; Wooditch et al., 2020). The results from research examining the effectiveness of BWCs on behaviors, however, are mixed. Some studies report a reduction in uses of force and citizen complaints after BWCs were implemented (Ariel et al., 2015; Lum et al., 2019;). On the

other hand, there were some studies that found devices having no impact on officer uses of force and even resulted in some increases in civilian assaults on officers (Ariel, Farrar, & Sutherland, 2016; Ariel, Sutherland, Henstock, et al., 2018). Many of these mixed findings may be attributed to officers having increased discretion for activating and deactivating their BWCs through their agency policies (Huff et al., 2020; White & Fradella, 2018).

Limitations to Prior Literature

Most empirical work on BWCs examined the devices themselves and their impact or effectiveness. Prior literature points to BWC devices having limited and mixed impact (Lum et al., 2019), often with officer discretionary decision-making at the helm (White & Fradella, 2018). One potential source that contributes to the amount of discretion officers are afforded is administrative policies (Davis, 1975). Davis, in an earlier article (1970), emphasized that when policies and principles provide limited or no guidance on decision-making points, officer discretion increases along with the chances of injustices occurring. Other police policies, such as deadly force (Ferdik et al., 2014; Fyfe, 1988; Jennings and Rubado, 2017; Uelmen, 1973; White, 2000; 2001), the use of less lethal force (Ferdik et al., 2014; Ingram & Weidner, 2011; Ingram et al., 2014; McEwen, 1997; Terrill & Paoline, 2012, 2013, 2017; Terrill et al., 2012), and vehicle pursuits (Alpert & Anderson, 1986; Becknell et al., 1999; Falcone & Wells, 1999; Hicks, 2006; Kennedy et al., 1992; Kuntz, 2006; Smith, 2010; Wells & Falcone, 1992), have been examined. These prior policy analyses show the impact that the nature of administrative policies can have on officer discretionary behaviors and perceptions. Additionally, when looking at use of

less-lethal force policies (i.e., not deadly force), the findings show variation in the content of the policies across multiple agencies (Terrill et al., 2012).

Because officer attitudes and behaviors have been found to be impacted by different types of administrative police policies, it would be beneficial to examine the content of agency BWC policies. Several studies show that without proper planning, programming, and policy implementation, increased discretion on BWC usage can have unintended, often negative consequences (Koper et al, 2014; White & Fradella, 2018; White et al., 2018). Some of these consequences include issues with public records requests, privacy issues, and resistance to changes because of both departmental cultures and the political and state legislative environments at the time of adoption and during policy reviews (White & Fradella, 2018). The limited research on BWC policies often focus their attentions on perceptions and accountability through policy languages and access to policies (Hyatt et al., 2017; Maury, 2016; Murphy, 2018). Others focused on policy development, adoption, and community involvement (Gaub et al., 2017; Pyo, 2020; White & Fradella, 2018; Wright & Brown, 2020). These studies, although crucial in advancing the limited knowledge of BWC policies, do not specifically examine the contents of the policies themselves.

One study focused on the BWC policies of select agencies who received federal funding to review their programs and policies (White et al., 2018). White and colleagues (2018) utilized convenience samples of policies that have previously received funding, reviewed their policies, and adjusted their programs to fit Bureau of Justice Assistance (BJA) suggestions. This prior study then qualitatively analyzed those policies for key themes. While this study is important and continues to drive model BWC policies, it

failed to include policies of those agencies who were not afforded funding, are smaller in agency size, and may not be a city or municipal agency. In addition to the sample limitations, the qualitative analysis White and colleagues (2018) conducted only determined the key themes and whether those themes were included in all the policies or not. They did not examine the contents in-depth to determine areas where variations may increase discretionary decision points and what those variations may mean for policy and practical implications.

Current Study

The purpose of the current study is to examine the nature of BWC programs, as well as the content of BWC policies across multiple agency sizes and types. Using a mixed methods approach, the data for this project come from two sources within Texas. The study site was selected because of collaborative efforts between the Bill Blackwood Law Enforcement Institute of Texas (LEMIT) research team and a Texas State Senator. The senator's office contacted LEMIT inquiring about the current state of BWC programs and policies in Texas. Because there has yet to be work conducted on this topic within the state, the research team surveyed agencies on their BWC programs, utilization, costs, their policies, and some perceptions of those policies. The first part of the study utilized the survey data collected from 740 municipal, independent school district (ISD), university, and special jurisdiction agencies in the state of Texas. Having this representation across agency types and sizes allows for a comparison of policy components and provides contextual background for the policy content analyses conducted in the latter half of this study. The first research question provides a comprehensive overview of the current state of BWC programs and policies in Texas.

RQ1: What is the current state of BWC programs and policies across the state of Texas regarding the areas of utilization, costs, discipline, and activation/deactivation?

The second part of the study examined BWC policies collected from 218 of those responding agencies to address three additional research questions that will provide insight into the contents of BWC policies. The policies were analyzed using qualitative content analysis (Krippendorff, 2004) as well as summative and directed content analysis approaches (Hsieh & Shannon, 2005) through pre-established policy content codes (White et al., 2018), Texas state mandated policy requirements, and additional coding themes which bolstered the established themes. The importance of using qualitative content analysis is to place emphasis on the variations between the contents of the policies rather than to determine only what the contents are. It is important to know *how* these content areas are included rather than simply seeing *if* they are included. Policy variations are often what provide discretionary decision points for officers in their BWC usage. As such, identifying these variations is important for understanding how officers, administration, and the public may interpret different types of BWC policies. As such, the remaining research questions explore policy content issues.

RQ2: How do Texas police agencies include state mandated policy components in their BWC policies?

RQ3: Are areas covered in the Texas agency BWC policies outside those content areas mandated by the state?

RQ4: How are the BWC policies similar across different agency types and sizes?
How are they different?

The purpose of this qualitative analysis was to examine the meaning and interpretability behind the wording in the BWC policies. With prior literature showing mixed findings on the effectiveness of BWC devices achieving their intended goals of accountability and transparency, understanding the contents and their interpretable meaning has policy recommendations and implications for future research on BWCs devices and policies.

Importance of Study

Widespread employment of BWC devices happened at rapid paces and often without the opportunity for evidence-based research to provide insight into their impact. As a result, the current study is important from both research and practical perspectives for four reasons. First, it provides the background of Texas BWC programs and policies and offers a means to understand the agencies where the policies were collected (Research Question 1). Second, the study sheds light on *how* mandatory requirements are specifically incorporated into agency policies (Research Question 2). Third, by identifying additional content areas commonly included in policies, but not mandated, it allows for the understanding of whether some policies further reduce the variation and discretion of their BWC policies (Research Question 3). More restrictive policies tend to guide officer actions more than less restrictive policies. With the emphasis prior literature shows on discretion and variation among other police policies (Terrill et al., 2012), asking how BWC policies are either more or less restrictive seems to be the next logical step. Finally, with the sample afforded the current study, examining BWC policies across different agency types and sizes can show the different needs of these agencies and increase our limited knowledge on BWC policies (Research Question 4).

This study includes multiple policy and practical implications. In answering these four research questions, the Texas agencies will receive the findings from these analyses to inform them of their compliance with state mandates. Additionally, agencies will understand how policies can be improved to reduce discretionary decisions and standardization. Finally, the current study will increase overall communications with legislators and police agencies to provide a better picture of an area that has yet to receive the same attention as the device itself in research, the media, and agencies, alike: the BWC policies.

Organization of Dissertation

The remaining components of this dissertation will be as follows. Chapter Two provides a review of the current literature. The areas covered in the review are a historical background on BWCs and their implementation, BWC device impact literature, the importance of administrative police policies, what other police policies have been analyzed and how, and finally the current literature on BWC policies. Chapter Three presents the proposed data and methodologies intended to analyze the four research questions. Chapter Four includes the findings from the quantitative survey results. Chapters Five and Six provide the results for the qualitative content analysis, with Chapter Five covering the full sample and complete set of codes and Chapter Six providing the findings for variations within agency types and sizes on several content areas. Finally, Chapter Seven discusses the key findings, research, policy, and practical implications, limitations, and areas for future research.

CHAPTER II

Literature Review

The purpose of this chapter is to provide an in-depth review of prior literature on police officer body-worn cameras (BWCs). The chapter will begin with an overview of what police BWCs are and how they were first implemented. The review will then cover literature surrounding BWC device effectiveness or impact, as this topic contains the most empirical work to date. The limitations in this area regarding BWC device literature—the lack of focus on BWC policies as an important factor surrounding device usage—will be outlined next. Prior police policy research has been conducted and primarily focused on the use of deadly force, use of less-lethal force, and vehicle pursuits. Finally, the chapter will round out this review with research on police officer BWC policies. While there have been a few studies on the area of BWC policies specifically, the limitations in prior research will be highlighted. The conclusion of this chapter leads into how the current study will fill in the gaps found within this topic of research.

Body-Worn Cameras

Body worn cameras are “small, transportable devices worn by officers to record interactions with the public,” (Bureau of Justice Statistics, 2018, p. 2). These devices can be worn in several locations, including helmets, sunglasses, and clothing, with the most common location being on the chest area of an officer’s uniform. The footage collected from the device is saved locally and downloaded onto a larger cloud drive or hard drive location by the end of an officer’s shift. Many brands of devices vary in terms of size, battery life, storage capacity, and cost, but the main premise of BWCs is to record any

activity the officer is involved in while on-duty to ‘see what the officer sees’ (Hyland & Davis, 2019).

Historical Contexts

BWCs began like many other technological, video-audio recording advances in police agencies, with reform, acclaim, and criticisms from the public, policymakers, and stakeholders (Stoughton, 2018). The 1980s saw the first widespread commercially used dashboard camera videos, often referred to as ‘dash-cams’. The main use for these began as a need to aid in the prosecution of driving under the influence (DUI) cases, the outrage following the 1990s Rodney King riots in LA, and the increases in drug trafficking observed by the Drug Enforcement Administration (DEA) (Stoughton, 2018). Prior literature conducted on the benefits of these earlier devices showed that there were very few instances where video recording technology solved all the intended problems. The use of video recording showed promise and as a result, the public and police agencies sought additional ways to use this technology (Stoughton, 2018).

The implementation of BWCs as tools for police agencies began in the late 2000s and saw widespread growth starting soon after. In 2013, with reform following New York Police Department’s aggressive use of stop-and-frisks and constitutional rights violations occurring, the call for police officer BWCs increased to combat potential racial profiling issues (Floyd v. City of New York, 2013). The outcry for increased use of BWCs exploded after officer-involved fatal shootings of minority individuals, like Michael Brown in Ferguson, Missouri, August 2014. As a result of events like these and others that created strained relationships between communities and law enforcement, the *President’s Task Force on 21st Century Policing Report* (2015) recommended increased

use of technology to build civilian trust and police legitimacy. By 2016, the Bureau of Justice Statistics (BJS) reported around half (47%) of the over 15,000 agencies within their sample acquired BWCs, with 86% of those agencies having a formal policy covering the use of BWCs (Hyland & Davis, 2019). The intended purposes for BWCs included increased transparency, accountability, and better knowledge of officer-citizen encounters than reports pulled from memory (Stoughton, 2018).

Since then, and with numerous other officer-involved fatal shootings of young, minority individuals, the number of agencies adopting BWC programs continue to rise. The public perception of BWCs as one of the sole instruments to “prevent another Ferguson” continues to be one of the driving factors behind so many agency adoptions (Stoughton, 2018, pg. 1366). Dashboard cameras saw the same benefits, pitfalls, praises, and criticisms that can be seen in today’s public view and scholarly research of BWCs. The literature surrounding BWCs focuses on the impact devices have on officer behaviors, including citizen complaints or unnecessary uses of force (Ariel et al., 2015; Çubukçu et al., 2021; Gaub & White, 2020; Huff et al., 2020; Lum et al., 2019; Malm, 2019; Peterson & Lawrence, 2020; Rowe et al., 2017; White & Fradella, 2018), citizen and officer perceptions (Adams & Mastracci, 2019; Hyatt et al., 2017; Wooditch et al., 2020), and police legitimacy (Gaub et al., 2017; Gaub et al., 2020a).

BWC Impact on Officer and Citizen Behaviors

The rapid adoption rates for BWCs centered on their intended impacts in improving citizen-officer relationships and perceptions of law enforcement behaviors and increasing accountability and transparency. Prior research showed that BWC device effectiveness did not provide the empirical results as intended and may, in fact, produce

some unintended consequences (Koper et al., 2015; Lum et al., 2017). Widespread employment of the devices happened at rapid paces and often without the opportunity for evidence-based research to provide insight into their impact. To assess the empirical standing for BWC device impacts, Lum and colleagues (2019) conducted a comprehensive narrative review on 70 empirical studies of BWCs. The sections on BWC device impact and effectiveness will report the findings from the recent systematic review by Lum and colleagues (2019), as well as report the findings from more recent studies to increase understanding of the current literature.

For example, the studies on officer behaviors in Lum et al.'s (2019) systematic review showed that officers received fewer complaints and reported less uses of force (Ariel et al., 2015). These findings could stem from a few reasons. It could be that officers and citizens alike actionably change their behaviors when they feel as though they are being watched (Ariel, Farrar, & Sutherland, 2015; Ariel, Sutherland, Henstock, et al., 2017; Goodall, 2007; Koen, 2016). One study found that it was the combination of a BWC present and officers announcing that their devices were activated for reduced likelihoods of complaints and increased chances of arrests to occur (Huff et al., 2020). Alternatively, Ariel and colleagues (2016) found that BWCs had no significant effect on officer uses of force and instead resulted in increased assaults against officers.

The impact of BWCs on citizen behaviors have been empirically tested in the areas of citizen compliance, calls to and cooperation with the police, crime and disorder, citizen support for BWCs, citizen-officer encounters, and citizen perceptions of privacy or fear (Lum et al., 2019). Since that systematic review, more recent studies found that these reductions could also come from the presence of BWCs reducing the number of

citizens filing false complaints (Peterson & Lawrence, 2020). The perception that they are being watched resulted in officers potentially limiting their uses of force. At the same time, civilian behaviors did not change as they were unaware of the device presence, resulting in increased assaults on officers (Ariel et al., 2016; Ariel et al., 2018). These results were limited and a higher number of empirical studies in a systematic review—6 to the prior 3—found that there was no statistically significant impact BWCs had on citizen compliance (Lum et al., 2019). The limited research on BWC impacts on reducing crime and disorder showed little to no effect with the devices themselves, and the studies may speak more to the impact of officer presence, regardless of the presence of BWCs (Ariel et al., 2016; Lum et al., 2019). Some studies after the systematic review found the presence of BWCs to increase perceived procedural justice and police legitimacy in traffic stops (Demir et al., 2020).

Ethnographic studies—covered in the systematic review—on officer-citizen interactions with BWCs present showed a picture of these interactions becoming more “strained” or “scripted” and constrained officers’ discretion (Rowe et al., 2017, p. 88). In terms of uses of force, there were mixed findings, and some studies narrowed down one of the main reasons behind this were the likelihoods that officers had discretion over when they could activate their BWCs or not (Lum et al., 2019; Rowe et al., 2017). The greater the discretion, the more likely it was that increased uses of force would be reported (White & Fradella, 2018). Additionally, when officers have greater levels of discretion surrounding BWC activation, those activations significantly declined (White & Fradella, 2018). Studies recently showed the need to account for differing teams, units, or

divisions when studying outcomes based on BWC devices (Gaub et al., 2020a, 2020b; Wooditch et al., 2020).

Officer and Citizen Attitudes towards BWC Devices

Research on officer attitudes surrounding BWCs generally show initial hesitation on the device; however, after using them over time, officers began to feel more positive towards BWCs, with protection of self and increased evidentiary value as the main driving factors (Hyatt et al., 2017; Lum et al., 2019; Rowe et al., 2017; Wooditch et al., 2020). These positive attitudes towards device effectiveness can be seen in more recent studies that found BWC evidence reduced racial disparities in criminal investigations (Çubukçu et al., 2021) and reduced days to adjudication in misdemeanor cases (White et al., 2019). Those studies which found negative reviews generally saw these stemming from specific areas in officer attitudes, such as technical difficulties, increased workload over report times, increased burnout levels and reduced perceptions of organizational support, and the impact BWCs may have on citizens, rather than a generally negative view (Adams and Mastracci, 2019; Lum et al., 2019; White & Fradella, 2018). Additionally, studies outside the systematic review have also found these officer perceptions to potentially differ between divisions and agencies, with cultural differences, and how BWC programs are implemented (Wooditch et al., 2020).

While citizens showed significant support for police agencies to employ BWCs in prior literature, these results are also contingent on the makeup of the citizens being surveyed. For example, research has found that non-White, younger individuals with less favorable perceptions of officers and their procedurally just tactics held less favorable views of BWCs acting as intended and increasing accountability and increasing citizen

confidence in the police (Lum et al., 2019). There was little if any impact BWCs has on specific citizen-officer encounters. Generally, citizens were unaware of BWCs being present, and even if they were, citizens were more concerned with officer actions, rather than the device itself (Goodison & Wilson, 2017; Lum et al., 2019; McClure et al., 2017; White et al., 2018). Citizens were found to have mixed feelings toward issues of privacy when officers are wearing BWCs, however they did feel as though they were safer when officers wore BWCs, regardless of their perceptions of privacy. These results should be considered with caution, as they have not been tested rigorously across race, ethnicity, or gender groups (Lum et al., 2019).

In conclusion, officers generally seem to be supportive of BWCs and increasingly so as their time with these devices continues. The devices do not seem to show any significant differences in how officer behave overall, however in some instances, there showed decreases in citizen complaints and officer uses of force, however these results could be caused by external sources (Ariel et al., 2015; Lum et al., 2019). The citizen and officer encounters do seem to appear more professional in nature, as citizens and officers alike are less likely to hold more informal conversations when BWCs are present. Citizens, with some caveats, generally are supportive of BWCs, however the overall body of literature finds little empirical differences in citizen behaviors because of BWCs (Lum et al., 2019). White and Fradella (2018) highlight the importance of BWC program development and implementation on the impact devices have on the outcomes pulled from prior literature above. The final point to reiterate is the mixed results shown throughout the prior literature on device effectiveness and impact. These findings may

largely be because of the variation in BWC program and policy implementation (Gaub & White, 2020; White & Fradella, 2018).

Limitations to BWC Impact Literature

These results, from both systematic reviews and more recent research, all depict the impact BWC devices have on varying outcomes. These findings show that while BWC devices have been widely employed across the United States and continue to be implemented at rapid paces, research on BWC devices is mixed. The policies, alternatively, have not received as much attention. This is concerning given BWC policies dictate the device usage and officer actions surrounding pertinent questions, such as activation, deactivation, and even more administratively related issues, like release and transparency of the footage itself. The next section shows the emphasis needed on administrative policies through how other police policies have been analyzed and their impact on officer behaviors and perceptions.

Importance of Policies

Prior research on administrative policies and their importance for controlling officer actions shows that without proper preparation and implementation of BWC programs and policies, issues stemming from external factors can inhibit positive outcomes from occurring (McEwen, 1997; White & Fradella, 2018) or even result in negative consequences (Koper et al, 2014; White & Fradella, 2018; White et al., 2018). Some of these consequences include issues with public records requests, privacy issues, and resistance because of both departmental cultures and the political and state legislative environments at the time of adoption and during policy reviews (White & Fradella, 2018). Ensuring there are administrative policies surrounding BWCs that cover the array

of device usage, required legislation, the potential benefits, and pitfalls for BWC devices and their operators requires adhering to principles that have been shown in the past to increase successful program implementation (Davis, 1975; White & Fradella, 2018; White et al., 2018). Additionally, when administrative policies are properly reviewed and implemented, the accountability and legitimacy outcomes initially intended for BWC usage can be increased (Walker, 2007).

Administrative policies and rulemaking provide structure and a system of checks and balances for police officers in a profession that affords individuals coercive power over civilians (Davis, 1975). The contents of police policies provide standards that directly impact officer behaviors (Davis, 1975). These issues stem from officer discretionary decision making. Administrative policies are important to determine the discretionary values for BWCs, especially in terms of activation and deactivation (White & Fradella, 2018). Additionally, studies have found that agencies of different types and sizes show variations in implementing their programs and policies properly and as such, should be considered differently (Gaub et al., 2017).

Prior Police Policy Literature

Prior studies have examined a few areas of police policies and how these administrative policies impact outcomes surrounding police behaviors. Some areas of police policies include the use of deadly force (Ferdik et al., 2014; Fyfe, 1988; Jennings & Rubado, 2017; Uelmen, 1973; White, 2000, 2001), the use of less lethal force (Ferdik et al., 2014; Ingram & Weidner, 2011; Ingram et al., 2014; McEwen, 1997; Terrill & Paoline, 2012, 2013, 2017; Terrill et al., 2012), and vehicle pursuits (Alpert & Anderson, 1986; Becknell et al., 1999; Falcone & Wells, 1999; Kennedy et al., 1992; Kuntz, 2006;

Hicks, 2006; Smith, 2010; Wells & Falcone, 1992). Each of these studies examined police policies in some fashion. The interest for this current project is to review the literature on other police policies and the impact policies had on officer behaviors.

Use of Deadly Force

One of the most studied areas of police policies include deadly force policies. Reform efforts in the late-1960s sought to combat inconsistencies in police firearm use (and its misuse) at the national level. President Lyndon B. Johnson's Commission on Law Enforcement and Administration of Justice highlighted how ill-trained officers were to use their firearms, nor were policies in place to dictate when those firearms could be used (Katzenbach Commission, 1967a; 1967b). Similar studies during that time also found that officers were reliant upon oral firearm policies in lieu of written policies (Chapman & Crockett, 1963). Uelman (1973) initiated the analysis of deadly force policy analysis through studying the way policies are formulated and put into effect and how internal sanctions impact officer behaviors. This study used interviews, deadly force policies, reports of firearm discharges, and vignettes to determine the impact of policies in 50 agencies throughout Los Angeles County. This study highlighted the importance of examining the internal policies—adopted by individual chiefs—rather than relying on Penal Codes to correct issues (Uelman, 1973). The external use of state or federal codes, in this case the Penal Code, to impact internal police policies in the case of deadly force usage can be limiting and only impacts the criminal prosecution of the officer. This does not affect the notions of police use of deadly force prior. The policies themselves should then include the consequences for violations of the policies, both internally from the department itself and externally from the criminal proceedings for failing to comply with

the policies and the state or federal mandates. Standardization—or uniformity—was another area within this earlier study of deadly force policies (Uelmen, 1973). This can be accomplished by some form of review board to not only examine policies of all agencies within a jurisdiction (county, district, state, etc.) and determine their uniformity, but to also set forth state-wide policies for uses of force (Uelmen, 1973).

Fyfe (1988) examined the developments made to officer deadly force policies and practice. The call for increased examination happened like much of other police reform, as a call from the public, legislation, and policy makers to make changes following inciteful incidents. The findings from Fyfe's (1988) work show that police officers are directed by their administrative policies—deadly force in this case—and those policies have immediate impact on the discharges of firearms by officers, regardless of “who gets shot” (p. 189) and “who does the shooting” (p. 195). Police uses of deadly force created massive polarizations and doubts of police legitimacy since the inception of the law enforcement occupation; however, it received increased attention, both publicly and academically, around the late 1980s and early 1990s. This resulted in the examination of administrative rule making on police deadly force and officer firearm usage, with results showing that limiting an officer's ability to use deadly force acted as an effective tool to control officers' firearm discharges (Fyfe, 1988; White, 2000, 2001). The findings from these earlier studies show the impact administrative policies can have on reductions of violence and the need for policies to emphasize different encounters (specifically elective or non-elective), abilities for officers to carry their weapons, and officer duty status (Fyfe, 1988; White, 2000, 2001).

Other, more recent studies found the same results, that administrative policies impacted the uses of deadly force among officers from a variety of samples and analyses (Ferdik et al., 2014; Jennings & Rubado, 2017). More specifically, Ferdik and colleagues (2014) found that the more liberal policies on the use of conducted energy devices (CEDs) aided in the reductions of firearms uses and officer-involved shootings. Jennings and Rubado (2017) found that when policies required officers to report any instance where they point their weapon at someone, regardless of discharge, the gun deaths by police officers significantly lowered. Additionally, prior studies found administrative policies directly impacted officer uses of force (Ferdik et al., 2014; Fyfe, 1988; Jennings & Rubado, 2017; White, 2000, 2001). The literature on officer deadly force policies shows that the discretion afforded within administrative policies directly impacts officer behaviors and actions. This aids in the contextual setting for the current study on the importance of analyzing BWC policies with the same rigor afforded deadly force policies, especially with importance placed on discretionary decision-making and consequences for violations of internal policies (Jennings & Rubado, 2017; Uelmen, 1973).

Use of Less-Lethal Force

Less-lethal force policies have also received significant attention throughout academic literature. Some of the more prominent studies focused on how these policies vary depending on their continuum usage (Terrill & Paoline, 2012), officer perceptions of less lethal force policies (Ingram & Weidner, 2011; Terrill & Paoline, 2013; Ingram et al., 2014), and whether administrative policies impact officer behaviors (Terrill & Paoline, 2017; Terrill et al., 2012). Terrill and Paoline (2012) utilized survey results

which asked agencies about their use of force policies and the continua found within those policies are mostly linear, although officers rarely think of uses of force in a linear pattern. Additionally, the differences found within these force policies were too different to be able to categorize into larger groups, indicating just how different police policies can be, even when looking at one part of one type of policy (Terrill & Paoline, 2012).

Those studies examining officer perceptions of less-lethal force policies found that agencies with either too loose of a non-linear model or too restrictive on force usage models were less favorable among officers and sergeants, alike (Ingram & Weidner, 2011; Terrill & Paoline, 2013). Additionally, when looking at supervisory influence Ingram and colleagues (2014) found that officers viewed their use of force policies more favorably when under the supervision of sergeants who were more supportive of the officers, regardless of the sergeants' views of the policy. Finally, Terrill and colleagues (2012) found that almost all agencies in their national sample had a use of force policy and that no one uniform policy was adopted throughout the sample. Studies also found that administrative policies directly impacted officer uses of force (McEwen, 1997; Terrill et al., 2012).

These studies all stem from samples of officers and sergeants being surveyed about their policies, rather than an examination of the policy documents, themselves. Those studies that did examine use of force policies (Terrill & Paoline, 2017; Terrill et al., 2012) found that, like deadly force policies, administrative policy impacted officer uses of less-lethal force, depending on the discretion afforded an officer. These studies combined the survey responses and use of force policies to examine the impact differing policy types had on officer use of force reports. These results, like other use of force

studies, show that changes in administrative policies directly impacts officer behaviors (Terrill & Paoline, 2017; Terrill et al., 2012). Prior studies on both deadly and less-lethal force policies reveal the importance of administrative rule making and its “attempt to control officer discretion through their own internal rules” (Walker, 1993, p. 23).

Vehicle Pursuits

Aside from use of force policies, vehicular pursuit policies have come to be one of the most studied police policies in prior literature. Aside from uses of deadly force with a firearm, Alpert and Anderson (1986) argued that police pursuits were some of the most dangerous instances for officers to be involved in, and as such, should receive attention on the policies that dictate officer vehicular pursuits. An important contribution was that Alpert and Anderson (1986) stated ways that social scientists can aid in this research area by analyzing the differences in pursuit policies and determining a best practice for trainings and real-time reactions.

Continued analyses of pursuit policies used both quantitative and qualitative analyses, focusing on the factors justifying pursuits, operations of vehicles, overall restrictiveness, and factors outside the officer’s control, such as organizational features (Becknell et al., 1999; Falcone & Wells, 1999; Hicks, 2006; Kennedy et al., 1992; Wells & Falcone, 1992). Those analyses that were quantitative examined policies based on coding whether the pursuit policies contained a prevalent topic or not, like that seen in Wells and Falcone’s (1992) study of 51 Illinois pursuit policies. The one qualitative analysis in the vehicle pursuits literature was limited in nature (Kennedy et al., 1992). While addressing the contents of the policies, the study only used a set number of policy topics based on prior literature, and whether the policies stated that topic or procedure

should be followed, must be followed, is optional, or should not be followed. This essentially took qualitative analyses and established them into set, categorical variables (Kennedy et al., 1992). The findings from prior literature on pursuit policies showed the importance of examining policy contents in their entirety, rather than one section, as use of force policies did with their examinations of force continua. Changing the analyses to examine what all is or is not in the policies, rather than what should be, or one aspect of the policies can give us a better picture of how officers may interpret these policies.

BWC Policies

With the prior literature of other police policy analyses established, attention is now turned to BWC policy analyses. While there has been ample empirical work on BWC device effectiveness, much less has been studied on the BWC policies themselves. Prior literature showed the importance in understanding administrative policies and their impacts on officer behaviors. This section will explore what literature currently knows about BWC policies as well as the limitations to the current body of literature on BWC policies.

Prior Literature on BWC Policies

Given the limited research on BWC policies, this section will investigate the prior literature on BWC policies and provide contextual background for the need to conduct additional analyses. Some studies have focused their attentions on perceptions and accountability through policy languages and access to policies (Hyatt et al., 2017; Maury, 2016; Murphy, 2018). Others focused on policy development, adoption, and community involvement (Gaub et al., 2017; Pyo, 2020; Sousa et al., 2016; White & Fradella, 2018; Wright & Brown, 2020).

Current concerns surrounding policing in general involve ameliorating racial issues and increasing both procedural justice and police legitimacy (Walker, 2007). Both Maury (2016) and Murphy (2018) examined police BWC policies in this light. BWCs and their policies in terms of community involvement surround transparency and access to recordings (Maury, 2016) as well as how policies are written, whether there is an increased benefit for police officers or the community (Murphy, 2018). Throughout their study, Maury (2016) found that eight states were guidelines states, meaning BWC policies must provide requirements for the use of BWCs. This means that for guidelines states, there are “specific, state-wide rules and procedures for law enforcement to follow while delegating authority to local agencies to fill the remaining gaps” (Maury, 2016, p. 503). “Public Records” (Maury, 2016, p. 509) states are those where legislation depicts how public access to BWC recordings and explain the difference between the 5 states who act as public records states in terms of privacy protections or limitations to what is publicly available. What is less known, is the connection between BWC policies and other policies, throughout departments, like racial profiling and use of force policies. Murphy (2018) found that most current BWC policies in the ten largest metropolitan police departments fail to accurately address both implicit biases and racial profiling. Future studies would benefit from an updated picture on how BWC policies intertwine with additional policies to address current social climate issues, like racial biases/profiling and uses of force.

BWC programs need help with implementation in terms of community stakeholders, union buy-ins, and ensuring policies are include necessary components for their own agencies, while still retaining uniformity across agencies and not reinventing

the wheel (Gaub et al., 2017; Sousa et al., 2016). Pyo (2020) examines BWC policy implementation and changes regarding racial concerns with police uses of force. Specifically, using Mohr's (1969) organizational innovation theory, Pyo (2020) found that police use of deadly force against minority community members results in changes or implementation of BWC policies. However, this effect is only found when there is a lack of police union resistance and there were resources from political and/or socioeconomic stakeholders.

Police unions have also been found to be positively—but not statistically significant—correlated with having BWC policies that are clearer and more detailed in their language and procedures as well as being more publicly available (Wright & Brown, 2020). Additionally, Wright and Brown (2020) found that within cities where protests and community involvement in police work is greater, it was more likely that policy makers would follow suit, and changes to BWC policies reflected when the importance to community activists were heightened. This harkens back to the conversation about BWC impacts and how important both community stakeholders and the department's culture are in terms of integration of BWCs and their beneficial impacts (Gaub et al., 2017).

Finally, the perceptions of police officers on accountability, oversight, and culture because of BWC policies found that officers held more positive views towards BWCs after officers worked with them for a time and increasingly felt policy mandated BWC usage to be a useful tool for accountability (Sousa et al., 2016; Hyatt et al., 2017). Additionally, officers noted that mandatory BWC usage were being used to monitor officer conduct, however those officers did not necessarily believe their policies were set

in place in a negative light. This finding is interesting because the researchers gathered officer perceptions on BWC policies. In other literature, the devices themselves are the factor with which they are gathering perceptions of. This study using policies rather than devices marks a difference not yet seen in officer perception literature on BWCs.

Current Knowledge on BWC Policy Analyses

While there have been a few studies on BWC policies, to the researcher's knowledge, there has been only one prior study that comprehensively analyzes BWC policy contents. White and colleagues (2018) analyzed BWC policies and their programs to initiate an administrative policy review which assesses policy comprehensiveness. This review became a central tenet to the Bureau of Justice Assistance (BJA) BWC Technical and Training Assistance (TTA) Policy and Implementation Program (PIP). This review process culminated main themes from policies who were Fiscal Year (FY) 2015 and FY 2016 grantees of funding for their BWC programs through the US Department of Justice (DOJ) (White et al., 2018). The policy analyses included 54 agencies from FY 2015 who had their policies approved between January 1, 2016, and September 10, 2016. Those FY 2016 grantee agencies submitted their approved policies between November 1, 2016, and July 1, 2017. There were 75 agencies from that time, which leaves the sample size for this prior policy analysis being 129 policies (White et al., 2018).

To reiterate, only those agencies who received funding and had their policies previously approved by BJA were included in White and colleagues' (2018) policy analysis. From those analyses, 17 main trends on BWCs were covered through 7 key issues. These issues were included in the project's BWC Policy Review Scorecard (White et al., 2018). The scorecard is what agencies are then measured on to determine their

approval from BJA for implementing their BWC program. The scorecard includes both mandatory and non-mandatory items. Those (17) mandatory items must be included within the policies and the overall policies must receive a score of 80% of both mandatory and non-mandatory items to be approved (White et al., 2018).

The final areas found to be key issues in BWC Policy Review Scorecard are in Table 1 (originally in White et al., 2018 report). White and colleagues (2018) analyzed the policies on their contents surrounding issues considered to be some of the more prominent issues on BWC device usage. These issues included device activation, deactivation, citizen notification, officer review of BWC footage, supervisory review of BWC footage, and—specific to the 75 FY 2016 policies—off-duty assignment and activation during demonstrations (White et al., 2018).

Table 1

Policy Areas Addressed in the BWC Policy Review Scorecard

-
1. Policy Development
 2. General Issues
 3. Video Capture – Activation
 4. Video Capture – Deactivation
 5. Data Transfer/Download
 6. Data Storage/Retention
 7. BWC Viewing
 8. BWC Training
 9. Public Release
 10. Policy and Program Evaluation
 11. BWCs and Use of Force
-

The findings from this BWC policy analysis are that all policies provide some information regarding activation and deactivation, both generally and covering certain circumstances. While discretion was afforded in both activation and deactivation instances, there were more policies that allowed discretionary deactivation than activation

(White et al., 2018). Citizen notification was not found in most policies and those that did mention notifying citizens of the BWCs, it was left to the officer's discretion and was not required. White and colleagues (2018) also found that both officers and supervisors could review the BWC footage in most policies, with the caveats that in certain circumstances, officers were not allowed unrestricted access in investigatory reviews of footage and often they are in the presence of other personnel or for the purposes of preparing for reports or interviews. For supervisory reviews, almost all policies indicated that supervisors could review the footage for "administrative purposes, such as investigation of citizen complaints and use of force" (White et al., 2018, p. 12). For those agencies in the FY 2016 sample (75 policies), there were few instances where policies addressed using BWCs off-duty or during public demonstrations (White et al., 2018).

Limitations to Current Knowledge

Prior literature on BWC devices and their policies provide ample findings surrounding the device impact and the implications policies have on device usage, as well as officer and citizen perceptions of both devices and policies, in a limited capacity. There are, however, limitations to the prior literature. Most of the current literature on BWCs focused on the devices themselves and their overall impact in terms of accountability, transparency, and reductions in uses of force and citizen complaints. What has not been studied as much are the content areas of BWC policies. Prior literature denotes the importance administrative police policies have on officer behaviors, especially in the areas of deadly force, less-lethal force, and vehicle pursuits. Each of these police policies have received ample attention in terms of policy analysis.

Aside from one study on BWC policy analysis, most of the BWC policy literature encompasses perceptions of the policies, the development and adoption of policies, and community involvement in policy adoptions. The White and colleagues (2018) study aside, there has not been a study of multiple agencies' BWC policies using a qualitative policy content analysis. Taken together the limitations of the current literature include lack of analysis on policy contents and analyzing policies from multiple agency sizes and types. In addition to this, prior literature also covered state legislation and how those impact BWC policy implementations. Apart from Pyo (2020), there has not been the inclusion of Texas state mandates into the conversations of BWC policies. As these are required policy components, their inclusion into the current study is important.

Conclusion

To reiterate some of the key findings from the literature review above, BWCs have expanded in the past 10 years, with the largest increases occurring because of the fatal shooting of Michael Brown in Ferguson, Missouri in 2014. As a result of the increased usage of police BWCs, research has followed suit. While most BWC research is inconclusive due to differing methodologies and small sample sizes, some literature found improvements in terms of police uses of force and reduced citizen complaints (Lum et al., 2019). The intended goals of police legitimacy, accountability, and citizen trust in the police, however, have yet to have concrete findings due to a lack of consistency in sample sizes and analyses (Gaub & White, 2020). Additionally, recent literature reflects the findings of these larger summaries of research, and all consist of examining the impact of BWCs themselves.

Much less empirical research has been conducted on BWC policies, which dictate the usage of BWCs and the procedures with which police officers are to follow. Some research noted the need for increased emphasis on racial profiling/biases (Murphy, 2018; Pyo, 2020), implementation highlighting the importance of full integration of BWCs for all officers (Sousa et al., 2016; White & Fradella, 2018), and increased importance of stakeholders and policy makers working with agencies to create a best-practices policy model (Pyo, 2020; Wright & Brown, 2020). In a recent report conducted by the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) revealed that a majority of responding police agencies in the state of Texas with BWC programs stated an improvement to BWC policies should include increased standardization across BWC policies for ease of implementation and more uniformity (Rockwell et al., 2020). Maury (2016) provided questions left unanswered for BWC policies, including “what interactions should police record? Who will have access to observe recordings? Or disclose video recordings to the public? And how will privacy interests be respected?” (Maury, 2016, p. 481). These questions are intended to be answered, in part, through the current project and by looking at the policy contents themselves, rather than the impact policies have. It is the contents within the policy that determine officer behaviors.

CHAPTER III

Methodology

Chapter Overview

This chapter explains the methodology for this dissertation. It begins with the current study and the research questions. The data are explained next, with contextual information of the study state. The remainder of the chapter is divided into two sections. The first section is the quantitative portion of this dissertation. It explains the survey collection, variables included in the analyses, and the descriptive analyses to be conducted. The qualitative portion follows. This section explains the collection of the BWC policies and provides an explanation behind the policy sample breakdown, along with the separate coding areas of the qualitative component. The final section of this chapter explains the qualitative analyses to be conducted and the procedure for the qualitative policy content analysis.

Current Study

The current study seeks to fill in the gap in body-worn camera (BWC) policy literature by expanding the knowledge of BWC policy contents. Prior research covers BWC device effectiveness, officer perceptions, and citizen perceptions. The couple of studies on BWC policies mainly covered only singular aspects, such as activation, and the officer perceptions of BWC policies. The current study seeks to answer the four following research questions:

RQ1: What is the current state of BWC programs and policies across the state of Texas regarding the areas of utilization, costs, discipline, and activation/deactivation?

RQ2: How do Texas police agencies include state mandated policy components in their BWC policies?

RQ3: Are areas covered in the Texas agency BWC policies outside those content areas mandated by the state?

RQ4: How are the BWC policies similar across different agency types and sizes?
How are they different?

To address these questions, this study applied a mixed methods approach using both survey data and BWC policies. The quantitative portion of this study covered descriptive statistics on the survey data from a project on Texas police chiefs in local/municipal, independent school district (ISD), university, and special jurisdictions. The qualitative methodology included a content analysis on the BWC policies gathered from a sample of those chiefs who responded to the survey. Through the quantitative descriptive statistics and qualitative policy content analyses, this study provided a more complete image of BWC programs, device usage, and BWC policies in the state of Texas.

Project Description

The data for the current study derive from a collaborative project between a Texas senator's office and the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) research staff. Texas Senator Roy West (District 23) asked LEMIT if there were any data on BWC programs and policies in the state. The aim for this was to determine the best course of action for legislation on BWCs in the state moving forward, as this is an area of reform Texas legislators are looking to make changes to. LEMIT partnered with the senator's office to collect data on BWC programs across the state.

This project culminated in a two-phase process to gather information on BWC programs and policies in the state. Prior to data collection, the project received IRB approval (see Appendix A). Phase 1 was an online survey measuring several aspects of Texas police agency BWC programs and their policies. Utilizing a list of Texas police chiefs who attend continuing education through LEMIT every 2 years, 1,191 police agencies were contacted via email to complete the survey through Qualtrics, an online survey creation and administration tool. The surveys were administered online and received a 62.1% response rate. Overall, there were 740 completed surveys, with 616 of those having active BWC programs. Detailed information surrounding the survey can be found under the quantitative portion of this chapter, and the survey instrument itself is in Appendix B. Phase 2 gathered information on agencies' BWC policies themselves. Of those agencies who completed surveys, we had 223 provide their BWC policies for the qualitative content analysis portion of their study. A breakdown of the policy analysis and coding procedures are in the BWC policies section below, and a complete quantitative and qualitative codebook can be found in Appendix C.

Project Phase One: Qualtrics Survey

Survey Design and Administration

The survey asked about BWC devices, program costs, and policy elements which regulate BWC usage and disciplinary actions surrounding BWCs. The survey included 18 items, with a final question asking these agencies if they would be willing to provide their BWC policy to complete a content analysis of those policies (see Appendix B). Agencies who agreed were asked to fill out contact information to receive those policies later. Seven items related to BWC programs and devices themselves, and one item asked about

training. Two items asked about the costs and funding of the programs. Finally, 7 items asked agencies about their BWC policies, with one question asking how BWCs impacted citizen complaints. The survey incorporated multiple question formats, including quantitative and qualitative components. The survey portion provides a blanket overview of the information asked by the research team to collect for this project.

The initial email distribution included 1,191 chiefs and emails were distributed across 4 days from Monday, November 9th, 2020, through Thursday, November 12th, 2020. The breakdown of initial email distribution included 250 emails for the first two days, 300 emails on Wednesday, November 11th, and 391 emails on that Thursday. A follow-up, reminder email was distributed to all agencies—regardless of whether they responded to the initial email—over three days, starting one week after the initial email distribution. This distribution occurred between Tuesday, November 17th, 2020, through Thursday, November 19th, 2020. Again, the distribution of emails happened in waves, with 300 emails going out on Tuesday, November 17th and Wednesday, November 18th, and the remaining 591 emails being sent on that Thursday.

In total, 740 agencies completed the initial question of the survey, giving us a 62.1% response rate (740/1,191). The formatting of the online survey initially asked agencies whether they had BWCs or not. This structure ensured that only agencies who had active BWC programs completed the survey. When taking this aspect into account, of those 740 agencies who answered the first question, 616 stated they had BWCs (83.2%). This reduced our response rate of completed surveys to 51.7% (616/1,191). Of those 616 agencies with active BWC programs, 378 agreed to provide us contact information to later collect their BWC policies.

Variables

Variables utilized in the quantitative descriptive analyses include 18 measures to provide a base, aggregate understanding of BWC programs and policies across Texas. Seven items relate to the BWC programs and devices themselves. The first variable, *body-worn cameras*, is a binary item that asks whether the agencies have BWCs (1) or not (0). Again, this measure was a filter so that those agencies who do not have BWCs ended their surveys there. Those agencies who do have BWCs comprised the next variable, *BWC count*, and were asked how many BWCs their departments have, and this was broken down into ranges (1-5; 6-10; 11-20; 21-50; 51-100; 101-150; 151-200; 201+). The next set of variables were originally qualitative in nature and comprised of one item, asking “what division(s) or unit(s) are the BWCs used in?” These responses were then coded for themes and then were transformed into numerous binary variables, where 1=BWCs employed in that division type and 0=these agencies did not have BWCs in the different divisions. The most frequently reported division was grouped under *All Divisions*, meaning that these agencies had BWCs throughout all officers within their agency. The remaining divisions are the specific areas agencies indicated they employed BWCs. These division variables include *Patrol*, *School Resource Officer (SRO)*, *Investigations*, *Specialty*, *Supervisor*, *Administration*, *Non-Police Officer (NPO)*, and *Miscellaneous*. It is important to note that these variables are all independent of each other, meaning that some agencies responded multiple divisions, rather than indicating “all.” Additionally, the survey asked the agencies what their thoughts were on the Pros and Cons of their BWC program. As with the Division variable, the Pros and Cons were also qualitative initially and were then coded for themes, and these themes were then

coded as binary variables. The Pros of the BWC programs included *Accountability, Accuracy, Complaint Reduction, Context, Evidence, investigation, Miscellaneous, Protection, Public Relations, Reporting, Training, and Transparency*. The Cons of the BWC programs are *Cost, Effectiveness, Expectations, Maintenance, Miscellaneous, Public Information Act, Policy, No Negatives, Resources, Storage, and Technology*.

The next variable asks the Year agencies Started using BWCs. The *Year Started* variable had possible responses ranging from 2005-2020, as well as an Unknown option. The final variable that asked about the BWCs themselves regards *Complaints*. This item measured whether agencies felt the use of BWCs reduced the number of citizen complaints the department has received (1) or not (0). The next two variables ask about financial aspects of the agencies' BWC programs. *Grant* is a binary variable, which measures whether any of the departments' BWCs were purchased through a grant (1) or not (0). The second financial variable, *Cost*, was a fill-in-the-blank question for agencies to provide the approximate annual cost of their BWC programs. This measure includes "new equipment, repairs, upgrades, cloud storage, training, among other costs." Each response was recoded as a continuous, numeric value. The responses ranged from \$0 annually to \$2.4 million annually. The final variable that doesn't ask about BWC policies directly is *Training*. This binary variable asked whether the departments themselves or an external provider delivered training to their officers on the use of BWCs, where 1=Yes and 0=No.

The final section of the survey asked agencies about their policies. As with the *Divisions, Pros, and Cons* variables above, there are 3 items measuring qualitative responses from agencies, which were then recoded—based on key themes—into dummy

variables. These were *Activation*, *Deactivation*, and *Policy Improvements*. *Activation* and *Deactivation* asked when officers were required to activate and deactivate their BWCs, according to their policies. Many of these responses were copied and pasted from their policies directly, which will be compared in the qualitative content analysis and explained in the qualitative section below. The *Policy Improvements* codes are similar in nature to the Pros and Cons variables in that they are asking the perceptions agencies have on how their BWC policies can be improved. The *Policy Improvement* key themes were *No Changes*, *Happy with Policies*, *Unknown or Other*, *Model Policies*, *Activation or Deactivation*, *Standardization*, *Footage Review*, *Accessing Footage* (both Officers and Public), *Updating Policies*, *Flexible Policies*, *Requiring BWC Wearing*, *Policy Enforcement*, and *Footage Handling*. All the above-mentioned items were entered into SPSS 26 Statistical Software and recoded to prepare it for the quantitative analyses explained below.

Descriptive Statistics

To provide an overarching picture of the responding agencies BWC programs and policies, the first set of analyses for this dissertation are descriptive in nature. This helps set the foundation for the qualitative content analysis and future projects to build upon. The descriptive analyses were ran using the survey responses. For the purposes of this study, the qualitative components of the survey have been coded for key themes and quantified to include into the quantitative portion of this study. It is the intentions of the research team to utilize these survey responses and analyze them with the qualitative coding of the policies to provide outcomes and comparisons between the two modes of data analyses in the future. The included descriptive analyses are mean, standard

deviation, median, range, and percentages. These data and analyses will be used to answer Research Question 1 and will provide the background of Texas BWC programs and policies and offers a means to understand the agencies where the policies were collected.

Project Phase Two: BWC Policies

BWC Policy Collection

The BWC policy collection occurred following the completion of the survey. The last question asked in the survey was to determine whether agencies would be willing to share their BWC policies. If they said “yes” (1), then they were asked to provide contact information for the research team to ask for their policies. The survey collection concluded on November 19th, 2020. The emails were distributed to those agencies who agreed to provide their policies on January 20th, 2021. The initial distribution was sent to the 378 agencies who agreed. On February 9th, 2021, reminder emails were sent to the 260 agencies who had yet to respond to the initial email. A final email distribution occurred on March 10th, 2021, and the email was sent to the remaining 202 agencies. Of those agencies contacted, 223 agencies provided their policies. These policies were uploaded to Atlas.ti Qualitative Coding Software and analyzed according to the deductive coding schemes below.

Policy Sample

Of those 616 agencies with active BWC programs, 378 agreed to provide us contact information to later collect their BWC policies. We were able to break down the 378 agencies who provided their policies into different agency sizes and types, using the contact information and agency data from LEMIT. Please see Tables 2 and 3 for these

breakdowns. Table 2 depicts the agency type breakdowns. One of the more unique components of these data is that we were able to collect information from not only local/municipal agencies, but also ISDs, universities, and special jurisdictions. It is important to note that both Sheriff and State Trooper administration are not required to attend continuing education at LEMIT and thus are not included in this sample.

Table 2 also shows the breakdowns from the potential pool of agency policies and those policies that were collected. As you can see, the similarities between the two groups are very close. The percentages for the different types of agencies are almost identical, providing a representative sample of agencies based on those who responded to the survey. Encompassing 74% of the survey responses, local agencies were almost 76% of the agencies who provided their policies. ISDs were 13.5% of the agencies who provided their contact information in the survey and 12% of those who provided policies. University and special jurisdictions were—respectively—9.8% and 2.4% in the survey responses, but 9% and 3% in the BWC policies collected. Final analyses will determine how representative these are from the entire population of agencies that were originally sampled through their continued education course at LEMIT. It is expected that these agencies who provided policies will be representative of the total population of LEMIT-active agencies.

Table 2*Agency Type Breakdown*

	Survey Responses		Policies Provided	
	N	%	N	%
Municipal	281	74.3	162	74.3
ISD	51	13.5	27	12.4
University	37	9.8	21	9.6
(continued)				
	Survey Responses		Policies Provided	
	N	%	N	%
Special Jurisdiction	9	2.4	6	2.8
Total	378	100	218	100

For agency sizes, again this information was gathered using the information provided to LEMIT by the agencies as they sign up for their continuing education. For the purposes of congruency, the agency sizes were broken down using the Bureau of Justice Statistics (BJS) agency size breakdowns found in their *Local Police Departments, 2016: Personnel Report* (Hyland & Davis, 2019). These sizes are like that breakdown found within those departments who reported to BJS for their local personnel report (Hyland & Davis, 2019), in that most of those agencies who provided their policies fall under 250 sworn officers, where 98.4% of the over 12,000 departments in the report had 249 or fewer sworn officers and 94.5% of the policies provided come from similar agency sizes.

Table 3*Agency Size Breakdown (N=218)*

Agency sizes	Frequency	Percent
0-1	6	2.8
2-4	15	6.9
5-9	30	13.8
10-24	71	32.6
25-49	41	18.8
50-99	23	10.6
100-249	20	9.2
250-499	5	2.3
500-999	2	0.9
1000+	5	2.3
Total	218	100.0

Here the importance lies within these smaller agencies. While they consistently make up most of the departments, these smaller agencies are the least likely to be studied or to have access to resources for their agencies and their policies. Having a sample that covers a variety of agency sizes is beneficial to see if trends depicting less developed policies holds true. These two tables and the categories of policies will be used to answer Research Question 4.

Policy Content Analysis

Content analysis can be commonly found in library and information sciences and can be either quantitative or qualitative (White & Marsh, 2006). However, the unconscious, or symbolic, use of this method has been seen throughout history and the theoretical application shown within several disciplines, including anthropology, social psychology, and more recently, communication studies (Hsieh & Shannon, 2005; Krippendorff, 2004). Utilizing the definition laid out in a textbook by Krippendorff,

content analysis is “a research technique for making replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use” (2004, p. 18).

Using qualitative content analysis allows the researcher to “examine data, printed matter, images, or sounds—texts—in order to understand what they mean to people, what they enable or prevent, and what information conveyed by them does” (Krippendorff, 2004, p. xviii). Taking this explanation into account, utilizing Krippendorff’s (2004) qualitative content analysis within this dissertation will lend insight into not only what BWC policies contain, but also how this information can be perceived through the way these policies are written. Understanding this can aid in furthering research on BWC devices and policies alike and inform agencies of ways their policies depict certain actions and how both officers and the public may interpret them. Noting four common elements, Krippendorff (2004), points out

The proponents of both [quantitative and qualitative content analysis] approaches: [1] sample text, in the sense of selecting what is relevant; [2] unitize text, in the sense of distinguishing words or propositions and using quotes or examples; [3] contextualize what they are reading in light of what they know about the circumstances surrounding the text; and [4] have specific research questions in mind (p. 87).

For the purposes of this dissertation, the qualitative content analysis also followed components from Hsieh and Shannon (2005), and Potter and Levine-Donnerstein (1999). This analysis is intended to capture the meanings and emphasis behind the construction of the messages, like the summative and directed approaches explained by Hsieh and Shannon (2005). In this instance, it is *how* the BWC policies can be interpreted into

action by the officers utilizing BWCs that will lead to the nuances, which will answer research questions 2-4 laid out in this chapter (Hsieh & Shannon, 2005). The coding scheme for this analysis will be accomplished through deductive coding, which will identify the significant themes and patterns throughout the BWC policies using previously validated components and state mandated. The presentation of the coding schemes will be presented through aggregate percentages and counts, along with emphasizing situations or cases. These results will be embedded into the prior literature and the contextual natures surrounding BWC devices, policies, and Texas legislation.

Policy Analysis Procedures

The qualitative coding for the BWC policies was based primarily off appropriate method of qualitative content analysis based on Krippendorff's assessment of the methodology (2004) and two content analysis approaches by Hsieh and Shannon (2005). Deductive and summative coding schemes were used to analyze these policies. This approach gathers both Texas state mandated BWC policy components and previously established BWC policy key themes from the only other qualitative BWC policy analysis (White et al., 2018) to guide the initial codes found throughout the policies. Additionally, a summative approach was used to analyze key words, phrases, or contents to determine the interpretation of the underlying intent. These three areas of qualitative coding address the remaining 3 research questions and were analyzed using Atlas.ti statistical software.

With the use of deductive and previously established coding schemes, both the validity and reliability of this project should be addressed. The validity for the project was satisfied using a consistent coding scheme (see Appendix C) from the BWC TTA PIP scorecard (White et al., 2018) and establishing an approved scorecard through

multiple iterations within a research team and referencing prior literature (Potter & Levine-Donnerstein, 1999). This scheme was used to ensure that all coded material were consistent with the operationalization of the deductive codes and utilized continually throughout the data (Potter & Levine-Donnerstein, 1999). The reliability checks used constant comparison to ameliorate any potential coder errors (Glaser, 1965). Constant comparison means that throughout the coding process, newly coded material was cross-checked with previously coded policies to ensure consistent conceptualization within the entire dataset (Glaser, 1965). Those that were found to be inconsistent were compared with prior literature and the mandated materials to determine appropriate coding methods, then corrected in any areas where inconsistencies occurred.

Content Analysis Codes

Texas Mandates. As with many other states, there are several state statutes and mandates that are required of police agencies to operate a BWC program. These mandates are oftentimes required to be included within their BWC policies. This section codes when the policies include these required mandates. These mandates are *Senate Bill 158*, *Texas Occupations Code 1701.655*, and *The Texas Public Information Act*. Each of these codes are included to capture an answer for Research Question 2. In coding for these mandates, this project can determine not only if these policies are following state regulations, but also how these mandates are included. How closely are these policies following the legislation, and how are these components phrased?

While a majority of BWC policies are tailored to fit the needs of individual agencies and the communities they serve, the state of Texas includes several codes and statutes depicting information required to be in the BWC policies for those agencies with

a BWC program. Of note, *Senate Bill 158*, *Texas Occupations Code 1701.655*, and the *Texas Public Information Act* are three state mandates which outline required content that must be included in Texas law enforcement agencies' BWC policies. This section will cover each of these statutes to provide base information, as well as to provide some context behind coding and analyses decisions made at later stages of this dissertation.

Senate Bill 158, passed in the 84th Texas legislative session and went into effect on September 1st, 2015, provided stipulations for agencies with operating BWC programs. Once this bill passed, agencies had one year—or until September 1st, 2016—to adopt a formal BWC policy. Each policy must include guidelines for officers on when and why an officer chooses to activate—or not activate—their BWCs. This means that officers are required to document activations and deactivations of their BWCs and provide reasoning for their actions.

Senate Bill 158 also allotted \$10 million in grant money to provide agencies with BWCs for their officers if they met the requirements of (1) “are engaged in traffic or highway patrol or otherwise regularly stop or detain motor vehicles or (2) respond to call for assistance from the public” (TX SB158, 2015). This grant provided the funds for devices given the agencies agreed to match 25% of the funds given to the agency, adopt a policy, and implement a training program on those BWCs (TX SB158, 2015).

Additionally, *Senate Bill 158* set a requirement that the Attorney General determine a proposed fee for the public to pay to receive copies of BWC footage. The bill did not, however, include a retention schedule to be required within agency policies. To correct this, the Texas State Library and Archives Commission proposed rules which included a retention schedule for all BWC footage. This retention schedule must include the

retention of all BWC footage for a minimum of 90 days (about 3 months). The Texas State Library and Archives Commission (2015) stated that:

If the video and audio recording from an officer-worn camera captures the use of deadly force by an officer, is related to an administrative or criminal investigation of an officer, or captures a violation by any person, then cities should follow retention periods for internal affairs investigation records or offense investigation records, as appropriate, but not less than 90 days.

Texas Occupations Code 1701.655 The *Texas Occupations Code 1701* pertains to all law enforcement agencies. Under the *subchapter N*, the Occupations Code includes all the information pertaining to state mandates of BWCs and their policies. Within this subchapter, *section 1701.655* includes all the information required or not permitted of BWC policies. Under this section, any agency that receives a grant or otherwise operates a BWC program must have an active BWC policy. Also, under this section those BWC policies must include guidelines for when officers are to activate or deactivate their cameras, with the idea of privacy and sensitive populations and locations in mind. In terms of data retention, this section requires that all footage, regardless of contents, are to be retained for a minimum of 90 days. BWC policies are also required to include guidelines for public access through the *Public Information Act*—explained below—and storage of video and audio, with the creation of backups for the stored footage and maintenance of data security included in the policy as well. The BWC policies are also required to include the handling and documentation of equipment and malfunctions of all BWC equipment. BWC policies must also include provisions allowing officer to review

their own footage or any footage involving the officer prior to officers making statements about the footage, as well as guidelines for supervisory or internal review of BWC footage. Additionally, *section 1701.655* requires that any policy adopted under the section follow the Federal Rules of Evidence and the Texas Rules of Evidence. Finally, the policy cannot require an officer to have their BWCs activated throughout the entire shift and stipulate that BWCs are to only be operational for law enforcement purposes.

Public Information Act Within the larger *Texas Occupations Code 1701*, and the subchapter pertaining to BWCs explained above, there are portions of the *subchapter N* that provide procedures for public information requests of BWC recordings (Public Information Handbook, 2020). While public information requests are broader in nature, when requesting BWC footage, the person(s) requesting “must provide (1) the date and approximate time of the recording; (2) the specific location where the recording occurred; and (3) the name of one or more persons known to be a subject of the recording.” (*Public Information Handbook*, 2020, p. 106). In terms of exemptions, any footage that pertains to the use of deadly force by an officer or a currently ongoing criminal investigation are confidential and may not be released until all investigations are complete or unless agencies feel the release of the footage will aid in the investigation.

Deductive Coding. The deductive approach includes a more quantitative nature, however still seen through many qualitative content analyses with the purpose of replication in minds (Burns & Grove, 2005; Elo & Kyngäs, 2008), by including previously established theories, themes, or concepts and determine which are found throughout the current sample. While this study is not seeking to directly replicate previous studies, there has been one other qualitative BWC policy analysis (White et al.,

2018) and from that, established BWC policy themes have been pulled to set a base knowledge going into such a broad sample. These validated concepts derive from the BWC Technical and Training Assistance (TTA) Policy and Implementation Program (PIP) scorecard (White et al., 2018). This scorecard was created by a team of researchers who worked with agencies to determine key themes prevalent within a sample of BWC policies (White et al., 2018). These key themes became the sections for which the scorecard questions were broken down into. For the current project, not all themes and resulting codes were retained, as they were not able to be gathered by examining the BWC policies alone and would require additional interviews with the agencies. Those sections that remained and were then used to qualitatively code the current sample of BWC policies included BWC Training, BWC Viewing, Data Storage and Retention, Data Transfer/Download, General Issues, Policy and Program Evaluation, Public Release, Video Capture: Activation, and Video Capture: Deactivation (White et al., 2018). Each of these sections included anywhere from 1-9 items under each.

The first section to be covered from the BWC TTA scorecard is *BWC Training*. Under this section, only two questions were included in the scorecard itself. The scorecard originally asked whether the policy specified a mandatory training requirement for officers to receive their BWCs and if there was a voluntary training offered, and if so, what kind. The research team added in 5 additional codes to have a better picture of the training aspects in BWC policies. These codes measured whether the policies included the training length, the kind of mandatory training, which officers receive the training, and whether there are any options or requirements for continuing training.

BWC viewing is the next section pulled from the scorecard and used in the current analysis. There are 12 codes from the original scorecard, and all were retained. These codes measure which individuals or positions can view any BWC footage and what processes are involved in the viewing. These individuals included agency, criminal justice, and public members. The agency members are the officers themselves, other officers, supervisors, training personnel, and Internal Affairs. The criminal justice members include other criminal justice actors, including prosecutors, defense attorneys, court officials, among others. The public members include the public release of BWC footage itself, the prohibitions to the public viewing footage, individuals involved in use of force incidents, victims or the families of victims, and media personnel viewing the footage. Finally, the processes coded in the BWC Viewing section include the process for coordinate with those downstream criminal justice actors and the process for BWC footage audits to use as performance reviews and policy compliance.

The next two sections retained from the scorecard include *BWC data storage and retention* and *transfer/download*. The *storage and retention* section has two codes. One measures what the policy says about retention periods by category and the other asks about a proper process and location for video storage. The *data transfer/download* section includes 8 codes. These codes ask about chain of custody concerns, who is responsible for data transfer and download, what the process and requirements are for data download, and the process for tagging BWC footage. This section also includes codes regarding the policies' inclusions of different incident categories or tags, what the policy says about prohibitions for tampering, copying, or deleting BWC data. The research team added codes capturing what the policies stated surrounding processes for

equipment malfunctions and if there are any failures in downloading the data when officers are required to.

The *General Issues* section from the BWC TTA scorecard asks about overall BWC policy points. The main question in this section is whether the policy specifies who within the agency is assigned or permitted to wear BWCs. Additionally, this section codes what the policies include about whether individuals required to wear BWCs can use privately-owned BWCs or not. This section then codes whether the policy includes information on required and voluntary BWC wearing. Finally, *General Issues* codes what is included in the policy on the specific body/uniform location for the BWC. The section *Policy and Program Evaluation* only includes one code. This code includes whatever the policy says about the process for continuing reviews on the BWC program, along with policy continued review.

Next on the list of code sections included from the BWC TTA Scorecard is *Public Release*. These codes include information on the release of BWC footage to the public. One of the main codes captures whether the policy demonstrates the understanding of the state's public disclosure laws. This code coincides with another—found in the *Texas State Mandates* section—which will be explained in the research team-created code sections. Two of the codes pertain to whether any process for BWC footage being redacted prior to release and whether certain BWC footage is exempt from being released to the public for any reason. Another code seeks to measure who is authorized in the policy to approve the release of BWC footage. Additionally, the *public records* code specifies any process the policy has on receiving and processing public release records requests for BWC footage. Finally, there's a code that indicates whether the policy is

publicly available or not. This code is one of the few that is not included within the policy itself and is determined through an internet search for the policy documents.

The next two code sections are on BWC device activation and deactivation. The *Video Capture: Activation* section includes all information the policies may have pertaining to officers activating their BWCs. The first sections code what policies include about when officers are required to activate their cameras and if there are any instances where officers have discretion to activate their BWCs and when they can use discretion if they're allowed. Of notice for this dissertation—and seeks to be a portion of the codes answering the third research question—is codes on whether policies specify circumstances or conditions when officers can choose not to activate and if they policy addresses when an officer fails to activate their BWCs when they are required to. If the policy addresses that, then does the policy also make note of the consequences for those officers who violate the policy requirements for required activation. Additionally, we included a code on whether the policy specifies circumstances and conditions when officers can choose to not activate their BWCs. The last two codes in this section capture the policy guidance on notifying citizens that there is a BWC present, and that the device is recording. The *Video Capture: Deactivation* section holds less codes than the activation, but the information included is pertinent to both the third research question for this dissertation and the research team. The two codes included from the established scorecard measure whether the policy provides guidance on when and how officers are to deactivate their BWCs and what the requirement is for discretionary deactivation or non-activation of the BWC. The importance behind this section are the two questions included from the research team. One of the main reasons this project was initiated is to discover

how BWC agencies address the state violations of when an officer is required to provide reasoning for deactivating their BWCs prior to the appropriate time. As with the activation section, the deactivation section also codes if the policy includes consequences for violating the policy deactivation requirements.

The research team will also include their own items, under the pre-existing themes, prior experience of LEMIT staff and practitioners, and using the survey and prior literature to fill in any potential gaps. The additional themes to include Bureau of Justice Statistics (BJS) Agency Sizes, Links to other Agency Policies within BWC Policies, Policy Page Lengths, Policy Violations and Consequences, Year Policy Established, and Year the Policy was Last Reviewed.

Some of these codes are not gathered from the policy itself, such as the BJS-sorted agency sizes. This code was gathered from the list of police agencies sampled for the survey. When these agencies—namely their chiefs—register for their continuing education, they fill in information for themselves and their departments. Agency size is one of these information points. Using these data, each policy is coded for the agency's size through the *Bureau of Justice Statistics (BJS)*'s agency size categories. The categories are as follows: 0-1; 2-4; 5-9; 10-24; 25-49; 50-99; 100-249; 250-499; 500-999; and 1000+. The rest of the research team codes are gathered from the policies themselves. The other numerical codes include policy page lengths and policy time frames. The policy page lengths were selected to compare larger policies to those with less page lengths on their comprehensiveness. The time frame codes are when the BWC policy was established and when the policy was last reviewed. These will aid in helping compare policies based on their agency sizes, page lengths, and the time frame of their policies

and programs. Another point of interest for the research team was the connectivity of the BWC policies to other policies throughout the agency. For this, any point there was another agency policy mentioned in the BWC policy, then it was coded. This shows the point that not only are there numerous policies for different instances, but these policies show how interconnected they are.

The deductive qualitative coding outside the Texas state mandates will be analyzed to answer research questions 3 and 4. Research question 3 seeks to understand the BWC policies outside just the minimum required through state legislation. What else is included in these policies? Are these policies more discretionary and only include the required minimum, or are they more restrictive in nature by included additional components for officers to follow for their BWC usage? Finally, research question 4 will be answered using the different BJS agency sizes and the agency types found using the agency names. The BWC policies will be grouped based on differing agency type and size categories to determine how similar or different they are in their policy contents. It is expected that these different categories will have different policies, as smaller, more rural or specialty agencies are likely to have different BWC usage than large, metropolitan agencies (Gaub et al., 2020a).

Chapter Summary

This chapter provided a breakdown of the methodology for the current study. The chapter began with an overview of the current study and the three research questions, which indicate the goals of the current study are to determine the contents of BWC policies and to investigate the accountability and comprehensiveness within the policies. The remainder of the chapter explained the proposed methodologies. The quantitative

data derive from a survey delivered to a sample of police chiefs throughout the state of Texas regarding their BWC programs and policies. This information will be analyzed using descriptive analyses to obtain an aggregate view of BWC numbers, BWC utilization by officers, disciplinary actions, and overview information on BWC policies themselves. The qualitative data are BWC policies gathered from a sample of those agencies who responded to the survey. The BWC policies will be analyzed using qualitative content analysis, through Krippendorff's (2004) methodology and Hsieh and Shannon's (2005) content analysis approaches.

CHAPTER IV

Results – Qualtrics Survey

Introduction

This chapter is dedicated to answering the first research question of the current study. Research question 1 asks what is the current state of BWC programs and policies across the state of Texas regarding the areas of utilization, costs, accountability, and policy components? In answering this question, the results will be presented in sections covering the various areas police agencies were asked about in the BWC survey administered. The breakdown of the sections will begin with the details of the data analyses. Next, the overarching results surrounding the descriptive statistics of the topic areas within the research question will be covered. Finally, the chapter will conclude with a brief discussion of how these results aid in the progression of answering the remaining research questions in this study.

Sample and Data Analysis

The sample for this study consists of the responses from the Qualtrics survey administered to 1,191 police agencies across Texas. These agencies included municipal, ISD, university, and special jurisdiction agencies who are a part of the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) training programs. Sheriffs, constables, and state agencies did not receive the survey. Of those administered, the final sample size for answering research question 1 consisted of 740 agencies. This resulted in a response rate of 62%. To answer this research question, the study utilized descriptive statistics. This method of analysis was selected for a couple different reasons. The current study is explorative in nature, thus the information gathered from the survey and resulting

analyses have yet to be documented. Thus, examining these preliminary data will provide us a contextual picture of the information known about BWC programs and policies, which then sets up the remaining portions of this study. For all the variables analyzed, frequencies and percentages are provided. Where feasible and necessary, the mean, standard deviation, range, and median are reported to give a deeper understanding to the questions asked of these agencies.

Utilization

To begin, the survey first asked agencies whether their department had a BWC program. There were 616 agencies who indicated they had an active BWC program (Table 4). This is around 83% of the responding agencies. In comparison, the national average of agencies with active BWC programs as of 2016 (Hyland & Davis, 2019) was 47%. This places Texas in a much larger percentile with BWC programs than the nation. From this response, those agencies who did not have active BWC programs were removed from the sample for the remaining results.

Table 4

Does your Agency have BWCs? (N=740)

	Frequency	Percent
Yes	616	83.2
No	108	14.6
Missing	16	2.2
Total	740	100.0

The next set of descriptive statistics covers the portion of the survey asking about the BWC programs themselves. Of those agencies who have BWC programs, a majority (516 agencies or 83.8%) have 50 or fewer BWC devices in their program. These numbers can be found in Table 5, along with the breakdowns for each BWC count range and their

coordinating percentages. It is important to note that the number of BWCs used within departments is likely to be associated with agency size, such as the number of police officers employed in the department.¹

Table 5

How many BWCs does your Department have? (N=616)

	Frequency	Percent
BWC Count	610	99.0
1-5	135	21.9
6-10	134	21.8
11-20	123	20.0
21-50	124	20.1
51-100	50	8.1
101-150	15	2.4
151-200	15	2.4
201+	14	2.3
Missing	6	1.0
Total	616	100.0

In addition to asking agencies how many BWCs they deployed, the survey also inquired about the percentage of officers that wear BWCs. Just over 92% of agencies (568) stated that 76-100% of officers wear BWCs (Table 6). Taken together, the BWC count, the number of officers within agencies, and the percentage of officers that wear BWCs within agencies, there are similarities that may point to those agencies who have BWC programs, likely have devices deployed throughout their department.

¹ Issues related to agency size and BWC policies are presented in Chapter 6. For now, it is important to note that the middle range of BWC counts (11-20 BWCs) was like the average size of responding agencies. This suggests that the number of BWCs in an agency is tied to the number of personnel in that agency.

Table 6*Approximately what Percentage of Patrol Officers Wear BWCs? (N=616)*

	Frequency	Percent
Percent	596	96.8
1-25	8	1.3
26-50	6	1.0
51-75	14	2.3
76-100	568	92.2
Missing	20	3.2
Total	616	100.0

The survey also asked agencies about the timelines for their BWC programs and policies (Table 7). First, the agencies were asked what year their BWC program was started or implemented. Of those who responded, 80.8% of BWC programs started between the years 2011-2020. It is also important to note that the mode of this variable was 2015, indicating that even though there were more agencies implementing programs between 2016 and 2020, most agencies started their programs in 2015. The second timeline question asked agencies when their BWC policy was most recently reviewed. Most agencies (86.2%) indicated that they reviewed their programs last between 2016 and 2020, with most agencies reviewing them in 2020 alone. Both findings will be reintroduced in the next chapter and will be discussed along with several state-mandated requirements for BWC policies in greater detail.

Table 7*BWC Program and Policy Timelines (N=616)*

	Frequency	Percent	Mode
Year Started			2015
2005-2010	56	9.1	
2016-2020	259	42.0	
Unknown	62	10.1	
(continued)			
	Frequency	Percent	Mode
2011-2015	239	38.8	
Year Policy Most Recently Reviewed			2020
2011-2015	21	3.4	
2016-2020	531	86.2	
Unknown	64	10.4	

Additionally, the current study sought to understand where BWCs were being used throughout departments. To accomplish this, the survey asked agencies what division(s) or unit(s) BWCs were used in. The survey response offered agencies 5 fill-in-the-blank responses in the event they have more than one division or unit they deploy BWCs to. To fully capture BWC usage, we retained all responses from agencies. These responses were coded into dichotomous variables to include all possible divisions/units reported by agencies. Therefore, the frequencies presented in Table 8 are not mutually exclusive, indicating that agencies were allowed to fall under multiple divisions/units if their responses reflected more than one division/unit where BWCs were used. Of the responding agencies, the main themes covered a blanket response of all officers and 8 other themes or divisions where BWCs were used. While there were almost 9% of agencies who responded that all their officers used BWCs, the highest response was for patrol officers, where 59% of agencies stated their patrol units used BWCs. The category

of officers who used BWCs the least was administration, with just 11 agencies (1.5%) reporting this division for BWC usage.

Table 8

What Division(s) or Unit(s) are BWCs used in? (N=616)

	Frequency	Percent
All Officers	66	8.9
Patrol	437	59.1
(continued)		
	Frequency	Percent
Investigations	197	26.6
SROs	61	8.2
Miscellaneous	48	6.5
Specialty Units	41	5.5
Supervisory Officers	22	3.0
Non-Police Officers	13	1.8
Administration	11	1.5

The next set of questions covered the costs and funding associated with BWC programs (Table 9). First, the survey asked whether agencies received grant funding to adopt BWC programs or not. There were 130 agencies (21%) who received grant funding. The survey also wanted to determine the approximate annual cost for the agencies' BWC programs. This was an open-ended response where agencies were asked to give a dollar amount for their annual program costs. The responses ranged from \$0 to \$2.4 million annually for the 76% of agencies who responded. The \$0 annual cost could be due to agencies not counting the initial costs to start the program or could have received grant or federal funding to start a BWC program, thus their current annual costs would be \$0. The mean annual cost was \$48,711.73 with a standard deviation of \$205,116.85. Because there are some agencies who have a much larger annual cost, the

standard deviation and range reflect the possibility of a couple agencies who may be outliers.

Table 9

Costs (N=616)

	Frequency	Percent	Mean	S.D.	Range
Grant					
<i>Yes</i>	130	21.1			
<i>No</i>	434	70.5			
<i>Missing</i>	52	8.4			
Annual Cost	470	76.3	48,711.7	205,116.9	0-2,400,000

The final point on the utilization of BWCs and characteristics of their programs examined the agencies' perceptions of the advantages and disadvantages of the BWC programs (Table 10). The survey asked agencies how they would describe the pros and cons of a body-worn camera program. As with the divisions, these results are not mutually exclusive and were coded into main themes from open-ended responses. The pros—or advantages—consisted of 11 main themes. The advantages mentioned the most by agencies included protection (N=138), complaint reduction (N=137), and evidence (N=125). The protection theme included both protections for officers and civilians. Agencies also felt that BWC programs were beneficial in reducing the number of complaints they received (Table 15). Evidence as a theme referred to agencies who viewed using BWC footage for evidence in the prosecution of cases as being an advantage of the BWC program.

Table 10*Pros and Cons of BWC Programs (N=616)*

	Frequency	Percent
Pros		
<i>Protection</i>	138	18.6
<i>Complaint Reduction</i>	137	18.5
<i>Evidence</i>	125	16.9
<i>Unknown or Other</i>	83	11.2
<i>Documentation</i>	80	10.8
<i>Transparency</i>	74	10.0
<i>Accountability</i>	71	9.6
<i>Training</i>	58	7.8
<i>Objectivity and Accuracy</i>	43	5.8
<i>Public Relations</i>	40	5.4
<i>Context</i>	34	4.6
Cons		
<i>Cost</i>	192	25.9
<i>No Negatives</i>	91	12.3
<i>Effectiveness</i>	70	9.5
<i>Storage</i>	69	9.3
<i>Maintenance</i>	54	7.3
<i>Policy</i>	45	6.1
<i>Expectations</i>	41	5.5
<i>Unknown or Other</i>	40	5.4
<i>Technology</i>	37	5.0
<i>Resources</i>	29	3.9
<i>Public Information Act</i>	19	2.6

Similarly, we coded the agencies' perceptions of the disadvantages of the BWC program (Table 9). There were 11 emerging themes for disadvantages. Cost-related issues to be the most reported from 192 agencies. While these were found to be separate themes throughout the responses, cost, storage, maintenance, and resources all relate to similar issues on the sustainability of the BWC programs. They were not compiled together because they individually covered different topics and were potentially mentioned more than once by the same agency. Following this, the results showed that

12.3% of agencies reported no negatives for this question. In other words, 91 agencies felt that there were no disadvantages to their BWC program and were happy with it. Both policy issues and expectations were next in the themes found for negatives of BWC programs. The policy issues covered where agencies mentioned things listed in their policies, such as activation/deactivation, privacy, unjustified uses of force, and others. These were seen as negative, as agencies may have wanted to see either additional or less coverage of these points within their policies. Expectations were when agencies felt that departments, courtroom personnel, or public expectations of how BWCs were used—or how they should be used—were negatives for the BWC programs. Finally, the open records requests through the *Public Information Act* were seen as a negative for only 19 agencies. These agencies felt that the coverage or the *Public Information Act* or openness to BWC footage were negatives for the BWC programs.

Policy Information

The remainder of the survey covered questions surrounding agencies' BWC policies. First, the agencies were asked whether their department or an external training provider delivered training to officers on the use of BWCs (Table 11). This was included in the policy results, as this is a required component of Texas Occupational Code 1701, under the subsection covering BWCs. Out of the 616 agencies with active programs, there were 84% (519) of agencies who had some form of training on BWCs, and there were 8.1% of agencies that did not deliver internal or external training.

Table 11*Training (N=616)*

	Frequency	Percent	Mean	S.D.
Training			0.9	0.3
<i>Yes</i>	519	84.3		
<i>No</i>	50	8.1		
<i>Missing</i>	47	7.6		

The next portion of results surrounds the answers to when agencies' BWC policies require their officers to activate and deactivate their BWCs. Like the coding of division themes above, these responses were originally open-ended. Each response was coded for overall themes and then categorized into several dichotomous variables. As with the division coding, the agencies can have multiple required activation and deactivation themes. Additionally, it is important to note that these are the responses of the agencies and not collected directly from the agency policies. As such, some may follow the policy word-for-word, whereas others may be worded through the respondent. For activation (Table 12), there were 20 different themes from the responses. Contact was the most coded theme at 37.8% throughout 280 agencies, with arrival following at 16.9% (125 agencies). Generally, these two themes covered anytime the agency requires officers to activate their BWCs once they arrive on the scene or to their call for service and at initial contact with an individual or just prior to initial contact. Calls for service was the next highest, with 10.5% of agencies stating their policies require officers to activate their BWCs at the start of the call for service.

Table 12*Policy-Required Activation (N=616)*

	Frequency	Percent
Contact	280	37.8
Arrival	125	16.9
Calls for Service	78	10.5
Traffic Stops	44	5.9
Unknown or Other	34	4.6
“Enroute” or Responding	29	3.9
Exiting Vehicle	28	3.8
Interviews/Investigations	22	3.0
Officer Discretion	20	2.7
All Enforcement Actions	18	2.4
Dispatch	18	2.4
Automated	18	2.4
Arrest/Detention	11	1.5
Searches	11	1.5
Changed Dynamics	8	1.1
Policy Requirements	7	0.9
Pursuits	6	0.8
ASAP	4	0.5
Transports	4	0.5
Use of Force	2	0.3

Deactivation, found in Table 13, somewhat followed suit with the activation

themes, but only 14 themes emerged throughout. The three most coded themes for deactivation were completed calls for service, completed contact, and officers leaving the scene. Completed calls for service were the highest with 279 agencies (37.7%) stating that an officer is required to deactivate their BWC once the original call for service had concluded. The next highest, completed contact, was mentioned by 157 agencies (21.2%), meaning that once officers finished their contacts with individuals, they were required to deactivate their BWCs. Finally, officers were required to deactivate their cameras when they leave the scene in 59 agencies (8%).

Table 13*Policy-Required Deactivation (N=616)*

	Frequency	Percent
Completed Call for Service	279	37.7
Completed Contact	157	21.2
Officer Leaves the Scene	59	8.0
Unknown or Other	38	5.1
No More Law Enforcement Action Necessary	36	4.9
Privacy	23	3.1
Back in Vehicle	18	2.4
End of Transport	12	1.6
Officer/Supervisor Conversation	12	1.6
End of Traffic Stop	9	1.2
Supervisor Approval	9	1.2
Officer Discretion	9	1.2
No Requirements	6	0.8
Arrests Made	6	0.8

Accountability

The next section of the survey surrounding policy components covered different areas of accountability. There were two questions that focused on how the policies covered policy violations (Table 14). First, agencies were asked whether an officer in their department had ever been sanctioned for violating any of your department's body-worn camera policy in the years 2019 or 2020. Most agencies (70.3%) reported that there were no officers sanctioned within that period. Additionally, agencies were asked if any officers had been disciplined for violating the department's BWC policy on activation and deactivation in 2020. Similarly, there were more agencies (453) who reported no officers disciplined than those agencies who did have officers disciplined (112).

Table 14*Discipline/Sanctions (N=616)*

	Frequency	Percent	Mean	S.D.
Officer Sanctioned for Policy Violations	566	91.9	0.2	0.4
<i>Yes</i>	133	21.6		
<i>No</i>	433	70.3		
<i>Missing</i>	50	8.1		
Officer Disciplined for Policy Violation	565	91.7	0.2	0.4
<i>Yes</i>	112	18.2		
<i>No</i>	453	73.5		
<i>Missing</i>	51	8.3		

Finally, accountability-related questions rounded out with looking at complaints.

Agencies were asked whether the use of BWCs reduced the number of complaints their department had received (Table 15). As we saw earlier in Table 5, most agencies (381 or 61.9%) found that using BWCs reduced the number of citizen complaints they received.

Table 15*Complaints (N=616)*

	Frequency	Percent	Mean	S.D.
Reduced Citizen Complaints			0.7	0.5
<i>Yes</i>	381	61.9		
<i>No</i>	175	28.4		
<i>Missing</i>	60	9.7		

Improvements

The final section of the quantitative results focused on policy improvements. Agencies were asked how they felt their BWC policies could be improved. Table 16 provides the results for this question. As with other components of this chapter, the responses to this question were open-ended and then recoded for overarching themes. The main findings were that agencies felt there was no improvements needed, that they

were happy with their policy, or unknown. Outside of these themes, there were 10 themes that resulted in ways agencies felt their own policies could be improved. Some of the most pertinent included agencies wanting model policies (31), increased emphasis placed on when officers should activate and deactivate their cameras (30), and standardization of BWCs throughout the state (25). These results help to provide the context and emphasis placed on these topics when analyzing the BWC policies in chapters 5 and 6.

Table 16

Ways their Agency Policies can be Improved (N=616)

	Frequency	Percent
None Needed	83	11.2
Happy with Policy as is	59	8.0
No Improvements	42	5.7
Unknown or Other	38	5.1
Model Policies	31	4.2
Activation/Deactivation	30	4.1
Standardization	25	3.4
Footage Review	24	3.2
Access (both officer and public)	18	2.4
Updating Policies	18	2.4
Flexibility	17	2.3
Mandatory BWC Wearing	15	2.0
Policy Enforcement	7	0.9
Footage Handling	4	0.5

Conclusion

The purpose of this chapter was to answer research question 1 on the current state of BWC programs and policies within the state of Texas. In answering this question, the current study used components derived from the Qualtrics survey administered to police agencies throughout Texas. The general findings depicting the current state of BWC programs and policies are that 83% of responding agencies have a BWC program, with a majority having 50 or fewer BWCs throughout their department and 76-100% of their

officers using BWCs regularly. Additionally, patrol units were the most common to have BWCs. Most responding agencies started their BWCs between 2016 and 2020, with most agencies reviewing their policies last within that same timeframe. Officers were required to activate their cameras the most when initiating contact with individuals, arriving on scene, or starting their calls for service. Similarly, deactivation was required most when the contact had concluded, the call for service ended, and when officers left the scene. Most agencies reported not having officers sanctioned or disciplined for policy violations within the years 2019 and 2020. Agencies overall did report that the use of BWCs were beneficial in reducing complaints, providing protections for officers and citizens, and increasing evidence for cases. The responding agencies largely reported cost-related issues as disadvantages to BWC programs. Finally, agencies felt their own policies could be improved through standardization and better coverage of activation and deactivation requirements. These results provided contextual importance for the results in the following two chapters, which center around the components found within BWC policies.

CHAPTER V

Results – Policy Content Analysis

Purpose/Overview of the Chapter

The second chapter of results centers around the second and third research questions. This also begins the qualitative portion of analyses. The qualitative content analysis was conducted using a portion of policies collected from agencies who responded to the survey. While there were 616 active programs, according to the first component of the Qualtrics survey (covered in Chapter Four), only 378 responded to the final question in the survey, agreeing to provide us their contact information to gather their departments' BWC policies. After contacting those agencies who provided us their contact information to collect their BWC policies, there were 223 agencies who sent their policies confidentially. When coding the policies, there were 5 documents that did not contain any information on BWCs or was unreadable, given the delivered medium. As such, the final sample of policies was 218 documents.

The purpose of this chapter will be to answer what Texas agency BWC policies contain regarding the required Texas state mandates and how they are included. Additionally, this chapter will cover the findings surrounding the additional components outside the state mandates in terms of the topic areas covered in prior BWC policy analyses (White et al., 2019). The work of White and colleagues (2019) drives the topic areas, as these were found to be the most consistent findings within BWC policies across the U.S. and within the sample of policies in the current study. These topic areas are also the areas agencies tended to be the most concerned with from our results in the survey. The final portion of this chapter will explain the findings from the components added by

the research team. This deductive, literature-driven analysis provides answers to research questions 2 and 3 and gives exploratory results into the inner workings of BWC policies for one of the largest states in the country.

State-Mandated Policy Contents

Research question 2 asked how Texas police agencies include state mandated policy components in their BWC policies. In answering this question, it is important to recall the components of each mandate and how they were coded throughout the mandated policies. The first mandate, *Senate Bill 158*, covers four guidelines on required BWC usage and policy components. *Senate Bill 158* went into effect September 1st, 2015, and it allotted 1 year for agencies to comply with the changes that the bill required. The agencies with active BWC programs, under this mandate, were required to have a policy for the program. Within their policies, agencies must include requirements for activation and deactivation, with stipulations on officers' reasons for activating and deactivating their cameras, notably written or verbal documentations. Additionally, agencies were to include required training on the BWC devices for officers prior to their use of the device. Finally, agencies must include within their policy the minimum retention period for all BWC footage of 90 days. This mandate was coded if all components were included within the policy in some fashion.

The next mandate, *Texas Occupations Code 1701.655*, covers a variety of requirements surrounding BWC usage and required policy components. While the other two components are included in this subsection of the code, they were separated because they were added into the *Code* as the legislation changed requirements. Within this mandate, Texas agencies with an active operate a BWC program must have an active

BWC policy. Also under this section, those BWC policies must include guidelines for when officers are to activate or deactivate their cameras, with the idea of privacy and sensitive populations and locations in mind. In terms of data retention, this section requires that all footage, regardless of contents, is to be retained for a minimum of 90 days. BWC policies are also required to include guidelines for public access through the *Public Information Act*—explained below—and storage of video and audio, with the creation of backups for the stored footage and maintenance of data security included in the policy as well. The BWC policies are also required to include the handling and documentation of equipment and malfunctions of all BWC equipment. BWC policies must also include provisions allowing officers to review their own footage or any footage involving the officer prior to officers making statements about the footage, as well as guidelines for supervisory or internal review of BWC footage. Additionally, section 1701.655 requires that any policy adopted under the section follow the *Federal Rules of Evidence* and the *Texas Rules of Evidence*². Finally, the policy cannot require an officer to have their BWC activated throughout the entire shift and stipulate that BWCs are to only be operational for law enforcement purposes.

Within the larger *Texas Occupations Code 1701*, and the subchapter pertaining to BWCs explained above, there are portions of the *subchapter N* that provide procedures for public information requests of BWC recordings (*Public Information Handbook*, 2020). The *Texas Public Information Act* is required to be included in the BWC policy in some capacity. While public information requests are broader in nature, when requesting

² *The Federal Rules of Evidence* and the *Texas Rules of Evidence* are rules that govern the introduction of evidence at trials. The federal rules govern federal courts, whereas the Texas rules are specific to courts and trials held within Texas and are subject to state evidence legislation.

BWC footage, the person(s) requesting “must provide (1) the date and approximate time of the recording; (2) the specific location where the recording occurred; and (3) the name of one or more persons known to be a subject of the recording.” (*Public Information Handbook*, 2020, p. 106). In terms of exemptions, any footage that pertains to the use of deadly force by an officer or a currently ongoing criminal investigation is confidential and may not be released until all investigations are complete or unless agencies feel the release of the footage will aid in the investigation.

Each of these mandates were coded if the policy included all the required components of the mandate. The individual components of the mandates were coded separately to examine whether there were components that policies were missing. Below the results show the policy document break down of each mandate, along with the representation of those policies that included all the required mandates, as well as the policies that did not include any of the mandates. Within each section of the results for research question 2, there will be contextual information from the policies to include how these policies either complied or failed to comply with the Texas state mandates surrounding BWC policies.

Texas Mandate Results

As shown in Table 17, there were policies that had the required mandates and those that did not. For each mandate, most policies within the sample contained the mandates. There were 173 (79%) policies complying with *Senate Bill 158*, 131 (60%) policies complying with Texas Occupations Code 1701.655, and 157 (72%) policies complying with The Texas Public Information Act. However, when looking at the totality

of required policy mandates, there were only 106 (49%) policies complying with all 3 mandates. Additionally, there were 17 (8%) failing to comply with any of the mandates.

Table 17

Overall Mandate Results (N=218)

	Frequency	Percent
Senate Bill 158		
Yes	173	79.4
No	45	20.6
Occupations Code 1701.655		
Yes	131	60.1
No	87	39.9
Public Information Act		
Yes	157	72.0
No	61	28.0
All Mandates	106	48.6
No Mandates	17	7.8

Senate Bill 158. This section goes into more detail about how agencies include or fail to include mandates relevant to *Senate Bill 158*. There were 173 agencies that included all the required components of *Senate Bill 158*. Among those, there were ranges from the minimum inclusion of *Senate Bill 158*, like that of policy #143 stating, “adhering to Guidelines set forth from *Senate Bill 158*.” Others were in the middle of the inclusion styles, with coverage of the minimum retention and training requirements. These policies cover *Senate Bill 158* like that of policies #24, #32, #99, and others stating that “All data, images, video and metadata captured by body-worn cameras are subject to state statutes and City policies regarding retention of records,” and “Prior to using a body-worn camera, officers shall receive Department- approved training on its proper operation and care and the Department’s policy with respect to the use of the body-worn camera.” Finally, there were agencies that included the required component of training and when mentioning the retention period, most agencies mentioned something along the

lines of the minimum retention period of 90 days. There were at least 63 policies that utilized the specific inclusion of “90 days” within their coverage of *Senate Bill 158* and the required retention period.

While most policies complied with *Senate Bill 158*, there were 45 policies (20.6%) who failed to include certain components within their policy, rendering them non-compliant with the mandate. This section covered the different frequencies of agencies that did not include the components of *Senate Bill 158*. The results are also presented in Table 18. The most frequent reasoning was the lack of a minimum retention period of 90 days for all footage, regardless of the contents. There were 32 policies out of the 45 (71.1%) who either failed to include any minimum retention period for footage or only mentioned 30 or 60 days, like that of policy #225 “DMR data not identified as necessary will be deleted after 30 days.” There were also 27 agencies (60%) who failed to mention requiring officers to receive training on their BWCs prior to officers being able to use them. This means those 27 agencies did not include any training requirements within their BWC policy. Regarding the final component for *Senate Bill 158*, required documentation for officers’ activation and deactivation reasons, there were 25 agencies (55.6%) that did not include a deactivation reasoning requirement and 24 agencies (53.3%) that did not include an activation reasoning requirement. These two frequencies are not mutually exclusive, meaning that there could be some overlap between the 25 policies missing deactivation reasoning requirements and the 24 policies missing activation reasoning requirements. When looking at the two requirements combined, there were 19 agencies who failed to require officers to document their reasonings for both activation and deactivation.

Table 18*Senate Bill 158 Components of Non-Compliance (N=45)*

	Frequency	Percent
Failed to Meet Requirements		
<i>90-day Retention Period</i>	32	71.1
<i>Training</i>	27	60
<i>Document Reasoning for Deactivation</i>	25	55.6
<i>Document Reasoning for Activation</i>	24	53.3

Texas Occupations Code 1701.655. As with *Senate Bill 158*, the policies covered *Texas Occupations Code 1701.655* in several different ways. There were agencies that simply stated their agencies, policies, and officers will comply with the Code by its name. There were around 16 agencies that utilized this tactic in their policies. The coverage of each component for this mandate can range within each component. For instance, the *Public Information Act*, mentioned below, is a part of the larger Occupations Code covering BWCs. As such, each component needs to be covered. To reduce redundancy, the only components that will be covered under this section will be those that are not mentioned in other areas of this chapter. As such, later portions of this chapter will explain activation, deactivation, and the *Public Information Act* coverage.

Both officers being able to review their own footage and guidelines for supervisory/internal review was another component of *Texas Occupations Code 1701.655*. The minimum requirement is that BWC policies must include provisions allowing officers to review their own footage or any footage involving the officer prior to officers making statements about the footage, as well as guidelines for supervisory or internal review of BWC footage. Some agencies covered how officers and supervisors

can view their footage, like that of policy #127 which states “When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases.)” There were 9 policies that all included the same verbiage for this portion of their policies.

For supervisory viewing, policy #127 included that “Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing a member’s performance,” and that footage can be reviewed “[b]y a supervisor during periodic reviews for compliance with racial profiling laws (Tex. Code of Crim. Pro. art. 2.132).” Those same 9 policies included verbatim wording for this supervisory review. Additional supervisory review occurred in policies for periodic (often quarterly) reviews of footage for policy compliance. The way this provision was included was like that of policy #12, stating that “supervisors are authorized to review relevant recordings... (3) periodically, for the purpose of verifying compliance with this policy or legal requirements.” Other agencies when including provisions for periodic supervisory review also included a stipulation that supervisors were not viewing the footage to check for officer misconduct. Instead, policies include that “[m]inor infractions discovered during the routine review of recorded material should be viewed as training opportunities and not as routine disciplinary actions. Should the behavior become habitual after being informally addressed, the appropriate disciplinary or corrective action shall be taken,” like shown here from policy #154. Other policies mentioned similar notions of using unintentionally discovered policy violations as training tools rather than disciplinary actions.

The final component for *Texas Occupations Code 1701.655* covers the need for guidelines on BWC equipment malfunctions within their policies. At least 8 agencies fulfilled this requirement by stating “If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable.” Many other agencies included this provision like policy #120, which says “[e]quipment malfunctions will be brought to the attention of the officer’s supervisor as soon as possible so that a replacement unit may be procured.”

Table 19 includes the areas required to be in policies and the frequencies of those agencies that did not include certain components within their policies, thus rendering their policies non-compliant with Texas Occupations Code 1701.655. There were 87 agencies (30.9%) found missing at least one portion of the *Texas Occupations Code 1701.655*. Within this subsample, most policies failed to include the Public Information Act (49 policies or 56.3% of the 87). Second, there were 45 policies (51.7%) who failed to include any guidance on the storage of BWC footage or videos. The next component that was missing the most was the provision for officers to review their own footage or any footage involving the officer prior to officers making statements about the footage. There were 41 agencies (47.1%) missing this inclusion. Twenty-seven agencies (31%) did not include any information on when officers are to deactivate their BWCs. Another required inclusion is some stipulation for a supervisory or internal review of BWC footage to occur, and 16 agencies (18.4%) did not include this requirement into their policies. Finally, there were 7 agencies (8%) who did not include any information on

what happens in the event of BWC equipment malfunctions and only 1 agency (1.4%) did not include requirements for when officers are to activate their BWCs.

Table 19

Texas Occupations Code 1701.655 Components of Non-Compliance (N=87)

	Frequency	Percent
Failed to Meet Requirements		
<i>Public Information Act Inclusion</i>	49	56.3
<i>Footage/Video Storage</i>	45	51.7
<i>Officers Viewing Own Footage</i>	41	47.1
<i>Deactivation</i>	27	31.0
<i>Supervisors Viewing Footage</i>	16	18.4
<i>BWC Equipment Malfunctions</i>	7	8.0
<i>Activation</i>	1	1.4

Texas Public Information Act. In contrast to the other two mandates regarding BWC policies, the only component required for the *Public Information Act* is that there needs to be some provision for the act included into the policy. This can range from that of policy #14, stating “Requests for recordings will be handled in accordance with the Texas Public Information Act,” to the inclusion of all details within the *Act* like policy #203 and stated:

Request for BWC recordings will be handled in accordance with the Texas Public Information Act or discovery rules, as applicable. Public Information Act requests must be in writing and include the following information pursuant to Tex. Occ. Code Section 1701.661: (1.) The date and approximate time of the recording. (2.) The specific location where the recording occurred. (3.) The name of at least one person known to be a subject of the recording.

The inclusion of all required steps takes the required inclusion of the *Public Information Act* further than the minimum. There were also 61 (28%) agencies who did not include any information on public record requests through the Texas Public Information Act.

Policy Areas Outside Mandated Contents

The third research question for the current study asked if areas covered in the Texas agency BWC policies were outside those content areas mandated by the state. This will be answered using some of the only prior literature which also examined BWC policies and their contents. White and colleagues (2018) analyzed BWC policies and their programs to initiate an administrative policy review which assesses policy comprehensiveness. This review became a central tenet to the Bureau of Justice Assistance (BJA) BWC Technical and Training Assistance (TTA) Policy and Implementation Program (PIP). This review process culminated main themes from policies who were Fiscal Year (FY) 2015 and FY 2016 grantees of funding for their BWC programs through the US Department of Justice (DOJ) (White et al., 2018). The policy analyses included 54 agencies from FY 2015 who had their policies approved between January 1, 2016, and September 10, 2016. Those FY 2016 grantee agencies submitted their approved policies between November 1, 2016, and July 1, 2017. There were 75 agencies from that time, which means the entire sample for this prior policy analysis was 129 policies from both fiscal years (White et al., 2018).

To reiterate, only those agencies who received funding and had their policies previously approved by BJA were included in White and colleagues' (2018) policy analysis. From those analyses, 17 main trends on BWCs were covered through 7 key

issues. These issues were included in the project's BWC Policy Review Scorecard (White et al., 2018). The scorecard is what agencies are then measured on to determine their approval from BJA for implementing their BWC program. The scorecard includes both mandatory and non-mandatory items. Those (17) mandatory items³ must be included within the policies and the overall policies must receive a score of 80% of both mandatory and non-mandatory items to be approved (White et al., 2018).

The final areas found to be key issues in BWC Policy Review Scorecard are in Table 1 (originally in White et al., 2018 report). White and colleagues (2018) analyzed the policies on their contents surrounding issues considered to be some of the more prominent issues on BWC device usage. These issues included device activation, deactivation, citizen notification, officer review of BWC footage, supervisory review of BWC footage, and—specific to the 75 FY 2016 policies—off-duty assignment and activation during demonstrations (White et al., 2018). The findings from this BWC policy analysis will be covered under each main topic area of the scorecard, as there were areas covered in the scorecard that was not included in White and colleagues' (2018) final report key issues. The findings will then be compared with the results from the current study through the different scorecard areas.⁴ As such, for the current study, this portion of the scorecard was left off. As a reminder, the main difference between the work done by White and colleagues (2018) and the current study is the focus on how these areas are

³ These items were deemed mandatory by BJA for agencies to receive funding through their implementation program. These are not required within the current sample of policies. This scorecard is used as a basis for coding additional areas outside the mandatory components explained in the first half of this chapter.

⁴ Some of the scorecard areas were not included within the final analyses of this project, as they were not able to be analyzed from the policy itself. For instance, the first area in the BWC TTA PIP scorecard was policy development. The questions asked in this area are about how the policy was developed. This information is not available by reading and analyzing the policy alone and would require interviewing agencies about their policies.

covered within the policies and not just whether they are covered or not. The results from the White and colleagues (2018) report will be less detailed than the results from the current study.

Scorecard Results

General Issues. The first area covered by the BWC TTA PIP scorecard (White et al., 2018) touched on general issues. Under this topic, the scorecard asked if policies included information for BWC device wearing, device location, who wears the BWCs, and whether officers are allowed to wear private BWCs. The key trends within the report provided by White and colleagues (2018) focused on the use of BWCs in off-duty law enforcement assignments and the use of BWCs during public demonstrations. For those agencies in the FY 2016 sample (75 policies), there were few instances where policies addressed using BWCs off-duty or during public demonstrations (White et al., 2018). Table 20 presents the results from the current study on the different areas under General Issues and how many policies covered each point.

Table 20

General Issues Codes by Documents (N=218)

	Frequency	Percent
BWC Wearing	156	71.6
Private BWCs	153	70.
BWC Location	112	51.4
Who Wears BWCs	103	47.2

Who Wears BWCs? The current study found that 103 policies (47.2%) mentioned which officers wear BWCs. There were 136 instances of this code, meaning that within the 103 policies, which officers were allowed to wear BWCs was mentioned 136 times. This was due to some agencies mentioning more than one officer assignment wearing

BWCs (i.e., patrol, supervisors, uniformed, non-uniformed, etc.). Generally, the break down was that sworn or uniformed officers were the most likely to be required to wear BWCs. One-third of the policies that mentioned who wears the devices included some verbiage which included “all officers” and were similar to policy # 160, which stated that “all officers will be issued a BWC and associated accessories.” There were 62 policies (60.2%) that mentioned uniformed officers having to wear BWCs. Other policies, like that of #114, went further in detail of who all would carry BWCs, stating “any member assigned to a uniformed Patrol, Traffic, Jailer or School Resource Officer position will carry an approved BWC at any time the member is on duty. The lead officer conducting any warrant service or knock and talk investigation will also be equipped with an approved BWC.” Other policies were much more generalizable, like that of policy #166, stating “all uniformed personnel, regardless of rank, shall be issued a Body Worn Camera.”

BWC Wearing. Those officers wearing BWCs were then directed on its use, which covers the BWC wearing component of the scorecard. This code was covered 268 times throughout 156 policies, which is 71.6% of the sample. The amount of coverage for this code was due to the differences in when and how officers are to wear their BWCs, such as voluntary and required wearing and wearing the BWCs on extra assignments. This section also covered required and voluntary use as well as the use of BWCs for on- and off-duty assignments. The most basic coverage of BWC device wearing was like that of policy #15, which states that “officers shall wear and use their assigned BWC when performing law enforcement duties, including off-duty employment performed while in uniform.” Additional information comes into play for those officers who would be

considered non-uniformed officers or those acting in off-duty assignments. The consensus for non-uniformed officers looked most like that of policy #127, which stated that “any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.” For off-duty assignments, there was more variation in how this component was covered. Some agencies looked like that of policy #27 which wrote that their “officers shall use the BWC during off-duty employment in compliance with departmental policies.” Other agencies mentioned officers wearing their BWCs for law enforcement-related work and when they are in uniform. Off-duty assignments were also included as ‘overtime assignments’ and ‘extra work performed while in uniform’ (policy #29). There were roughly 62 policies, or 28.4% of the total sample, that mentioned officers wearing BWCs for an ‘off-duty’ or ‘extra’ assignment. Similarly, White and colleagues (2018) found that around one-quarter (28%) of the 75 policies in their sample mentioned required BWC use for officers in off-duty law enforcement assignments.

BWC Device Location. The BWC device location was mentioned 138 times throughout 112 policies or 51.4% of the sample. While most policies mentioned officers are to wear their BWCs somewhere on their uniform (66 policies mentioned uniform in the coverage of BWC location), the specific wording on where the devices are to be located did vary. Some agencies kept the location to a more general description, like that of policy #55, which wrote “the BWC is secured to their uniform as trained.” Policies

#114, #127, and others stated, “uniformed members should wear the BWC in a conspicuous manner,” and policy #29 requires “the camera shall be affixed to the officer’s uniform in a secure manner.” Other agencies were much more specific for the required device location. Policy #38 provided an example for a more specific inclusion of BWC location:

BWC’s should normally be placed in an area defined as follows on a department issued/approved uniform: (1.) Below a line extending horizontally across the top edge of the uniform shirt pockets. (2.) Above a line extending horizontally across the bottom of the uniform pockets. (3.) Attached to a horizontal loop affixed by a department approved uniform vendor. (4.) Attached to the vertical loop on the front of the uniform shirt. (5.) Along the vertical shirt button portion of the uniform inside the above listed area. (6.) Attached to the inner storage area of either pocket. (7.) If the uniform contains no pockets, then placement should be in an area similar to that described of a patrol officer duty uniform shirt that does contain pockets. (Policy #38)

This much detail was found in very few policies, with most policies similarly describing the BWC being secured to the officers’ uniforms. There were some policies that blended the two styles, which provided some direction for officers on specific location, while still providing some room for adjustments. One example of this mid-line policy inclusion is policy #95, which stated

The BWC shall be affixed to the front of each officer’s uniform above the horizontal midline of the torso so that is it clearly visible to persons with whom the officer comes in contact. The positioning of the BWC will enable the BWC to

capture the best recording possible of the officer's scene and interactions with persons on that scene. It is the officer's responsibility to ensure that the BWC is properly affixed to his uniform so that no obstructions interfere with proper recording.

One interesting finding was that a couple of agencies considered differences in body composition on where BWCs should be located. They noted that the BWC should be worn in a manner and location on the uniform that was best for gathering effective evidence, with 'taking into consideration differences in body sizes, height, and gender.'

Private BWCs. The final area covered under General Issues is how policies covered the use of private BWCs. For the current study, there were 175 instances of whether officers can utilize personally owned or private BWCs throughout 153 (70.2%) policies. There were 113 policies that specifically mentioned "prohibited" use of personally owned devices during on-duty assignments and during most off-duty law enforcement-related duty. Most of the prohibited coverage looked like that of policy #54, which states that "the wearing of personal recorders is strictly prohibited." There were 13 agencies who, in allowing personally owned BWCs, stated that "Any Officer who uses a personally owned recorder for department-related activities shall comply with the provisions of this procedure, including retention and release requirements, and should notify the on-duty Sergeant of such use as soon as reasonably practicable." Eight policies stated that "Department personnel did not issue a department DMR may carry a personally owned DMR with written permission of the Chief of Police."

Activation. The next section covered under the BWC TTA PIP scorecard examined activation. The different codes within the topic and their breakdowns throughout the current study's sample can be found in Table 21.

Table 21

Activation Codes by Document (N=218)

	Frequency	Percent
Activation	215	98.6%
Prohibited BWC Recording	188	86.2%
Documentation for Failure to Activate	141	64.7%
Recording Victims or Sensitive Populations	123	56.4%
Discretionary Activation	122	56%
Failure to Activate	119	54.6%
Officers Document BWC Footage Existence	118	54.1%
Citizen Notification	98	45%

The findings from White and colleagues (2018) showed that all policies provide some information for when officers are required to activate their BWCs, as well as instances where officers are prohibited from activating their devices. Within their sample, no agency afforded their officers full discretion on when they can activate their BWCs. Additionally, most of the policies within their sample included some allowances for discretionary activation, with the caveat that there were certain circumstances where this discretion was allowed (White et al., 2018). Citizen notification was not found in most policies in the prior study and in those that did mention notifying citizens of the BWCs, it was left to the officer's discretion and was not required (White et al., 2018). The results for the current section will be broken down through the order of codes as seen in Table 21.

Required Activation. Required activation was found within 215 documents or over 98% of the entire sample. This code was used any time the policy included any

information or guidance for when officers are to activate their BWCs. This is coded separately from discretionary activation, which will be discussed next. Activation was the code used most throughout the sample with 556 instances of activation mentioned within the policies. Some of these findings will be like those found in Chapter 4, under the survey responses. The broad coverage of required activation included when officers initiate contact, required to record all contacts, or are required to record the entire event until it is completed. The word ‘contact’ was found within roughly 83% of the policies that included required activation of some kind in their policies. Some policies provided instances or examples of when activation is required, however most of those examples are prefaced with ‘include but not limited to’, to indicate that policies cannot encompass every potential circumstance where activation may be required. Some of the most common examples included ‘all enforcement and investigative contacts’, ‘all calls for service’, ‘traffic and pedestrian stops’, ‘arrests’, ‘pursuits’, ‘uses of force or potential force situations’, ‘witness or prisoner transports’, and ‘self-initiated or officer-initiated contacts.’ However, the specific wordings used for activation examples varied. Most activation examples were also in a bulleted or numbered-styled list, but some policies included their examples in a sentenced format.

Discretionary Activation. There were also instances where officers are provided guidance on when discretionary activation is allowed. There were 122 policies (56%) that included some type of discretionary activation and there were 169 instances for that code. Most of the discretionary activation centered around privacy issues. At least 90 policies that mentioned discretionary activation also included ‘privacy’ within that passage. Much of the way this was included in policies resembled that of policy #27, which stated that

Officers will use their best judgment to balance the need for obtaining the video footage against the person's privacy interests, taking into consideration the severity of the offense, the recording's evidentiary value, the invasive or embarrassing nature of the medical treatment or discussion, and the likelihood that recording the encounter would be considered unreasonably intrusive.

The use of discretionary recording or discontinuing recording was found in the *Recording Victims or Sensitive Populations*⁵ code as well. Additional ways policies included discretionary activation placed responsibility on the officer and a reasonableness standard, based on practice, training, and in instances where officers believe the footage may be of value. This looked like policy #128, which wrote "in addition to the required situations, employees may activate the system anytime they believe its use would be appropriate and/or valuable to document the incident," and policy #178, stating "in instances where the officer reasonably believes that the recording may provide evidence in criminal investigations."

Failure to Activate. In line with discretionary activation, there were also 141 instances where policies mentioned when officers fail to activate their BWCs when they are required to and 178 instances where officers are to document their reasoning for their failure to activate when required. The ways these codes were included within policies generally looked like policy #45, which stated "if an officer fails to activate a body-worn camera, or fails to record the entire contact, the officer shall document the reasons for doing so." There were at least 46 policies that included the same verbiage for failure to activate. In total, 119 policies (54.6%) included some mentioning of officers failing to

⁵ This code was found in the activation section of the scorecard (White et al., 2018), however, the conversation of them were covered in this paragraph and did not necessitate a section of their own.

activate their BWCs and there were 141 policies (64.7%) that mentioned officers having to document when they failed to activate their BWCs when they were required.

Citizen Notification. The next code for the activation topic was citizen notification. This is when officers are to notify citizens that they are being recorded, which is why this was included in the activation portion of the scorecard. There were 114 instances throughout 98 policies or 45% of the sample where citizen notification was mentioned. Here the current results vary slightly to that of White and colleagues (2018) in that the instances where “officers should inform individuals that they are being recorded, when it is safe to do so” (Policy #13). Some additional ways this was included were that officers notify citizens when it is ‘reasonable’ or when ‘reasonably practical.’ Whether an officer or the agency determines ‘should notify when reasonable’ as required or discretionary is something to note. Additionally, there were at least half of the policies that contained information on citizen notification where it was ‘not required.’ This means that half of the policies required officers to notify citizens of BWC recordings and the other half either stated that citizen notification was prohibited or voluntary.

Document BWC Existence. The final area under activation is the instance where officers are to document the existence of BWC recordings within their reports, meaning anytime an officer has a BWC recording, they are to document its existence in some form. This form of documentation varies some between the 118 policies and 178 instances it was coded for. The most common ways policies mentioned officers documenting BWC recordings was like that of policy #82, which wrote that “officers shall note? in incident, arrest, and related reports when recordings were made during the

incident in question.” Most policies also included some wording to note that the presence of a BWC recording does not replace written reports.

Deactivation. Deactivation was the next key issues area covered by White and colleagues (2018) and included discussion of two codes in the original BWC TTA PIP scorecard. The two areas covered in the scorecard included required deactivation and discretionary deactivation. An additional area for deactivation was included in the above section on *Senate Bill 158* and discussed officers documenting their reasoning for deactivating their BWCs. This is something specific to Texas—to the author’s knowledge—and is not something expected to be found in a nation-wide scorecard. White and colleagues (2018) found that all the policies within their sample provided some guidance on when officers were to deactivate their cameras, with around 84% including required deactivation and the remaining 16% providing discretionary deactivation. Like activation, they also found that policies provided instances where deactivation was required or examples when officers had the discretion to deactivate (White et al., 2018). Table 22 shows how these two areas are covered in the current sample. The main differences between the prior analysis and the current study are that the two types of deactivations are not mutually exclusive. There were some policies that included guidance for officers on both required and discretionary deactivation.

Table 22

Deactivation Codes by Document (N=218)

	Frequency	Percent
Deactivation	171	78.4
Discretionary Deactivation	145	66.5

Required Deactivation. There were 298 instances where the policy mentioned required deactivation within 171 policies (78.4%) that mentioned deactivation. Here the wording for deactivation appears to be less clear than that of activation. Whereas policies mentioned required activation in clear instances, required deactivation for around half of the included policies is ‘until the contact/event/incident has concluded/ended.’ For instance, policy #38 stated that “personnel shall not stop or mute the recording until the completion of the incident.” Those policies that did provide clear examples of when deactivation is required, the examples resembled that of policy #46, which stated

Deactivation of the body-worn camera shall occur when: (a.) The event has concluded; (b.) Victim and/or witness contact has concluded; (c.) All persons have been released; (d.) Once an arrestee has been placed into a vehicle to be transported to a detention facility. However, the officer transporting the arrestee to the detention facility shall keep the officer’s body-worn camera activated until custody of the individual is transferred to the detention facility.

Policy #48 was similar and noted

Once activated, the body-worn camera shall remain on and not be turned off until the initial incident that caused the activation has concluded. For purposes of this section, conclusion of the incident occurs when the gathering of evidence or exchange of communication related (interviews) police enforcement related activities are concluded.

All the ways required deactivation was included in these policies still leaves the interpretation of a ‘concluded event’ or ‘completed contact’ up to the officer.

Discretionary Deactivation. For discretionary deactivation, there were 145 policies (66.5%) that mentioned discretionary deactivation 258 times. Like activation, there were instances where discretionary deactivation centered around recording victims, sensitive populations, and other areas where privacy would be a concern. The way privacy was included in discretionary deactivation looked like that of policy #8, which included that

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

Outside of the discretionary deactivation for privacy concerns, another area under this code focused on officers ensuring that the witness or victim interviews, or conversations between agency officials remains confidential, so long as the contact is not required to be recorded according to the activation portion of the policy. Additional examples of policy-mentioned discretionary deactivation included “(1.) Any nonconfrontational encounter with a person, including an interview of a witness or victim; (2.) Extended perimeter details or prolonged events; or (3.) Traffic control functions” (Policy #80).

Data Transfer and Download. The next topic on the scorecard focused on the data transfer and download portions of BWC policies. This section examined category tagging, chain of custody, the download process, download and transfer responsibility,

the tagging process, and any prohibitions for messing with data. This section was not included in the results of the White and colleagues (2018) report, as it was not a key issue within prior literature on BWCs and their policies. As such, the results throughout this topic will be from the current study (Table 22) without a comparison group from the White and colleagues (2018) final report.

Table 22

Data Transfer and Download Codes by Document (N=218)

	Frequency	Percent
Prohibitions for Tampering with Data	209	95.9
Download Process	194	89.0
Download/Transfer Responsibility	164	75.2
Tagging Process	116	53.2
Category Tagging	71	32.6
Chain of Custody	43	19.7

Category Tagging. The first portion of this topic looked at category tagging, or whether the policy specified incident types or categories for tagging the BWC footage with. There were 105 instances where category tagging of some form was mentioned throughout 71 policies, or approximately one-third of the sampled policies. Most policies that mentioned categories for their footage, like with activation examples, provided a list of categories. These lists, however, varied between the different agencies. The most common categories or incident types were for ‘criminal investigations,’ ‘traffic stop,’ ‘arrests,’ ‘assaults,’ ‘physical or verbal confrontations,’ ‘vehicle pursuits,’ ‘vehicle searches,’ and ‘DWI investigations.’ Outside of provided examples, there were policies that mentioned that “proper categorization of videos is required by each officer so that retention periods will be appropriate” (Policy #20) without providing detailed lists of

categories. This could be that the categories are included elsewhere outside the BWC policy. For instance, some policies included this statement in the download process of their policy and then provided a list within the retention periods of the policy, as seen in later portions of these results (p. 98-99).

Chain of Custody. One of the least coded portions of the scorecard was the inclusion of chain of custody issues or concerns within the policies. This point was only mentioned 58 times within 43 policies (19.7%). Most policies that included chain of custody concerns were like policy #223 and 20 others and wrote that “an automated internal electronic data access log (chain-of-custody) will be generated and kept for every recording produced via body worn camera to document the authenticity of the recording. Members shall be prepared to justify the reason for accessing/viewing recording.” Several policies within this subset also resembled that of policy #64 and stated that “recordings shall be subject to the same security restrictions and chain of custody safeguards as other evidentiary property.”

Download Process. The next point under data transfer and download covered the download process. Within the scorecard, this was coded if the policy provided guidance on the process or requirement for data download. An example of what the process could include was time requirements, such as by the end of shift or? some other time. This was coded 365 times throughout 194 policies or 89% of the sample. The largest time stamp included in these codes was by ‘end of shift.’ In fact, ‘end of shift’ was mentioned 53 times throughout the places where download process was coded. This code was often paired with the next point in this topic, download/transfer responsibility. This code included whether the policy assigned responsibility for the data transfers and downloads.

Most of the responsibility outlined by the policies were that either ‘officers’ or their ‘supervisors’ were responsible for ensuring that all footage was downloaded. This combination of the two codes looked like that of policy #29, which included that “officers are required to upload BWC data daily at the end of their shift, or more frequently when necessary to maintain adequate recording capacity on the device.” For the supervisory responsibility, those policies placed responsibility on the supervisor in the event an officer was otherwise unable to or prohibited from downloading footage. Supervisors were mainly responsible for ensuring that officers downloaded their footage, however in the instance of special or exigent circumstances or in the event of a critical incident, some policies resembled policy #37, which stated

Special/Exigent Circumstance Recording Uploading, (1.) Officers involved in collisions and/or otherwise not able to be return to the substation shall adhere to the following: (a.) The notified supervisor or Patrol Supervisor shall coordinate the retrieval and upload of the body worn camera; (b.) Upon completion of the video upload the body worn camera must be returned to the officer’s supervisor.” For “Critical Incidents, (a.) Upon the conclusion of a critical incident all officers will return to the appropriate facility in order to have all recordings uploaded. The body worn camera device will not be returned to service until all recordings have been removed and completion confirmation of upload has been received.

This was coded at least 29 times throughout the policies that included data download transfer and responsibility.

Tagging Process. The next section covered the tagging process. This was different than category tagging in that category tagging asked about the specific

categories for different types of BWC footage, whereas the tagging process asks specifically about the process for footage to be tagged in the system by category. There were 116 documents (53.2%) that included some form of tagging process, and there were 171 instances of the code throughout those policies. Most of the verbiage for the tagging process was simpler in nature and indicated that officers shall use the appropriate software, website (if the agency is using a cloud-based system), or storage location and be transferred and/or tagged/marked according to the policies' categories and retention periods or as necessary. Some of the more detailed tagging processes were like that of policy #143, which noted that

Officers will classify all BWC recordings during their shift, and ensure that all the videos are up-loaded by checking their Bodyworn Media screen. A green cloud with a check mark will indicate the video has been up-loaded. A white check mark indicates the video has been classified. Connection to the internet via WIFI is all that is needed to up-load videos, the process will start automatically if a connection is established. (a.) Classification: Is accomplished by accessing the Bodyworn application loaded in the BWD, or by accessing the AvailWeb application via the in-car tablet, MCT, or desktop computer.

Another more detailed tagging process included policy #118, which stated that

All officers will log into their individual assigned account on www.evidence.com after they have uploaded their BWC video files. The officer will add a category to every BWC video file that involved an arrest, citation issued, offense with no arrest or citation, or at-large case filed. The officer will also complete the 'title' and 'ID' sections whenever an officer adds a category to a BWC video file. The

officer will put the type of offense in the ‘title’ section and the service number in the ‘ID’ section.

These examples, however, are much less common than the examples provided above where officers are to tag their footage appropriately to make sure the proper retention schedule is achieved and that the evidence is identified accordingly.

Prohibited Data Tampering. The final point under the data download and transfer section of the scorecard included the instances where policies prohibit any tampering with, copying, or deleting the BWC footage data. This was the third-most coded component within the policies, with 437 instances where prohibitions for messing with the data were mentioned throughout 209 policies, or almost 96% of the sampled policies. Two of the more common quotes throughout this code were “accessing, copying, editing, erasing, or releasing recordings or depictions of recordings without proper approval is prohibited and will subject the offending employee to disciplinary action, up to and including termination” (Policy #15), and “Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner...” (Policy #13). These quotes were found in almost half of the policies that contained this code. In addition to these prohibitions, there were several policies that also mentioned any violating of these prohibitions could result in disciplinary actions, some of which are severe. These violations and resulting consequences will be covered in greater detail in sections below.

Data Storage and Retention. The data storage and retention topic within the BWC TTA PIP Scorecard is another category that only included two areas, which are retention periods by incident category and video storage. As stated earlier, there were only 5 topics covered in the White and colleagues (2018) final report. As data storage and

retention was not considered a key issue in their report, the findings in the current study have no prior results to compare with. Therefore, the results within this section are only from the current study and analyses. Table 23 provides a numerical breakdown of the two points throughout the policy documents.

Table 23

Data Storage and Retention Codes by Document (N=218)

	Frequency	Percent
Retention Periods by Incident Category	121	55.5
Video Storage	117	53.7

Retention Periods by Incident Category. The first component coded from this section, retention periods by incident category, was coded when the policies specified data retention periods for different categories of footage based on their incident types. There were 121 policies (55.5%) that had some inclusion of different retention periods and there were 181 instances where it was coded. As with most policy components, retention periods varied by agencies in that some included more detail, while others included the minimum requirement. As mentioned earlier, the minimum requirement for retention periods is 90 days for all footage, regardless of the footage contents, per *Senate Bill 158*. As such, some agencies only included either the 90-day minimum or stated, “all recorded data will be held accountable with applicable laws” (Policy #34). Other policies included specific retention periods by incident categories. Those categories also varied. One example pulled from policy #87 included differing offense degrees and stated

Class C Misdemeanors and unclassified violations of state law punishable by fine only: Six months

Class A and B Misdemeanors and State Jail Felonies: Two years

Second- and Third-Degree Felonies: Ten years

First Degree and Capital Felonies: Fifty years

Driving While Intoxicated Offenses: Ten years

Or, for any classification of offense: Date of death of individual if known.

Finally, other policies included their incident categories by the contents of the footage.

Policy #172 provides a good example of that style of incident categorization. It included the following as a retention schedule:

VIDEO CATEGORIZATION AND RETENTION PERIODS

Category	Retention Schedule
Traffic Stop	90 days
Call for Service	90 days
DWI	120 days
Arrest	120 days
Crash	90 days
Pursuit	120 days
Other	90.

Video Storage. The other section for this topic was on video storage, which was another mandated component through the *Texas Occupations Code 1701.655*.

Specifically, the scorecard used this point to see what was included within the policies on process(es) or location(s) for proper video storage. There were 166 instances of video storage mentioned throughout 117 policies or a little over half of the sample. Around 40 policies mentioned the use of a ‘digital evidence management system’ or ‘video evidence management system’ when mentioning a location for their footage to be stored.

Additionally, 33 policies mentioned the use of ‘evidence.com’ or some form of ‘online cloud database’ to properly store their BWC video footage. Finally, in terms of processes, policy #214 provided an example of how policies guided officers on their footage storage processes.

All recordings will be maintained for a period of not less than 90 days. Officers are required to submit audio/video recordings as evidence pursuant to the guidelines in Best Practices “Collection and Preservation of Evidence”. These recordings shall be categorized and added the appropriate electronic media case file through department utilized Digital Evidence Management System (Policy #214).

This provided officers the minimum retention period, where officers are to submit their footage, and where to look for those guidelines. Additional discussion of how this policy mentioned another agency’s policy will be in the subsection for contents outside the scorecard that was collected.

BWC Viewing. This next section within the scorecard was another topic where the report included findings for a couple of points. The section focused on policy contents for the viewing of the BWC footage and covered several groups of individuals and their abilities to view the footage. These groups include officers themselves, supervisors, citizens, criminal justice actors, internal affairs units, and other officers. This section also covered when BWC footage was viewed for the purposes of auditing, critical incidents, training, and when footage is prohibited from being publicly shared. The focus of the report on the scorecard and their sample of policies, White and colleagues (2018) found that both officers and supervisors could review the BWC footage in most policies. Within

that, there were caveats that in certain circumstances, officers were not allowed unrestricted access in investigatory reviews of footage and often they are in the presence of other personnel or for the purposes of preparing for reports or interviews. And for supervisory reviews, almost all policies indicated that supervisors could review the footage for “administrative purposes, such as investigation of citizen complaints and use of force” (White et al., 2018, p. 12). The findings for these BWC viewing points broken down by the frequency of documents that included each one can be seen in Table 24.

Table 24

BWC Viewing Codes by Document (N=218)

	Frequency	Percent
Supervisory Viewing	196	89.9
Prohibited Public Sharing of Footage	184	84.4
Self-Viewing	156	71.6
Audit Viewing	136	62.4
Training Viewing	110	50.5
Citizen Viewing	107	49.1
Criminal Justice Actors Viewing	96	44.0
Critical Incident Viewing	78	35.8
Other Officers Viewing	69	31.7
Internal Affairs Viewing	55	25.2

Self and Supervisory Viewing. The first two sections that will be covered will be the self-viewing and supervisory viewing to compare the current study’s results with the results from White and colleagues (2018). For officers being able to view their own footage, or self-viewing, there were 156 policies that mentioned officers could view their own footage 257 times. Within this code, there were almost half of the instances that mentioned officers viewing their own footage to assist in ‘report’ writing. Over half of

the policies that mentioned self-viewing included some content related to officers reviewing their own footage prior to making a ‘statement.’ As with other scorecard components, allowing officers to view their own footage is also required by *Texas Occupations Code 1701.655*. As such, some of the ways this was covered in policies looked like policy #35, which stated “in accordance with law, officers will be provided access to any recording of an incident where the officer might be called upon to give a statement. This includes cases of administrative enquiries, or officer involved shooting incidents.” Some policies in the sample also provided officers the ability to view their own footage without any stipulations and looked like policy #37 stating “all officers will be able to view their own recordings.” There were 10 instances where policies used the same verbiage as policy #179 and stated

Officers shall be allowed to review the recordings from their officer-worn body cameras at any time. To help ensure accuracy and consistency, officers are encouraged to review recording prior to preparing reports. If the officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall (1) have the option of reviewing the recordings in the presence of the officer’s attorney or labor representative; and (2) have the right to review recordings from other body-worn cameras capturing the officer’s image or voice during the underlying incident.

In comparison to White and colleagues’ (2018) report, there were fewer policies that allowed officers to view their own footage, however the purposes for self-viewing were similar. Some policies allowed officers the ability to view their own footage, without any

caveats, whereas other policies included stipulations for when officers are undergoing a disciplinary investigation.

For supervisory viewing, there were more instances of supervisors being able to view the BWC footage for multiple reasons than self-viewing. Specifically, there are 430 quotations that mentioned supervisors having the ability to view/review BWC footage across 196 policies or almost 90% of the sample. This was the fourth-most coded component throughout all policies in the current sample. This is mainly due to supervisory viewing being used for policy compliance viewing, audit viewing, and viewing for critical incidents/complaint investigations. For compliance reviews, most of the quotes under supervisory viewing will also coincide with audit viewing. There were 133 instances where audit viewing, and supervisory viewing were coded together. Or put another way, roughly 82% of the audit viewing quotations are for supervisors viewing BWC footage for policy compliance or for period viewing to ensure functionality and proper BWC device or ‘Digital Media Evidence (DME)’ handling. While the time between periodic supervisory reviews varied, the average times were between weekly to a quarterly basis (every 3 months). One example of how supervisory reviewing for audit purposes looked is policy #165, which stated “supervisors will perform periodic, random reviews of their assigned officer’s recordings to ensure the equipment is operating properly, assess performance and identify recordings appropriate for training.”

When looking at critical incidents or disciplinary investigation viewing, supervisory viewing was included in policies like that of policy #77, which noted

Supervisors and Internal Affairs Section personnel may access DME for administrative investigations. The primary scope of the review of DME should be

limited to the specific complaint against the officer. Inadvertent discovery of other allegations during this review shall require the supervisor to articulate the purpose of expanding the scope.

As with audit viewing, there is overlap between supervisory viewing and both critical incident viewing and internal affairs viewing. There were 41 instances where supervisory viewing was coded alongside critical incident viewing and 20 instances where internal affairs were mentioned with supervisory viewing. The instances where supervisory viewing and critical incident viewing co-occur are like that of policy #37, which was mentioned under the data transfer and download section on page 92.

For internal affairs and supervisory viewing, policies like #24 included “It is the intent of the Department to have supervisor’s review DME for the purpose of general performance review, for routine preparation of performance reports or evaluation, training, or to discover policy violations. Supervisors and internal affairs personnel may access DME for administrative investigations.” In total, audit viewing was mentioned 163 times throughout 136 policies or roughly 62% of the sampled policies. There were 150 instances of critical incident viewing in 35.8% of the policies, and internal affairs viewing was included in only 55 policies and had 89 instances throughout. Again, when comparing the supervisory viewing results in the current study to that of White and colleagues (2018), the similarities are much more prominent. Both samples showed supervisory viewing throughout almost all policies, with the main purposes being for administrative reasons, namely periodic reviews for functionality and policy compliance, reviews of critical incidents and for disciplinary investigations.

Other Officers Viewing. In addition to officers viewing their own footage and supervisory viewing, the scorecard also accounted for any policies that might allow other officers within the agency to view BWC footage that is not their own. This was one of the components found in fewer policies with only 91 instances in a third of the policies. A little over 40% of those instances used the similar phrasing to policy #8, which stated that viewing can occur “upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.” There were 5 instances where no other officers are allowed to view another officer’s recording without a supervisor’s approval, and policy #206 “reserves the right to limit or restrict an officer from viewing all BWC recordings.”

Criminal Justice Actor and Citizen Viewing. Outside of the department, the other groups of individuals included in the scorecard for allowances or prohibitions of viewing BWC footage are outside criminal justice actors and citizens. Criminal justice actors were included in the policies’ dialogs 152 times in 96 policies. There were 107 policies, or almost half the sample, where the coverage of citizens viewing BWC footage was mentioned 128 times. For criminal justice actors, there was a general allowance for BWC footage viewing, under certain circumstances. For most policies, criminal justice actors were often prosecutors and defense attorneys in their requests for recordings to use during court proceedings. Most of the content on criminal justice actors requesting footage included that the requests must be made in writing, oftentimes on the agency’s letterhead, to the Chief of Police or designated personnel who handled intra-agency records requests. These are often the stipulations for prosecutors and “requests for

recordings from defense attorneys in the county, district, or federal courts must be made through the appropriate prosecutor” (Policy #72). Citizen viewing of BWC footage almost always mentioned that citizens were not able to view the footage at the scene and they would need to make a public records request. Specifically, of the 128 instances where citizen viewing was mentioned in the policies, 93 (72.7%) were referring to policies stating that “civilians shall not be allowed to review any recordings without command staff approval” (Policy #222), or “civilians shall not be allowed to review the recordings at the scene” (Policy #220).

Prohibited Public Sharing. The final inclusion of BWC footage viewing was for the footage that was prohibited from being publicly shared and whether the footage can be viewed for training purposes. There was content on prohibited public sharing of footage in 184 policies (84.4%) and coded 384 times. This coverage was often found in line with the earlier code of prohibitions for messing with the data. The same verbiage quoted in that section also applies to the prohibited release of footage (p. 96). There were 192 instances where prohibited public sharing of BWC footage co-occurred with prohibitions for tampering with the BWC data. Here, both ‘disciplinary’ and ‘approval’ were common words found within the quotations to reiterate that without prior approval from the appropriate personnel, the release of footage is a violation and subject to disciplinary actions, which will be expanded upon later. In general, the public release of footage was prohibited without either prior approval from the appropriate individuals or through proper public records requests. Another main prohibition was sharing the footage on social media sites. There were 70 instances where ‘social media’ was included and most policies resembled policy #190, which stated “[the] uploading of any DMR data to

any social media sites is prohibited.” For training viewing, there were 161 instances in half of the policies. Almost one-third of the quotations on training viewing place some responsibility on the officer and mentioned that “Officers are encouraged to inform their supervisors of any recordings that may be of value for training purposes” (Policy #13). Additionally, there were some policies that noted approval from the Chief of Police/designated personnel and/or the officer who’s depicted in the footage prior to using the footage for training purposes.

BWC Training. There was only one component in the scorecard concerning any training for BWC devices. The scorecard asked whether the policy specified mandatory training requirements for participation in the BWC program. There were 249 instances throughout 167 policies (76.6%) that mentioned any mandatory training requirements for officers prior to wearing or using a BWC. As this was another policy component required by Senate Bill 158, there are roughly one-quarter of policies in the current sample that were found non-compliant for this policy requirement. One portion of the policies that mentioned mandatory training requirements used similar phrasing to policy #3, which stated that “Officers who are assigned a body worn camera, and any other personnel who will come into contact with audio/video data obtained from body worn camera, must complete an agency approved and/or provided training program to ensure proper use and operation.” Most policies included some of the same wording to note that officers must attend ‘agency’ or ‘department’ approved training prior to BWC operation. Other policies were more detailed in their inclusion of mandatory training requirements. Some mentioned the use of a particular training regimen. There were roughly 22 instances

where Texas Commission on Law Enforcement (TCOLE)-approved training was included in the mandatory training portions of the policies.

Public Release. Next the scorecard included points about the public release of BWC footage. These areas looked at who authorizes the release of BWC footage, any inclusion of public records requests, any review or redaction components for footage prior to release, and whether any footage was exempt from public disclosure. As with some of the other BWC TTA PIP scorecard topics, this was not an area mentioned in the final analyses of the report by White and colleagues (2018). The results on public release policy components presented here are from the current study's sampled policies only (Table 25).

Table 25

Public Disclosure Codes by Document (N=218)

	Frequency	Percent
Who Authorizes BWC Footage Release	183	83.9
Public Records Requests	109	50.0
Footage Review and Redaction	88	40.4
Exempt from Public Disclosure	53	24.3

Who Authorizes Footage Release. Under this section on public release, the most common policy component was when policies mentioned who authorized the release of BWC footage. It was found in 183 policies (84%) and mentioned 441 times, meaning it was the second-most coded policy component, behind activation. Out of the policies and quotations for who authorizes the release of BWC footage, 289 (65.5%) quotations in 177 (96.7%) policies mentioned specifically that the 'Chief of Police' was the individual to authorize BWC footage release. Most of the other quotations used words like

‘department,’ ‘Records Division,’ ‘immediate supervisor,’ or ‘Command Staff.’ Most of the quotations resembled policy #21, which said “any release of recordings for any purpose, including media release and training, must be authorized by the Chief of Police.”

Public Records Requests. Public records requests, or open records requests, were mentioned 178 times within 109 policies or half of the current sample. These instances closely follow those for the *Texas Public Information Act*, explained in the Texas Mandate section above (pg. 77). The main deviations for this code versus the *Public Information Act* were found to be when the policy mentioned ‘open records requests’ or ‘requests for release of footage.’ When looking at the two codes together, the linkage between the two are very similar. The prompt used by the scorecard asks about the process for agencies to receive and process public records requests. Taking that into account, most of the policies provided information like policy #35, which noted “officers will not allow citizens to review the recordings but can advise the citizen how to obtain a copy through a public record request. The release of information requests through a public records request will be subject to the same statutory exemptions from disclosure as any other Departmental records.” Another example like the previous one stated that “anyone requesting to review a recording or to obtain a copy of the recording shall be directed to Records for assistance in accordance with Texas Public Records law” (Policy #41).

The last two points in the public disclosure section of the scorecard, footage review and redaction and footage exempt from public disclosure, cover somewhat similar areas. There were 88 policies that mentioned footage review and redaction 123 times, and

there were 82 instances in 53 policies where the policy mentioned any footage that would be exempt from public disclosure. In terms of processes for footage review and redaction prior to release, which is what the scorecard asked of the policies, one example would be like that of policy #76 for

Accidental / Unintentional Recordings – Accidental and unintentional recordings may be deleted from the evidence storage system using the following process. (1.) The officer shall submit a message to their Sergeant through evidence.com explaining why the video should be deleted. The message must include the title and date of the video. (2.) The Sergeant will review the video and forward the message to the Administrative Lieutenant with his recommendation. (3.) The Administrative Lieutenant will review the video, make the final determination and forward the message with their comments to the program administrator to complete the request through evidence.com. (4.) The program administrator will notify the requestor of the determination. (5.) The messages sent through evidence.com related to the deletion will be archived in evidence.com.

Another more common example provided less detail on the process for reviewing the footage. There were 40 instances where policies stated almost the same phrasing for this process. “Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or their designee in accordance with state record retention laws. All requests and final decisions shall be kept on file” (Policy #212). When policies mentioned footage that was exempt from public disclosure, some of the more common words which depicted what kind of footage was exempt were ‘juveniles,’ ‘private space,’ or ‘investigations have

concluded.’ This means that most BWC footage that is exempt from public disclosure was exempt either for a privacy issue or is only exempt for a certain amount of time. One example involved “recordings documenting incidents involving the use of deadly force by a peace officer or otherwise related to an administrative or criminal investigation of an officer may not be deleted, destroyed, or released to the public until all related administrative investigations have concluded” (Policy #206). Around one-fourth of the quotations for exempt footage involve the ‘use of deadly force.’

Policy and Program Evaluation. The final component within the BWC TTA PIP scorecard, created by BJA and White and colleagues (2018), focused on policy and program evaluations. Specifically, it asked whether policies included any process for a continuing review of the agency’s BWC program or policy. This was the least coded component of the scorecard in the current study. Continued reviews were coded 17 times in 13 policies (6%). Of the policies that mention continued review of the program or policy, it was stated that the programs and/or policies would be reviewed on a biannual, annual, continual, or periodic basis. Some policies were vaguer with their inclusion of a continued review, stating that someone in the department would be responsible for “periodic assessment of the program and review of the training program” (Policy #21). Others were more specific in nature, noting that “the mobile video recording program and policy will be reviewed annually to ensure the Department meets the needs of the community, and to verify the program and policy are in compliance with any changes in the law” (Policy #226).

Additional Topics Added by the Research Team

Outside the main areas of the scorecard results, there were additional areas the research team, consisting of research personnel for the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT), legislators, and practitioners, was interested in. The LEMIT research team, after analyzing the requirements for BWC policies and the BWC TTA PIP scorecard components, wanted to know additional details surrounding the required training for the officers using the BWC devices. The interest in these areas culminated through thorough review of the current literature on BWC programs and their policies, working with practitioners and noting their concerns surrounding policy contents, and providing contextual information to examine policy types with later. These areas were additional training points, BWC viewing outside criminal justice agencies, links to other agency policies, policy page lengths, violations of policy requirements and consequences of those violations, and the years the policies were established and most recently reviewed. These areas will be explained in detail in their respective sections below.

Additional Training. Three main areas were retained when inquiring about additional training contents within the policies: the type of mandatory training, who within the department got the training, and whether the agency offered continued or additional training for the devices as updates or changes occurred (Table 26).

Table 26*Additional Training Codes by Document (N=218)*

	Frequency	Percent
Mandatory Training Type (continued)	115	52.8
	Frequency	Percent
Who Gets the Training?	159	72.9
Continuing Training	53	24.3

Looking beyond whether agencies included a mandatory training requirement in their policies, one of the first steps was to determine whether there was any inclusion of the type of training that was mandatory. There were 146 instances within 115 policies that mentioned what kind(s) of training officers were receiving prior to being able to use their BWCs. As stated earlier, there were 26 instances where the mandatory training was Texas Commission on Law Enforcement (TCOLE)-specific. There were roughly the same number of quotations that mentioned the mandatory training had to be ‘department-approved’ or ‘agency-approved.’ There were a couple agencies that also included what the required training consisted of. Policy #189 stated that

Officers do not use BWC devices unless they have successfully completed training in the proper use of such equipment. This training consists of: (1.) Review of the proper function and use of the recording devices; (2.) Recommended times to employ the system; (3.) Applicable laws, and agency policies and practices; (4.) [redacted] PD’s policy and procedures as they pertain to the system. A written record of the training provided is completed by the

responsible supervisor, who places a report of training for the training hours in the officer's training file.

Another inquiry on mandatory training asked who got the training within the department. The current study sought to determine whether policies included which individuals received the BWC training. There were 209 instances throughout 159 policies (72.9%) that mentioned certain individuals who were to receive the training. Over half of the policy contents that included information on which officers received training either mentioned 'all' officers, simply 'officers will receive the training,' or 'officers who are assigned to use BWCs.' Less prevalent, but still around a quarter of the instances mentioned that supervisors will attend the department training for BWCs. Specifically, "supervisors will attend department training on the use, retrieval, and storage of data, using DMRs" (Policy #18) was used in 30 policies. Finally, in addition to listing officers and supervisors, "any other personnel who will come into contact with audio/video data obtained from the BWC" (Policy #3) was used to include any potential situation where an individual in the agency may need to be trained on the equipment.

Finally, the research team wanted to know if the policies mentioned only mandatory training or if there were any that may provide and/or require those necessary to attend additional training. There were 54 instances in 53 policies (24.3%) that covered continuing training within the sample. There were 48 quotations (90.6%) that were almost the same, except for a couple of words, which changed the sentences' meanings. 35 policies stated that "additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and

equipment” (Policy #220). The remaining 13 policies who mentioned continued training changed the verbiage to state, “may be provided” (Policy #142), indicating that the continued training was not necessarily required or mandated.

BWC Viewing Outside Criminal Justice Agencies. The LEMIT research team, along with practitioners, also wanted to know if policies contained any additional information on BWC footage viewing. In seeking to answer this wonder, a couple of extra groups were added. The team wanted to know if there were any provisions for the media, ongoing victims or their families, or individuals involved in uses of force encounters were included in any of the policies to view BWC footage. The team also spoke with external practitioners who inquired whether there were any policy contents that mentioned the time to release BWC footage to the public. The breakdown of these additions by documents can be seen in Table 27.

Table 27

Additional BWC Viewing Codes by Document (N=218)

	Frequency	Percent
Media Viewing	36	16.5
Use of Force Encounter Viewing	9	4.1
Ongoing Victim Viewing	6	2.8
Time to Release Public Viewing	1	0.5

Overall, there were much fewer instances where these additional groups or viewing points were found within policies. The most prevalent of the group was the 37 instances of policies mentioning the media being able to view BWC footage in 36 policies, or just 16.5% of the total sample. Within this, the most used phrase was when BWC footage may “also be reviewed by media personnel with permission of the Chief of

Police or authorized designee” (Policy #8). This phrase was seen in 23 instances, or 64% of the total times policies mentioned media viewing allowances. Uses of force encounter viewings and ongoing victim viewings were only seen in 9 and 6 policies, respectively.

For uses of force viewings, there were 3 instances out of the 11 total that stated

A law enforcement agency may permit a person who is depicted in a recording of an incident described by Subsection (A) or, if the person is deceased, the person's authorized representative, to view the recording, provided that the law enforcement agency determines that the viewing furthers a law enforcement purpose and provided that any authorized representative who is permitted to view the recording was not a witness to the incident. A person viewing a recording may not duplicate the recording or capture video or audio from the recording. A permitted viewing of a recording under this subsection is not considered to be a release of public information for purposes of Chapter 552, Government Code (Policy #80).

For ongoing victim viewing, there were similarities between this and the uses of force viewings. Using the same quotation above, the same instances were highlighted here out of the 6 total instances for ongoing victims being mentioned in the policies. The reason these were grouped with the uses of force included with ongoing victims was the inclusion of the ‘deceased individual’s representative’ portion.

The last portion of the additional BWC footage viewing was included after a discussion with an external police agency. They became aware of the project and wanted to know if and how policies included release of footage to the public. Throughout all 218 policies in the final sample, however, there was only one instance that specifically

mentioned the topic the agency was inquiring about. This one agency provided an entire section in the policy for “release timeline.” Within that, policy #176 stated that

(A) The department will post audio and video recordings of Critical Incidents, after approval by the Chief of Police, 60 days after the date of the incident. (B) Critical Incidents where domestic violence is involved or suspected will not be released unless the Chief of Police determines it serves a law enforcement purpose. (C) Critical Incident recordings will be posted in the [redacted] website and kept for 12 months. (D) Except where release is prohibited by law, any decision to delay release beyond the 60 days in this procedure will be posted on the department’s website stating the reason(s) for the delay. The recordings should be released as soon as the reason(s) for the delay has been resolved to the satisfaction of the Chief of Police. (E) Reasons to delay the release of a recording will be determined by the Chief of Police and may include: (1) to protect the safety of the individuals involved (2) to protect the integrity of an active investigation (3) to protect confidential sources (4) to protect the constitutional rights of an accused. (F) If the Chief of Police determines that a recording of a Critical Incident will not be release to the public, in accordance with this procedure, the department will post a statement stating the reasons for the decision within 60 days of the incident.

Links to Other Agency Policies. The next additional coverage examined whether policies were linked with other agency policies. In other words, were there any instances where the agencies’ BWC policies mentioned any other of the same agencies’ policies. Table 28 showed the breakdown of the links to other policies that were found the most.

Table 28*Other Agency Policy Links Codes by Document (N=218)*

	Frequency	Percent
Links to Other Agency Policies Mentioned	56	25.7
<i>Racial Profiling</i>	27	12.4
<i>Records Maintenance and Release</i>	17	7.8
<i>Property and Evidence</i>	12	5.5
<i>Officer Involved Shooting</i>	10	4.6

In all, there were 114 instances where another policy was mentioned in 56 BWC policies, or about a quarter of the sample. The policy type that was mentioned the most was ‘racial profiling’ policies. For this mention, most policies included it as BWC footage would be periodically inspected for compliance with racial profiling policies or “biased-based policing” (Policy #38). Two other common policies that were linked included ‘Records Maintenance and Release’ and ‘Property and Evidence.’ For records and maintenance, this policy was linked with “requests for the release of audio/video recordings” (Policy #10) and that they would be processed using the procedures within that policy. Out of the 114 instances, 48 of them were related to records and release. In the 21 instances mentioning property and evidence, most of them mentioned the use of this policy for how officers or the agency were to either “submit audio/video recordings as evidence” (Policy #4) or “request BWC media be duplicated for evidentiary purposes” (Policy #38). Finally, ‘Officer-Involved Shooting’ policies were mentioned 10 times within the same number of policies, all of which stated, “When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases)” (Policy #211).

Violations of Policy Requirements and Consequences of Those Violations.

One of the most prominent components added by the research team looked at policy violations and consequences. Specifically, the inquiry was whether BWC policies mentioned any policy violations, and if they did mention policy violations, did they include any information on what the consequences were for that violation. In total (Table 29), there were instances where policies included ‘general’ policy violations, or where the coverage included discussing the policy for violations, and there were ‘specific’ violations mentioned, which were coded separately based on the violation type. Finally, there were 17 policies, or 7.8% of the sample that did not include any information on BWC policy violations or consequences.

Table 29

Policy Violations and Consequences Codes by Document (N=218)

	Frequency	Percent
Violation of Policy Requirements (General)	127	58.3
Consequences for Policy Violations (General)	104	47.7
No Violations Addressed and No Consequences for Violations	17	7.8
Violation for Failure to Activate	15	6.9
Consequences for Failed Activation	7	3.2
Consequences for Failed Deactivation Reasoning	6	2.8

When looking at the general inclusions of policy violations and consequences, most of the policies include stepped guidance. For instance, policies like #15 and #27 both included that

Minor policy violations discovered during routine reviews should be treated as training opportunities and not necessarily cause for disciplinary actions. Repeated minor policy violations following informal counseling or training should be

handled through the regular disciplinary process. Serious policy violations, misconduct or criminal infractions discovered during routine reviews shall be reported immediately through the chain of command to the Chief of Police.

Twenty-seven policies within the sample used the same increments when mentioning policy violations and consequences in general. Another prominent policy violation and resulting consequence is the unauthorized release of BWC footage. There were 58 instances where policies included something like that of policy #41, which stated

A peace officer or other employee of a law enforcement agency commits an offense if the officer or employee releases a recording created with a body worn camera under this subchapter without permission of the applicable law enforcement agency. (b.) An offense under this subchapter is a Class A misdemeanor.

Other than specific information for consequences of general policy violations mentioned above, the coverage of consequences included phrasing like policy #15, which noted that “violators of this policy will be subject to disciplinary action, up to and including termination, and potentially criminal prosecution.” In fact, the term ‘disciplinary action’ was mentioned 62 times throughout the quotations for general consequences, oftentimes with policies noting only that ‘violators may be subject to disciplinary action.’

Outside of the general coverage on policy violations and consequences, there were some instances for activation and deactivation violations and consequences, however these were much less than general.⁶ There were 17 instances in 15 policies (6.9%) that mentioned it was a policy violation when an officer failed to activate their

⁶ Here, ‘general’ violations and consequences are when the policies do not include a specific reason for the violation other than ‘violating anything in this policy,’ or something along those lines.

BWC when required by the policy, with only 9 instances in 7 policies that included consequences for that violation. Within this, most policies noted that an officer needed to justify their reasoning for failing to activate their BWC when required. A couple of policies went on to include that “if the department determines an officer was unjustified in failing to activate his BWC when required to do so, the officer may be subject to disciplinary action up to and including indefinite suspension” (Policy #192). While there were no policies that mentioned violations for deactivations, 6 policies (2.8%) included information on consequences for when officers failed to provide a reason for deactivating their BWCs. As with most other policy coverage on consequences, most of the 9 instances only mentioned that ‘corrective’ or ‘disciplinary action’ may be taken if the officer’s justification for failed documentation was unfounded.

Policy Page Lengths and Timelines. The final of the additional policy components studied outside the Texas mandates and the BWC TTA PIP scorecard (White et al., 2018) examined the policy page lengths and the policy timelines. These were collected examining the policy contents themselves. The page lengths were based off the length of the documents provided by the agencies and the timelines for when the policies were established and when they were last reviewed were coded for only if it was within the policy documents themselves. The breakdown of these results can be seen in Table 30.

Table 30*Policies Page Lengths and Timelines (N=218)*

	Frequency	Percent
Policy Page Lengths		
<i>1-7 Pages</i>	140	64.2
<i>8-14 Pages</i>	78	35.8
Years Policies were Established		
<i>Established Pre-2016</i>	42	19.3
<i>Established Post-2015</i>	105	48.2
Years Policies were Last Reviewed		
<i>Last Reviewed Pre-2018</i>	18	8.3
<i>Last Reviewed Post-2017</i>	80	36.7

For policy page lengths, there were policies that ranged from 1 page to 14 pages, with at least one policy in each page length. The breakdown for the policy page lengths were evenly divided between 1-7 pages and 8-14 pages, to allow for a clear separation between the policies that had less than 8 pages and those that had 8 or more. Most policies (140 or 64.2%) were between 1-7 pages, with most policies in that half being 5 pages long. The remaining 78 policies (35.8%) were among the 8–14-page length range, with most (25) policies in this half consisting of 9 pages. It should be noted that several of the longer policies (12-14 pages) only contained information on BWCs in portions of the policy, as the agencies included all audio/video recording media within one policy. These were not separated to only include the BWC portions, as some of the general provisions for all audio/video devices and footage pertained to BWCs as well.

There were some policies that did not include information for the years they were established or the years they were last reviewed. Of those policies that did, there were

147 (67.4%) that provided an established year and 98 (45%) that provided a last reviewed year. The policy established years were separated into two groups, those policies established pre-2016 and those established post-2015. This breakdown was selected to account for the inclusion of Senate Bill 158, which established the requirement for all agencies with active BWC programs to create and keep a BWC policy. Senate Bill 158 went into effect September 1st, 2015, and agencies had one year—until September 1st, 2016—to establish a policy. The range of dates for when agencies established their policies ranged from 1998-2021. There were 42 agencies (19.3%) that established their policies pre-2016, or between the years 1998 and 2015, and 105 agencies (48.2%) that established their policies post-2015, or between the years 2016 and 2021. Finally, the policies that provided the years they were last reviewed were also broken down into two groups. These two groups, pre-2018 and post-2017, were selected as most agencies operate on an annual or biannual review process. As these policies were collected at the start of 2021, to allow for two years of review, the decision was made to use 2018 as a split year. Between the 98 policies which included this information, the range for most recent review dates were between 2013 and 2021. Only 18 agencies (8.3%) reviewed their policies last prior to 2018, or between the years 2013 and 2017, whereas 80 agencies (36.7%) reviewed their policies most recently 2018 or later, or between the years 2018 and 2021.

Conclusion

In concluding this chapter, the two research questions answered here are reiterated. Research question 2 asked how Texas police agencies include state mandated policy components in their BWC policies. Research question 3 asked are areas covered in

the Texas agency BWC policies outside those content areas mandated by the state. Both research questions were answered using the findings from a qualitative content analysis of 218 Texas law enforcement agency policies. The overall findings from both questions are below.

Research question 2's focus on the state mandates centered around 3 main mandates, which included components that were required to be in BWC policies. The mandates were *Senate Bill 158*, *Texas Occupations Code 1701.655*, and *the Texas Public Information Act*. Overall, there were a little under half of the sampled policies that included all components of the required mandates. Approximately 8% of the sample did not include any of the required components. For *Senate Bill 158*, most policies included the mandate in 3 different styles. Some included the minimum requirement, stating that the policy would comply with the mandate. Some included that the BWC footage was subject to the minimum retention records and officers were required to attend training. Last, there were some policies that included the minimum retention period for all footage of 90 days and included not just required training but detailed the types of training required prior to operating a BWC.

For *Texas Occupations Code 1701.655*, there were some, like in the first mandate, that only mentioned the code by name, stating that they were to comply with the requirements. Others included variations within each required component, however, policies generally included provisions for officers to view their own recordings, as well as supervisory review of footage. Most policies included some guidance for officers to activate and deactivate their BWCs, and most policies included some provisions for officers to notify their supervisors in the event of BWC equipment malfunctions. Finally,

for the *Texas Public Information Act*, while most agencies included this mandate, some either stated they allowed open records requests through the act by name or stated the main requirements for citizens to know when filing a public records request. Taken together, while most policies complied with the individual mandates, there were less than half that complied with all 3, and there was even less cohesion when looking at how these mandates were included within the policies.

Research question 3 wanted to know about areas outside the mandated requirements. In answering this, the current study utilized one of the only prior BWC policy analyses' (White et al., 2018) results to aid in looking at the individual policy components. Using the BWC TTA PIP scorecard, created in collaboration with White and colleagues and BJA, the current study analyzed the policies with most of the scorecard's components. The use of this framework allowed for a streamlined process by which to determine how policies covered topics found to be common within BWC policies. Each of the general results from the scorecard sections are included below.

The main takeaways from the results on the current sample for General Issues are that most agencies that mention who should wear BWCs included uniformed officers (60% of policies) or all officers (30%) of policies within the department. Additionally, most policies mentioned that officers assigned BWCs are to wear them while on duty and a little over a quarter of policies mentioned the required use of BWCs for officers who are acting in off-duty, law enforcement-related assignments. Finally, most agencies (113 policies) prohibited the use of personally owned BWCs during officers' shifts.

The results for activation codes showed that almost all policies included some requirements for activation. Within that requirement, policies used several examples for

when required activation was to occur. A little over half of sample agencies covered discretionary activation in some manner, with most of them surrounding the need to record evidentiary value. Additionally, there was some split between the policies that mentioned required or discretionary citizen notification and those that did not require any notification. Finally, over half of the policies included some requirements for officers to note BWC footage existence when writing their reports.

The findings from the current set of policies on both required and discretionary deactivation revealed greater instances of discretion than found within activation components. Required deactivation for most of the policies was allowed ‘when the incident/call/contact/event had concluded.’ This is often to include all possible situations where the BWC may be activated and the time when deactivation is to occur is not as likely to be readily identified. Most policies did include more examples for when officers had the discretion to deactivate their devices. These often centered around both agency personnel and civilian/victim privacy.

Taking the data download and transfer section together, most policies that cover this section hit on several points. The category tagging provided several examples, as most policies included lists for the different categories BWC footage can be tagged with. A smaller component of BWC policies was the inclusion of chain of custody issues or concerns. Half of those policies that mentioned chain of custody concerns followed a similar quotation. The download process and download/transfer responsibility were mostly coded simultaneously as most policies included officers being responsible for downloading their footage onto the appropriate software by the end of their shift. Most of the policies had general inclusions for their tagging processes, like that of download

process and responsibility, indicating that officers are to tag their footage appropriately to ensure proper storage and retention of the BWC evidence. Finally, the prohibitions for tampering with, copying, or deleting BWC footage closely resembled two main quotations, which prohibited altering, copying, erasing, duplicating, or releasing footage. Sometimes this was coupled with ‘without the approval of’ and would mention those within the agency that approved the release or alteration of footage.

When looking at data storage and retention, the policies varied in how they included retention periods by incident category, but the storage platform and wording used on where to store the footage was more cohesive. Additionally, some policies included steps officers were to take when downloading their footage for storage and where to place it, and some only noted that the footage was stored in a digital or video electronic management system of some kind.

There were several policy content areas surrounding BWC viewing. Officers were generally allowed to view their own footage for the purposes of writing their reports or reviewing prior to making a statement. Supervisory viewing of BWC footage often occurred for compliance reviews, audit viewing, critical incident viewing, and for other administrative investigatory purposes. Other officers were allowed to view BWC footage if for official investigations and upon approval, mostly from the Chief. Criminal justice actors viewing the footage were mostly prosecutors and defense attorneys and they had to go through the appropriate channels to be approved to view the footage. Citizens were mostly prohibited from viewing the footage without approval or unless they went through the proper public record requests laws. Most of the BWC footage is prohibited from public release, without proper approval or unless through the Public Information Act, and

around one-fifth of the policies prohibited any BWC footage from being released onto social media sites. Finally, of those policies that mentioned training viewing, most phrasing surrounded officers making a note of the footage useful for training and informing their supervisors. Approval from upper administrations and/or the officer within the footage was required by some policies prior to using footage for training purposes.

There was only one component in the scorecard concerning any training for BWC devices. Most policies included some of the same wording to note that officers must attend ‘agency’ or ‘department’ approved training prior to BWC operation. Other policies were more detailed in their inclusion of mandatory training requirements. Some mentioned the use of a particular training regimen.

The section on public release in the scorecard resulted in some of the more homogenous findings throughout this analysis. Chiefs of Police were coded the most when looking for policy contents on who authorized the release of BWC footage. Public records requests closely resembled codes found under the Texas Public Information Act and, when looking at the processes, most policies guided citizens to submitting a public records request or, if the agency was equipped, citizens were directed to the Records Division to process their requests. Policies also noted that agencies process requests for redaction for mostly personal or incidental recordings and kept the log of any redactions on file. Finally, a quarter of the quotations focused on footage that was exempt from disclosure showed that footage containing officers using deadly force was exempt until all administrative investigations had finished.

The final component within the BWC TTA PIP scorecard, created by BJA and White and colleagues (2018), focused on policy and program evaluations. This was the least coded component of the scorecard in the current study. Continued reviews were coded 17 times in 13 policies (6%). Of the policies that mention continued review of the program or policy, most stated that the programs and/or policies would be reviewed on a biannual, annual, continual, or periodic basis.

In addition to the scorecard results, there were a couple of areas where the LEMIT research team were interested in seeing how policies included those topics. These areas were additional training points, BWC viewing outside criminal justice agencies, links to other agency policies, policy page lengths, violations of policy requirements and consequences of those violations, and the years the policies were established and most recently reviewed.

The first portion of LEMIT research team-added policy content inquiries looked for additional information on training. The results found that most policies (72.9%) indicated specific individuals who were required to receive BWC training. Most of the policies mentioned all officers or officers that were assigned BWCs, but many also noted supervisors and any additional personnel who may encounter BWCs would also receive the training. A little over half of the policies also mentioned something in terms of mandatory training types. Most policies noted that it was either agency/department-approved training or TCOLE required training, but some agencies included specific components included during the required training. Finally, there were a few agencies that mentioned additional or continued training. Almost all those instances mentioned a

specific quotation, however, those were split between the agency ‘requiring’ or ‘providing’ additional training.

There were less instances where additional BWC recordings were allowed to be viewed, according to the sampled policies. Most of the instances were for the allowance of media personnel to view the footage, upon approval of the chief. Both ongoing victim viewings and uses of force viewings were minimally mentioned, and in both codes, the coverage mainly centered on uses of deadly force and the individuals involved or their families being able to view the footage. Finally, there was only one instance where an agency included any information or process on when they would publicly release their footage outside of open records requests.

There were some links to other policies throughout the sample. Most of the links involved records maintenance and release, BWC footage as evidence, racial profiling policies, and links to guide officers on how to review officer-involved shootings footage.

Next, for the inclusion of policy violations and consequences, there were two main findings. The first is that half of the sampled policies mentioned some form of general policy violations, with most of these focusing on the prohibited release of BWC footage. The consequences for these mostly point towards disciplinary action of some kind and a Class A Misdemeanor for the prohibited release of footage. Second, there were very few instances where activation or deactivation violations or consequences were mentioned, when they were mentioned, but again, most consequences only noted that ‘disciplinary action’ may be taken. When looking at the final components of the policies, most policies were between 1-7 pages long. Of those that provided their policy timelines,

most policies were established 2016 or later. Finally, there were over one-third of agencies who most recently reviewed their policies between 2018 and 2021.

With the main findings providing answers to the second and third research questions, the final component of this analysis will be to categorize the policies. Utilizing additional information, the policies will be separated into different groups of agency sizes and types to answer the final research question. This will provide a more comprehensive look into how BWC policies in Texas police agencies are grouped and whether agency size and type are associated with some of the differences found in the results from this chapter.

CHAPTER VI

Results – Content Variations

Overview and Purpose of the Chapter

This results chapter focuses on the variations between Texas police agencies' BWC policies. Based on the results from the previous chapter, there were some sections within the BWC policies that covered a wider variety of information than some others. As such, the final research question asks *how the BWC policies are similar or different across different agency types and sizes*, which may account for the variations found throughout the complete sample of policies. This question will be answered using two different agency characteristics, based on the agencies that provided their policies to the project. The remainder of the chapter will consist of the breakdown of agency types and sizes to show how the final sample sizes for this research question came to be. Then, there will be a brief overview of the rationale behind the policy topic areas that were selected to answer this question. The results are then broken down into the different categories. Finally, the chapter will conclude with the overall results found in answering this final research question.

Breakdown of Agencies from Survey Responses

Of the 616 active BWC programs, only 378 were able to be categorized by their sizes and agency types. This was due to how they responded to the final question in the survey, asking if they would provide us their contact information to gather their departments' BWC policies. Those 378 that provided us their information were able to be categorized. The remaining 362 agencies who declined to continue further in the project remained anonymous. While the individual results must remain confidential, aggregate

agency characteristics from the sample of survey respondents are presented in Table 31 and 32. Table 31 shows the different agency types. There were 4 types categorized. The local or municipal agencies comprised most identifiable agencies at 281 agencies or 74% of the 378. Next, the independent school districts (ISDs) and university/college agencies made up the middle sections with 51 and 37 agencies, respectively. Finally, there were 9 agencies or 2.4% of the 378 identified agencies who were special district or jurisdiction agencies.

Table 31

What Types of Agencies Responded to the Survey? (N=378)

	Frequency	Percent
Agency Type		
<i>Local/Municipal</i>	281	74.3
<i>ISDs</i>	51	13.5
<i>University</i>	37	9.8
<i>Special</i>	9	2.4

There was also the inclusion of different agency sizes for 364⁷ of the agencies and they were broken down into the same categories as the BJS local personnel data are (Table 32). The categories are based on how many full-time officers the department has. The different categories are *0-1 officers*, *2-4 officers*, *5-9 officers*, *10-24 officers*, *25-49 officers*, *50-99 officers*, *100-249 officers*, *250-499 officers*, *500-999 officers*, and *1000 or more officers* (Hyland & Davis, 2019). Most agencies in the sample had 10-24 full time officers (121 or 33.2% of the identifiable agencies), but at least 1 agency fell into each of the 10 different categories. Around 80% of the responding agencies employed fewer than

⁷ There were some agencies that did not provide LEMIT with the number of officers they employed, therefore 3.7% of agencies were missing their agency sizes in the survey sample.

50 officers full-time. The national average comparison is that 88% of agencies employed the same number of officers.

Table 32

What Sizes of Agencies Responded to The Survey? (N=378)

	Frequency	Percent
Agency Size		
0-1 Officers	8	2.2
2-4 Officers	34	9.3
5-9 Officers	60	16.5
10-24 Officers	121	33.2
25-49 Officers	69	19.0
50-99 Officers	38	10.4
100-249 Officers	25	6.9
250-499 Officers	5	1.4
500-999 Officers	1	0.3
1000+ Officers	3	0.8

Breakdown of Agencies who Provided their Policies

When coding the BWC policies, the documents were also coded for their agency's types and sizes. The final breakdown of the sampled policies by their types and sizes can be found in Tables 33 and 34. Table 33 showed that there were still around 74% of municipal or local agencies in the sample. The ISDs and university percentages were also like those identifiable agencies in the larger sample, with those types of agencies making up 12.4% and 9.6% of the sample, respectively. Finally, there were almost the same percentage of special jurisdiction agencies as the larger sample, with 6 of those agencies (2.8%) providing their policies.

Table 33*What Types of Agencies Provided their Policies? (N=218)*

	Frequency	Percent
Agency Type		
<i>Local/Municipal</i>	162	74.3
<i>ISDs</i>	27	12.4
<i>University</i>	21	9.6
<i>Special</i>	6	2.8

Table 34 showed the breakdown of agencies that provided their policies by agency sizes. As with the larger sample from the survey results, most of the collected policies were provided by agencies with 10-24 officers (70 policies or 32%). The remaining agency size categories were also representative of the larger sample these policies were collected from. To condense the agency sizes further, which allows for more meaningful interpretation of the potential policy content variations and retain confidentiality for the agencies, the current study sought to create 3 agency size categories, *small*, *medium*, and *large*. When looking into an appropriate, or collectively accepted agency size category breakdown, there was no one uniform selection throughout multiple law enforcement agency platforms (BJS, IACP, CALLEA, and PERF). As such, when speaking with the LEMIT Executive Director, the final categories were selected, based off the representative breakdown of law enforcement agencies throughout the state of Texas. The final categories are at the bottom of Table 34 and are *small agencies* consisting of 0-9 officers, *medium agencies* consisting of 10-99 officers, and *large agencies* consisting of 100 or more officers. These are the 3 categories that will be used to determine variations between agency sizes.

Table 34*What Sizes of Agencies Provided their Policies? (N=218)*

	Frequency	Percent
Agency Size		
0-1 Officers	6	2.8
2-4 Officers	15	6.9
5-9 Officers	30	13.8
10-24 Officers	70	32.1
25-49 Officers	36	16.5
50-99 Officers	25	11.5
100-249 Officers	19	8.7
250-499 Officers	5	2.3
500-999 Officers	2	0.9
1000+ Officers	5	2.
Final Agency Size Categories		
Small (0-9)	51	23.4
Medium (10-99)	131	60.1
Large (100-1000+)	31	14.2

Focused Policy Content Areas

To reiterate the findings from research questions 2 and 3, there were some sections that were similar across most BWC policies, such as data storage and retention and data transfer and download. There were some portions of the BWC TTA PIP scorecard (White et al., 2018) topics that were also similar between most of the policies, such as the way public records requests were included throughout the policies. There were, however, there were variations between some policy components within the scorecard components and the mandates required to be included within all Texas BWC policies. These areas are what will be analyzed below between the different agency categories. The policy content areas analyzed are the Texas state mandates, activation and deactivation, BWC footage viewing including officers viewing their own footage and

supervisors reviewing the footage, the different types of mandatory training included in the policies, and the different coverages of BWC policy violations and consequences. This chapter will show how these policy contents are similar or different between the different agency types and sizes.

Policy Contents within Municipal/Local Agencies by Sizes

These BWC policies will be analyzed in this chapter is on how these agencies will be analyzed across the different categories. Due to the largest percentage of BWC policies deriving from municipal or local agencies, those policies will be analyzed by different agency sizes within that agency type. With there being much smaller compositions of ISD, university, and special jurisdiction agencies (Table 33), those will be analyzed as a singular group and compared to the results from the entire sample of policies and those groups created for municipal agencies.

Municipal Agency Policies

In answering the final research question, the breakdown of municipal agency policies will compare the agency size groups on their policy contents within each section below. In total, there were 162 municipal or local agencies that provided their BWC policies. When looking at the breakdown of municipal agency policies by sizes, 30 policies (18.5%) came from small—0-9 officers—agencies, 62.3% (101) of the municipal agency policies were from medium-sized agencies, or agencies with 10-99 officers, and the remaining 16% (26) of policies were from large municipal agencies, which had 100 or more officers.

Texas State Mandates. In the total sample, there were 49% of agencies that contained all three of the required state mandates for BWC policies, *Senate Bill 158*,

Texas Occupations Code 1701.655, and the *Texas Public Information Act*, and there were 8% of agencies that did not include any of the mandates. When looking at municipal agencies specifically, there were 16 (31.4%) small-sized, 47 (35.9%) medium, and 18 (58.1%) large agencies that included at least the minimum requirements for all the state mandates. Additionally, there were 2 small, 6 medium, and 0 large municipal agencies that did not include any of the state mandated BWC policy components.

Senate Bill 158. When looking at the state mandates individually, those municipal agencies that included the required components for *Senate Bill 158* made up almost half of the small agencies, 62% of the medium agencies, and over three-quarters of the large agencies. In terms of the small and medium agencies, most of the instances where retention periods were mentioned, the policies either mentioned at least the minimum 90-day period specifically—with few instances of a minimum 120 or 180 days—or stated something like “the retention and destruction of DME shall be pursuant to state public records retention laws” (Policy #130). Within the small municipal policies, there were no variations between those two content examples. In the medium- and large-sized municipal agencies, however, there were a couple instances where the retention periods were expanded upon and included retention periods broken down by different incident categories. One example of policies including multiple retention periods can be seen in Figure 1, from policy #176.

Figure 1*Example Retention Period Schedule*

VIDEO CATEGORIZATION AND RETENTION PERIODS	
Category	Retention Schedule
Admin Retention	5 years
Admin/Default, Crash, N-Code	180 days
Felony (Capital & First)	50 years
Felony (Second, Third & State), Recovered Stolen Veh, DWI	10 years
Misdemeanor Offense Report	2 years
Open Records Request	4 years
Police Act 30 Mon Retent	900 days
Reportable Incident, Traffic	2 years
Training	15 days
Uncategorized, Restricted, Pending Review	Until Manually Deleted

Another required component for *Senate Bill 158* is the inclusion of training for officers prior to using BWCs and tied in with one of the BWC TTA PIP scorecard components, of mandatory training inclusion. When looking at the full sample of policies, the policies showed that most policies included some of the same wording to noted that officers must attend ‘agency’ or ‘department’ approved training prior to BWC operation. Other policies were more detailed in their inclusion of mandatory training requirements. Some mentioned the use of a particular training regimen. Breaking this down further, those municipal agency policies included training in 22 small agency policies, 79 medium agency policies, and 24 large agency policies. Municipal agency policies—regardless of size—that mentioned mandatory training mostly covered those officers, and sometimes supervisors or personnel in contact with BWCs, will attend ‘department- ‘or ‘agency-approved’ training prior to using BWCs. There were some instances within these policies that they included those officers will attend the training and “demonstrate proficiency with the recording and transfer of recorded data” (Policy #147). There were some policies within the medium and one instance in the large

municipal agency policies that included the mandatory requirement and went further to include the specific information that was covered during the training. This will be expanded further in the training type section below.

Texas Occupations Code 1701.655. Moving on to the next mandate, *Texas Occupations Code 1701.655*, which includes the required information to be included within BWC policies, there were several components that make up the *Code*. These components include guidelines for activation and deactivation, a minimum requirement for data retention of 90 days, guidelines for access to footage through the Public Information Act, information on handling BWC equipment malfunctions, and allowing both the officers themselves and supervisors to view the footage. As seen in the full results, there were some instances where agencies only provided the requirements by including the name of the *Code*.

Within municipal agencies, this practice was seen in all three size categories. There were 9 large policies, 12 medium policies, and 4 small policies that mentioned the compliance of *Texas Occupations Code 1701.655* by name. The individual components of this *Code* will mostly be covered in the sections below. The only section that is not covered in the results below is the way policies included content on BWC equipment malfunctions. Almost all municipal policies, regardless of agency size, included provisions on equipment malfunctions by stating that officers are to bring the malfunction to the supervisor's attention and then the supervisor will handle either the replacement of the BWC or the inspection/repair of the equipment prior to officers returning to duty.

Texas Public Information Act. The final mandate, *Texas Public Information Act*, states that BWC policies are to include the provision for civilians to make an open

records request of BWC footage. The act also goes into detail of how civilians can make those requests and the steps required. Within the full sample, most policies included the act and the policies either mentioned the act by name, used the phrase “Open Records Request” (Policy #54), or included the steps required for an open records request through the *Public Information Act*. As such, when looking at municipal agency policies by sizes, the results were similar across the 3 categories.

Activation and Deactivation. The next focused section will look at activation and deactivation, as the policies in the full sample, mentioned activation and deactivation guidelines in some fashion.

Activation. Within the required activation portions, most municipal policies begin with a statement along the lines of policy #39, which stated that “officers shall begin recording, in accordance with this procedure, until the event is concluded.” Meaning that most municipal agencies included some coverage of activation as a blanket statement; however, some also included bulleted examples for when officers are to activate their BWCs. Some of these examples included:

- All call for service,
- Arrests,
- Traffic stops,
- Transports,
- Pursuits,
- Searches and seizures,
- Investigations or interviews with victims, witnesses, or suspects,
- Officer-initiated contacts,

- And uses of force.

When looking at the differences in required activation, municipal agencies varied in how many examples they provided or how detailed they were in their explanations of required activation, but the contents of the examples and required usage were mainly the same across the agency sizes. There were most equal spreads of both the policies containing required activation for ‘calls for service’ or ‘all contacts’ and those policies that provided a list of examples for required activation. There were also no instances where municipal policies allowed officers complete discretion on when to activate their BWCs, without any required activation points, which is a component of *Texas Occupations Code 1701.655*. Discretionary activation was similar in all municipal agencies as in the full sample, where the main areas when officers had the discretion to activate was in addition to the required components and if the officer deemed discretion was needed to not activate their BWCs for privacy concerns or where discretion was needed to activate their BWCs when “appropriate and/or valuable to document an incident” (Policy #17). When comparing required and discretionary activation, there were 29 small, 101 medium, and 26 large municipal agency policies that included required activation and 10 small, 53 medium, and 18 large municipal agency policies that included discretionary activation.

Deactivation. Deactivation, both required and discretionary, was found to be much more cohesive throughout the entire sample. Guidelines for when officers are required to deactivate their BWCs is also a component of *Texas Occupations Code 1701.655*. There were 24 small, 75 medium, and 24 large municipal agency policies that included some guidelines on required deactivation. For required deactivation, there were

also instances where agencies included bulleted examples. Most of these examples for all municipal agency sizes looked like that of policy #50, which stated that

For purposes of this section, conclusion of an incident has occurred when all of the following applicable things have occurred: (a) Arrests have been made; (b) Arrestees have been transported; (c) Witnesses and victims have been interviewed; (d) Evidence has been collected.

Other municipal agency policies noted that “personnel shall not stop or mute the recording until the completion of the incident” (Policy #38).

Discretionary deactivation, in contrast to discretionary activation, was found in 1 small, 13 medium, and 1 large municipal agency policies, in which these policies also did not include required deactivation. This means that there were 15 municipal agencies from all size categories that allowed officers discretionary deactivation without any required deactivation points. As with discretionary activation, discretionary deactivation focused on privacy matters mostly, with prolonged, unnecessary use following. One small municipal policy (#22) that had discretionary deactivation components stated that

Examples include but are not limited to: conversations with criminal informants, private conversations between officers or supervisory personnel, working traffic control, performing crime scene duties, or situation where the officer would be placing in a tactical disadvantage.

Finally, another component of *Senate Bill 158* is that agencies are to include in their policies that officers are to document their reasonings for deactivating their BWCs. There were 21 small, 67 medium, and 23 large municipal agency policies that included this requirement in some fashion. Most policies that included this component stated that

their officers shall include the deactivation in their reports, with some agencies also requiring officers to verbally document on their BWCs the reasoning for deactivation prior to turning off the devices. There were 7 small, 28 medium, and 5 large municipal agency policies that stated specifically that “if an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated” (Policy #155).

BWC Footage Viewing. The next section to look at for variations in agency types and sizes is contents on individuals viewing BWC footage. Specifically, the most focus was placed on officers viewing their own footage and supervisors viewing the footage. Both groups are required to have viewing privileges via the *Texas Occupations Code 1701.655*. there were 17 small, 73 medium, and 24 large municipal agency policies that included components on officers viewing their own footage. Additionally, 25 small, 93 medium, and 25 large municipal agency policies mentioned instances where supervisors are to view the BWC footage. Most municipal agency policies included that either “all officers will be able to view their own recordings” (Policy #172) or allow officers to view their own recordings under certain circumstances. One example of this was policy #130, which stated that

Officers shall be allowed to review the recordings from their In-Car Video Camera System or BWC at any time. To help ensure accuracy and consistency, officers are encouraged to review recording prior to preparing reports. If the officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall: (a) Have the option of reviewing the recordings; and (b) Have the right to review recordings from other

recording devices (body-worn cameras, other officer's in-car videos, etc.)

capturing the officer's image or voice during the underlying incident.

Only medium-sized municipal agency policies specifically stated that "the department reserves the right to limit or restrict access to recordings of serious or sensitive events" (Policy #88). Other policies in the same category went further to include an exception to limiting officers from viewing their footage "when a statement is required regarding the incident the officer will be permitted to review the recording" (Policy #106). Neither small nor large municipal agencies included restricting officers from viewing their own BWC footage in any way. Some medium and large municipal agencies included the mentioning that officers are allowed to view their own footage, per state law. No small municipal agency policies mentioned state laws specifically when covering officers viewing their own BWC footage.

Supervisory viewing on the other hand, was used to cover periodic reviews of BWC footage for a couple reasons and for when supervisors review footage for investigations into misconduct, critical incidents, and internal investigations. There was some variation in how much policies included where supervisors can view BWC footage, but these main topics were found in all three size categories for municipal agency policies. The details ranged from policies including that "all department-owned equipment and its use are subject to routine or specific review and/or investigation by department supervisors as needed to ensure appropriate use" (Policy #34) all the way to some policies including multiple areas where supervisory viewing is allowed or necessary. One example of this showed that

Supervisors will ensure videos related to critical incidents are uploaded to corresponding digital files and tagged for retention as soon as practical.

Supervisors will conduct random BWC reviews/audits of officers assigned to them as required by TX77RSB 1074. Division Commanders will ensure that at least two BWC reviews are conducted each year for all officers under their command assigned a BWC. Supervisors, when reviewing video should look for training opportunities to enhance officer performance. In addition, any video believed to benefit recruit and/or in-service training should be forwarded through the chain of command to the police academy (Policy #55).

These variations from minimal inclusion of supervisory review, all the way to multiple areas where supervisors were to review BWC footage were found in all three size categories for municipal agencies. There were no specific areas that were prominent in one size category that was not also found in the other two categories.

Mandatory Training Types. The next area where variations were found surrounded the inclusion of the type of training required by policies prior to officers using BWCs. While Senate Bill 158 requires that officers are to receive training prior to using BWCs, it is not required that policies include the type of training those officers receive. There were, however, several instances in the full sample where policies took an additional step to include the type of training, or the areas covered in the required training. When looking at municipal agencies specifically, there were 14 small, 53 medium, and 18 large agency policies that mentioned mandatory training type(s). For small municipal agency policies, the training types mentioned were either “department-approved training on [BWC device’s] proper operation, care and the department’s policy

with respect to the use of the BWC” (Policy #25) or took the extra step to include specific types of trainings, like the” Texas Commission on Law Enforcement (TCOLE) training” (Policy #105) or

Training in the operation and use of the Axon Portable Audio/Video Recording Device (Commonly referred to as the Watch Guard Body Cam) during the First Phase of the Field Training Program for newly hired officers. This training will be in compliance with the 85th Legislative Training Mandates (Policy #164).

Additionally, small municipal agencies included some provision on supervisors receiving training as well as officers, stating that “supervisors will attend department training on the use, retrieval, and storage of data, using DMRs” (Policy #147). Both medium and large municipal agencies were like the examples presented from small agency policies. The main variation here is that in medium and large municipal agencies, their policies included content on specific training components required for BWC training. One example of this, from policy #137, which stated that

Prior to using an In-Car Video Camera System or BWC, officers shall receive Department approved training on its proper operation and care and the Department’s policy with respect to the use of such systems. This training should include but not limited to: 41.3.8.f (a) Practices and protocols covered by this policy; (b) Relevant state laws governing consent, evidence, privacy and public disclosure; (c) Procedures for operating the equipment safely and effectively; (d) Scenario based exercises that replicate situations that officers might encounter in the field; (e) Downloading and tagging recorded data; (f) Accessing and reviewing recorded data; (g) Preparing and presenting digital evidence for court;

- (h) Documenting and reporting any malfunctioning device or supporting system;
- (i) Supervisors will receive training relative to accessing subordinates videos for review and distribution according to the expectations outlined herein. (j) Civilian personnel who come into contact with video and audio obtained from BWCs will also receive applicable training.

This amount of detail on mandatory training types was not offered in small municipal agency policies.

BWC Policy Violations and Consequences. The final area where the entire sample of policies showed more variations was within whether agencies covered policy violations and consequences within their BWC policies and if they did, how were they covered. This was not a required component of BWC policies by any mandate, however, there were over half of the entire sample that mentioned at least general policy violations. Overall, there were 14 small, 62 medium, and 18 large municipal agency policies that included some coverage of policy violations and/or consequences. Additionally, there were 3 small and 7 medium municipal agency policies that did not include any mentioning of policy violations or consequences for those violations. There were no large municipal agencies that did not include any policy violations or consequences.

When looking at small municipal agency policies, most coverage on policy violations and consequences surrounded the prohibited release of BWC footage or “accessing, copying, editing, erasing, or releasing recordings” (Policy #147). There were a few instances where there were consequences for minor violations like policy #14, which stated that “minor infractions (non-criminal) discovered during routine reviews of recorded material should be addressed by the Chief of Police, including retaining when

appropriate. Disciplinary actions will be addressed in accordance with department policy.” Those infractions covered that were considered criminal in the state of Texas were addressed like policy #96, which stated that “it is a Class A misdemeanor for a peace officer or other employee of a law enforcement agency to release a recording created without permission of the applicable law enforcement agency.” While most medium and large municipal agency policies were like small municipal agencies, the main difference in the groups were that medium and large municipal agencies had more coverage on a progression-style consequences list for policy violations. Whereas there was only one policy in small municipal agencies that covered this style briefly, there were multiple medium and large agencies that included progression-style consequences within their policies. These looked like policy #15, which stated that

Minor policy violations discovered during routine reviews should be treated as training opportunities and not necessarily cause for disciplinary actions. Repeated minor policy violations following informal counseling or training should be handled through the regular disciplinary process. Serious policy violations, misconduct or criminal infractions discovered during routine reviews shall be reported immediately in accordance with the Department’s discipline policy.

This progression-style coverage of consequences to policy violations was found to be an area for improvement from the responding agencies in the survey portion of this project.

Policy Contents within ISD, University, and Special Jurisdiction Agencies

With the largest agency type covered in the focused areas, it is time to see if there are any variations between the smaller agency types in the sample—independent school districts (ISDs), universities or colleges, and special jurisdiction agencies—the full

sample, and the municipal agencies. Most research on police policies examined municipal agencies. With the inclusion of these less-researched policies, these results help capture the BWC policy contents in multiple types of police agencies in Texas, rather than just the commonly studied municipal agencies. The next section will cover ISD agencies, university agencies, and special jurisdiction agencies. In total, there were 27 ISD, 21 universities, and 6 special jurisdiction agency policies in the total sample. As these are smaller groupings, they will be compared to each other and the full sample of findings, to ensure confidentiality and provide a base reference when looking at the multiple agency types.

Texas State Mandates. As with municipal agencies, ISDs, universities, and special jurisdiction agencies are required to comply with the state mandates for BWC policies. As such, this section will cover the mandates in the same manner as they were covered in the municipal agencies (Table 36). For state mandates, there were 10 (37%) ISD agencies, 8 (38%) university agencies, and 3 (50%) special jurisdiction agencies that included all required mandates in their policies and there were 3 (11%) ISD agencies, 3 (14%) university agencies, and 1 (17%) special jurisdiction agency that failed to include any mandates in their policies.

Table 36*State Mandates by Non-Municipal Agency Type*

	ISDs (n=27)	ISD Percent	University (n=21)	University Percent	Special Jurisdiction (n=6)	Special Jurisdiction Percent
All Mandates	10	37.0	8	38.1	3	50.0
No Mandates	3	11.1	3	14.3	1	16.7
Senate Bill 158	15	55.6	15	71.4	5	83.3
Texas Occupations Code 1701.655	15	55.6	10	47.6	3	50.0
Public Information Act	20	74.1	14	66.7	3	50.0

Senate Bill 158. There were 19 ISD, 15 university, and 5 special jurisdiction agencies that included the required components of *Senate Bill 158*, with the minimum retention periods of 90 days and including a component on mandatory training. How these agencies included the retention period component looked like the full sample, where the policies included mostly either the '90 days' minimum or stated that the retention period would comply with 'state laws' or 'state retention periods.' For ISDs and universities, most policies noted the '90 day' or doubled that and stated '180 days' of retention for all footage, with around 30-40% of those instances noting 'state laws' requirement. Four out of the 5 special jurisdiction agency policies also noted the '90 day' retention period, with the final one providing multiple retention periods by incident categories. There was also one ISD policy that included multiple retention periods, in

addition to the required 90 day minimum. For training, ISDs and special jurisdiction agency policies covered mostly the minimum requirement of “officers who are assigned a body worn camera, and any other personnel who will come into contact with audio/video data obtained from body worn camera, must complete an agency approved and/or provided training program to ensure proper use and operation” (Policy #73). There were a couple instances of additional training included like those mentioned in the full sample results. University agencies mostly comprised of the same training inclusions as ISDs and special jurisdictions, within these three agency types, universities were the only type to include specific information on what components were included in the mandatory training.

Texas Occupations Code 1701.655. As with the municipal agencies, the component in *Texas Occupations Code 1701.655* that is not discussed in other portions of these results, is the coverage of BWC equipment malfunctions. The remaining *Code* components will be denoted in their respective sections; however, BWC equipment malfunctions results will be presented here. Here, all three agency types were similar on their policies’ contents for BWC equipment malfunctions. All policies in these three agency types included those officers either ‘notify supervisors,’ ‘document malfunctions in report,’ or ‘return equipment to supervisor/program manager.’ Those policies in these groups that mentioned replacements stated that “any device found deficient at any time will be reported to the officer’s supervisor who will issue a replacement if one is available” (Policy #140).

Texas Public Information Act. The final mandate, also a component of *Texas Occupations Code 1701.655*, is the *Texas Public Information Act*. This is a component of

the *Code*, by means of policies are required to include that release of footage will be through the *Public Information Act*. Both the full sample and those policies from the municipal agencies included the release of footage through the *Public Information Act* by name or included the information civilians are to take to make an open records request. While most ISD, university, and special jurisdiction agency policies fell in line with the full sample and municipal policies, some ISD policies included additional information regarding the release of footage involving juveniles. One example of this came from policy #73, which stated that

Recordings made using body worn cameras pursuant to this directive are department records and may only be released as provided by Open Records Act / *Texas Public Information Act* or for other authorized legitimate department business purposes. Release of body worn camera recordings shall conform to the guidelines established in *Texas Occupations Code 1701.661*. (Redacting may apply due to the possibility of capturing juveniles who may not be involved in the incident.)

Activation and Deactivation. Moving on to the next focused topic, activation and deactivation, the frequency of policies within each non-municipal agency type that contain required and discretionary activation and deactivation contents is shown in Table 37.

Table 37*Activation and Deactivation by Non-Municipal Agency Type*

	ISDs (n=27)	ISD Percent	University (n=21)	University Percent	Special Jurisdiction (N=6)	Special Jurisdiction Percent
Required Activation	25	92.6	21	100.0	6	100.0
Discretionary Activation	17	63.0	14	66.7	4	66.7
Required Deactivation	20	74.1	17	81.0	6	100.0
Discretionary Deactivation	17	63.0	16	76.2	4	66.7

Activation. *Texas Occupations Code 1701.655* required guidelines for officers to activate their BWCs. The required activation for ISD, university, and special jurisdiction agency policies were like those of the full sample and municipal policies, which contained activation for multiple examples. Within these groups, there were more instances of policies containing over 5 examples, whereas municipal agencies and the full sample of policies included 3-4 examples. The most common examples found in these groups were like that of policy #86, which stated

While no officer shall be required to keep the BWC in the record mode for an entire shift, officers shall place the BWC in the record mode when responding to and under the following conditions: (a.) All calls for service or requests for police assistance. (b.) All criminal investigations. (c.) All enforcement and investigative contacts to include traffic and pedestrian stops and field interviews. (d.) Anytime an officer is in contact with a suspect. (e.) In instances where the officer reasonably believes the recording may provide evidence in criminal investigations. (f.) Any other contact becoming adversarial after the initial contact

in a situation not otherwise requiring recording. (g.) Any time an officer is walking through the residence halls. (h.) Any other police-related business or contact.

For discretionary activation, there were instances in ISD policies that varied from the typical coverage where officers were afforded the discretion to activate their BWCs. Most policies in the 3 groups covered discretionary activation for when officers deem additional footage would be of evidentiary value or would protect the officer and agency in the event individuals may report a complaint over the contact. One ISD policy and a special jurisdiction policy covered discretionary activation for specific circumstances to their officers' duties.

Consensual contacts are not required to be recorded by the officer. Consensual contacts by the officer on school district grounds are an everyday event. In most cases this involves juveniles for the purpose of guidance. This does not prevent the officer from utilizing the body worn camera when the following condition exist or present themselves; (1.) Interaction that is potentially evidentiary in nature including but not limited to suspect interviews, victim interviews, witness interviews, or to capture consent to search. (2.) Contact that has become or is foreseeable to become confrontational. Nothing in this policy excludes the officer from utilizing his, or her body worn camera for the purpose of documenting an encounter where there is a potential for allegations of misconduct. (Examples: transporting of student or citizen of the opposite sex, standing-by with a student or citizen for an extended amount of time while waiting on second person to arrive, etc.) (Policy #110).

“Supervisors tasked with coordinating the response to such events shall have the discretion to order officers to record portions of or the entire special event” (Policy #192).

Deactivation. When looking at deactivation, most ISD, university, and special jurisdiction agency policies included contents for both required and discretionary deactivation. Guidelines for deactivation were also a component of *Texas Occupations Code 1701.655*, as well as the coverage for officers documenting the reason for deactivating their BWCs. As with the full sample and municipal agencies, ISD, university, and special jurisdiction policies mostly covered deactivation as when the ‘event/contact had concluded’ or when the ‘officer has left the scene.’ Again, as with the municipal agencies and the full sample, there were some policies in the 3 agency types that included examples for what the policy deemed ‘conclusion’ to be. Some of these examples were like that of policy #223, which stated that

For the purpose of this section, conclusion of the incident has occurred when: (1.) All arrests have been made and arrestees have been transported and released from the officer’s custody; (2.) All witnesses and victims have been interviewed; and (3.) The continued recording will not serve to obtain additional evidence.

In covering the other required component of *Texas Occupations Code 1701.655*, policy contents on documentation for BWC deactivation reasonings, were included in 19 ISD, 14 university, and 5 special jurisdiction agency policies. When the policies covered this documentation, it was like that of the full sample and municipal agencies, where “anytime an officer is unable to record or ceases recording of an incident, the reasoning shall be included in the department report” (policy #221), or “Whenever the BWC is

muted or deactivated during an incident, the officer will provide a brief verbal explanation noting the time for the muting or deactivation prior to turning off or stopping the recording and will document it in the report” (Policy #86).

The final component for this focused section is discretionary deactivation. As with other portions of results, the coverage of discretionary deactivation was permitted for officers when they were included in ‘non-confrontational contact,’ in situations where BWC device use ‘may compromise police operations,’ or when ‘discretion to respect privacy’ was a concern. There were no variations in this policy component when compared to the full sample and municipal agency policies.

BWC Footage Viewing. The next policy content area to be covered in ISD, university, and special jurisdiction agency policies is the provisions for officers to view their own footage and for supervisors to view BWC footage as well. Both content points are components of state mandate *Texas Occupations Code 1701.655*. When looking at all 3 agency types (Table 38), none of the groups has 100% inclusion of these two policy content areas.

Table 38

BWC Footage Viewing by Non-Municipal Agency Policies

	ISDs (n=27)	ISD Percent	University (n=21)	University Percent	Special Jurisdiction (N=6)	Special Jurisdiction Percent
Self-Viewing	18	66.7	14	66.7	5	83.3
Supervisory Viewing	22	81.5	20	95.2	4	66.7

Those policies that did cover officers being able to view their own footage, the contents did not vary from the results found in the full sample and in municipal agencies. Policies

included those officers were allowed to view their own footage outright, when they are writing their reports to ensure accuracy, and in the event an officer needed to make a statement about the events captured by the footage.

Supervisory viewing, while like the other results on policy contents, was unique in one special jurisdiction. Most policies in these 3 groups covered supervisors being able to view BWC footage for policy compliance, in the event of misconduct complaints, and use of force encounters. Other policies allow supervisors to review all footage. The unique supervisor viewing coverage was found in a special jurisdiction agency. While some ISD, university, and special jurisdiction agency policies mentioned supervisors reviewing footage for compliance in racial profiling laws, one agency went into detail on that review process, and stated

Racial Profiling Periodic Check. (1.) Supervisors will review at least one recording per officer per month for all officers under their command to ensure proper usage of recording equipment and adherence to established racial profiling policy and procedures. (2.) Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form (Policy #208).

Mandatory Training Types. As this next section, the coverage of specific training types within policies, was not a required component by the state mandates, nor was included in the BWC TTA PIP scorecard (White et al., 2018), but instead included as an added area by the research team, there were less instances in ISD, university, and special jurisdiction agency policies than in municipal agency policies. There were less than half of ISD policies (48%), just over half of university policies (57%), and only 2

special jurisdiction policies (33%) that included mandatory training types. While most policies included the same findings as the full sample and municipal agencies, there were only inclusions of specific training components within university agency policies, like policy #189, which stated that

Officers do not use BWC devices unless they have successfully completed training in the proper use of such equipment. This training consists of: (1.) Review of the proper function and use of the recording devices; (2.) Recommended times to employ the system; (3.) Applicable laws, and agency policies and practices; (4.) [redacted] PD's policy and procedures as they pertain to the system.

Neither ISD agency policies nor special jurisdiction agency policies included specific training type information further than 'department/agency-approved' or 'TCOLE' training.

BWC Policy Violations and Consequences. The final policy content topic to look at potential variations is the inclusion of policy violations and consequences of those violations in ISD, university, and special jurisdiction agency policies. There were 20 ISD, 13 university, and 4 special jurisdiction agency policies that included at least some component of policy violations and/or consequences of violations (Table 39). There were only 3 ISD policies and 1 special jurisdiction policy that did not include any BWC policy violations or consequences in their contents.

Table 39*BWC Policy Violations and Consequences by Non-Municipal Agency Policies*

	ISDs (n=27)	ISD Percent	University (n=21)	University Percent	Special Jurisdiction (N=6)	Special Jurisdiction Percent
General Violations	19	70.4	12	57.1	4	66.7
General Consequences	12	44.4	11	52.4	4	66.7
Violation for failure to activate	1	3.7	2	9.5	1	16.7
Consequences for failure to activate	1	3.7	0	0.0	1	16.7
Deactivation reasoning consequences	1	3.7	0	0.0	0	0.0
No Violations/Consequences Mentioned	3	11.1	0	0.0	1	16.7

Those policies that included general policy violations and consequences either included a blanket coverage of all policy violations, with ISD policies providing more general coverage than both universities and special jurisdictions, or the policies included the specific policy violation of the prohibited release of BWC footage without approval. There were equal instances of this between ISD and university agency policies, and half of the policies in special jurisdiction agencies included this specific violation. While the general coverage of policies included more vague consequences, such as ‘subject to disciplinary action’ and ‘corrective action taken’ without any specific information on what those actions entail, those violations for prohibited releasing of BWC footage

included the coverage that it was a Class A misdemeanor and officers found violating this policy component were subject to criminal charges.

Additionally, there were only a couple policies throughout all three agency types that mentioned any violations for failure to activate, consequences for failing to activate the BWC, and consequences for failing to include deactivation reasons. The instances in the 3 agency types for violations of activation failure held a variation within the contents. Both the ISD and university agencies that included this violation noted that “failure to record activities as denoted in this policy will not be considered a policy violation as long as reasonable justification is documented via a report and articulated to the officer’s chain-of-command” (Policy #199). The special jurisdiction agency, on the other hand, included consequences for the violation and noted that there would be an investigation into the failure to activate and if an officer was unjustified in their reasoning, they “may be subject to disciplinary action up to and including indefinite suspension” (Policy #192).

Conclusion

This results chapter answered the final research question by determining if there were variations in policy contents between multiple agency types and sizes. These categories were separated by types first, with the municipal agencies also being separated by sizes, as almost three-quarters of the entire sample were municipal agencies. The findings revealed some variations, but for the most part, those variations were within the municipal agency sizes, with only a couple variations found in the other agency types.

Taken together, the municipal agency policies were like the full sample results in all 3 mandates. When looking at *Senate Bill 158*, specifically, the biggest variation showed that small municipal agency policies only covered the minimum retention period

by naming the bill or stating 90-day minimums. The medium and large agencies, however, included additional retention periods by incident categories. The *Texas Occupations Code 1701.655* included multiple points that are covered in the sections below, and as such the variations will be explained in those sections. The *Texas Public Information Act* was covered in a similar manner to the full sample, with the same two coverages expanding throughout all sizes of municipal agencies. In total, there were 31% of small, 36% of medium, and 58% of large municipal agencies that included all the Texas mandates and only 2 small and 6 medium municipal agencies that failed to include any of the mandates.⁸ All large municipal agencies included at least one of the Texas mandates.

When looking at ISD, university, and special jurisdiction agency policies, both ISDs and universities had fewer policies in compliance with the state mandates for BWC policies than municipal and special jurisdiction policies. Those that included the individual mandates were like the full sample and municipal policy results. The variations for *Senate Bill 158* showed in that universities included additional information on mandatory training materials than ISDs and special jurisdictions. This is not a requirement of the *Bill*; however, it does show that some policies extended beyond the minimum. There were no variations found when looking at BWC equipment malfunctions inclusions for *Texas Occupations Code 1701.655* between the three agency types. Finally, while most policies in the three groups were similar in their inclusion of the *Texas Public Information Act*, ISD agencies included added protections for redacting

⁸ These results were cross-checked for any influence of policy review dates. There were no instances where these findings may have been the cause of pre-*Senate Bill 158* timelines.

information including juveniles, which is generally prohibited from being released, unless through a court order.

For municipal agencies, there were more similarities across agency sizes for activation and deactivation. As with the total sample, required activation was predominately listed examples for when officers are to activate their BWCs, and required deactivation was mostly at the ‘conclusion of the event/contact’ or when ‘officers leave the scene’. For discretionary activation and deactivation, most policies included these for privacy concerns or for additional recordings of evidentiary natures. Finally, there were over half of all sizes of municipal agencies that included their officers are to document the reason they deactivated their BWCs. Both activation and deactivation policy contents were included in most ISD, university, and special jurisdiction agency policies, however there were instances where some policies did not include both. Those policies that did not include guidelines for activation and deactivation, were not in compliance with state mandates. These 3 groups included additional examples for when activation was required. Additionally, an ISD agency included a specific instance where officers interact with students and a special jurisdiction agency covered instances where additional activation may be necessary for exigent circumstances. Deactivation, both required and discretionary, were found to be like both the full sample and municipal agency policies.

When looking at BWC viewing allowances for municipal agencies, specifically for officers viewing their own footage and supervisors reviewing footage, there were variations for both instances throughout. Some policies included the minimum for both self-viewing and supervisory viewing. There were also policies that included multiple instances for both viewing types within singular policies. The variations between

municipal agency sizes, however showed that only medium-sized agencies included restrictions for officers viewing their own footage within their policies. Additionally, only medium, and large municipal agencies included any instances where ‘state laws’ were included in the allowances for officers to view their own footage. This coverage was not found within any small municipal agency policies. For ISD, university, and special jurisdiction agencies, on the other hand, were similar for both officers and supervisors viewing BWC footage. There was one exception that was different than all other agency types. One special jurisdiction agency included details on how supervisors reviewed BWC footage for compliance with racial profiling laws.

When looking at the variations in mandatory training types covered, there was one small difference between municipal agency sizes. While there were variations of ‘department-/agency-approved training’ mentioned, some training types were mentioned by name, and some agencies included few specifics, this was the only variation found in small municipal agencies. Within both medium and large municipal agency policies, there were more detailed coverages of mandatory training types. The details within these two size groups showed specific instances on what training components officers were required to undergo to operate BWCs. Mandatory training types were found less in ISD, university, and special jurisdiction agency policies than in municipal agency policies. The findings were also similar across most agency policies, except for university policies. The coverage of specific training components was only found in university agency policies and not in the other 2, smaller agency types.

For municipal agencies, there were common coverages on policy violations and consequences. Some of these similar areas included the prohibited accessing, copying, or

releasing of BWC footage without approval or denoting those violators will be subject to disciplinary actions, especially for those officers who fail to document their reasonings for failing to activate or deactivating their BWCs. The variation between municipal agency sizes appeared when looking at the progression-style of consequences for policy violations. Medium and large municipal agencies set step-by-step consequences in place for repeated violations or improper behaviors. Small municipal agencies, on the other hand, included one-step violations or simply included those officers in violation of the policy would be subject to ‘disciplinary actions.’

For ISD, university, and special jurisdiction agency policies, there were around half of the agencies that included at least general BWC policy violations and consequences. Those policies that included violations and consequences, either includes truly general policy violations or covered the prohibited release of BWC footage without approval, as seen in the other results sections. For specific policy violations, such as failure to activate and those consequences, both ISD and university policies only included that those instances were not violations if the officer was justified. Special jurisdiction agencies went a step further and included that if the officer was unjustified in their reasoning, then they would be subject to disciplinary action.

These results answer research question 4 and provide an in-depth look into the couple variations within the agency type and size categories. Overall, the largest findings here are that there were increased instances of BWC policies failing to include state-mandated policy components. The discussion of the agency types and sizes that were most susceptible to missing mandated information will be included in the final chapter of

this project. The discussion chapter will also cover the main findings, as well as provide a means to interpret this wealth of findings.

CHAPTER VII

Discussion

Chapter Overview

This chapter discusses the key findings as they relate to the BWC policy contents and how they address the research questions along with furthering the field of police policy analyses. The chapter begins with a restatement of the study's purpose and research questions. This will help situate the results in a way that addresses the gaps in literature, provide concrete ties to the purpose, and answers the research questions. The key findings will be summarized next, and this section pulls the relevant information from the previous 3 chapters. The findings are then followed with the implications. While this project was an exploratory first step, it still provided multiple areas for research, policy, and practical implications. The limitations of the study will then be noted, along with ways future research can ameliorate those issues noted. The conclusion will wrap up the entire project and provide some key points to take away from the current study.

Restatement of Study Purpose

The purpose of the current study was to examine the nature of BWC programs and policy contents across multiple agency types and sizes. This project is an initial exploration into the state of BWC programs and policies within the state of Texas. The current study utilized 740 survey responses on BWC programs and policies to answer the first research question, which sought to understand the basic information on this topic and to provide contextual importance for the remainder of the study. The later portion of the project examined BWC policy contents qualitatively to answer the remaining 3 research questions. This project provided information not just on what is covered within BWC

policies, but how it is covered. Finally, this project showed the variations in those policy contents based on agency types and sizes spanning 218 agencies and their BWC policies. Prior literature was mixed on the findings of the effectiveness of BWC devices and their intended goals of accountability and transparency. The current project explored the contextual information within BWC policies that may provide insight into how officers use their BWC policies within the state of Texas and how these contents might alter that device usage.

Main Findings

The results from this project were broken down into 3 chapters to allow for a clear explanation of the findings and how they answered the 4 research questions. The discussion chapter is broken down in the same fashion, with a section for each chapter and the discussion of those results, how they answer the research question, and how this ties back into the prior literature.

Survey Results

The first results chapter examined part 1 of the project, the Qualtrics survey responses. Research question 1, *what is the current state of BWC programs and policies across the state of Texas regarding the areas of utilization, costs, accountability, and policy components*, was answered using the survey responses from 740 BWC policies. Of those responses, 83% of responding agencies have programs. This was higher than the most recently reported national average of 47%. Most agencies had 50 or fewer BWCs and those were deployed to 76-100% of their officers. Additionally, when comparing these numbers to the agency sizes we found in chapter 6, most of the responding agencies (72%) had 0-49 officers. Given these results, the likelihood of the BWC device number

being correlated with agency size is higher in these results from Texas. This is important to note, as the policies governing the BWC usage will be used and interpreted by most, if not all, officers within these agencies. Therefore, taking a further examination into those BWC policies and determining what they included on device usage was necessary.

In addition to the size and composition of the BWC programs, the survey results also indicated that most programs started between 2016 and 2020, which may correlate with the establishment of the state mandates, *Senate Bill 158* and this provision being included into the *Texas Occupations Code 1701, subsection N*, which includes all required information for BWC programs and their policies. Within the *Senate Bill 158*, there were \$10 million of grants provided to agencies to start BWC programs and within that *Bill*, those agencies were also required to implement a BWC policy. This requirement extended to all BWC programs, regardless of whether they received funding for the program or not. Within that same time frame, most agencies also reported reviewing their policies. Those agencies noted that BWC policies aided in reduced citizen complaints. Prior literature noted that the presence of the device could be linked to the reduction of complaints (Peterson & Lawrence, 2020), whereas the question within the current study asked whether the policies were an aid or not. The survey also asked agencies what they felt were the benefits of BWC programs. Most agencies felt that reduced citizen complaints, providing protection—for both officers and citizens—, and increasing evidence for prosecuting cases were the main benefits of BWC programs, which were found within prior literature as common agency and officer perceptions of BWC benefits (White & Fradella, 2018; Wooditch et al., 2020). These were not the initial goals of BWC programs, which were increased transparency, accountability, and better

knowledge of officer-citizen encounters (Stoughton, 2018). While the reported goals were included in the benefits reported by agencies, they were not the most frequent results, and agency-perceived benefits of BWC programs do not necessarily translate into the overarching goals of BWC devices. Those tended to be viewed similarly within prior literature that also examined perceptions of BWC devices (Lum et al., 2019; Wooditch et al., 2020). It should also be noted that prior literature on the device's impact on complaints and behaviors were mixed, giving not much footing on the comparisons between the current study and prior literature (Ariel et al., 2015; Koper et al., 2015). The current study sought to examine BWC policies to begin determining whether BWC policies and their contents could lend insight into these mixed findings.

Another finding from the survey results was that most agencies did not sanction their officers for policy violations, nor did most agencies discipline their officers for policy violations on activation and deactivation requirements. This will be tied in with some of the policy content findings later, as there were some coverages on violations and consequences, but there were variations within. The survey also asked agencies what their policies included in terms of required activation and deactivation. For activation, most policies included required activation for when officers initiate contact, arrive on the scene, or start a call for service. Alternatively, agencies noted their policies required officers to deactivate their BWCs when they concluded the contact, left the scene, or ended the call for service. These findings were like some of the policy contents—discussed later—on required activation and deactivation. While these results are important to include, it should be noted that prior literature saw the most variations in officer behaviors when including discretionary activation and deactivation (White &

Fradella, 2018). The prior literature on this point provides additional context for analyzing the BWC policy contents to look beyond the survey results and begin determining whether this content could provide additional insight into the mixed findings of past BWC research. The final key finding from the survey results were areas where agencies felt their policies could be improved. Agencies, outside of those who felt they did not need improvements or were happy with their policies, felt that there should be some form of standardization for BWC policies or model policies for agencies to use to have similar requirements across the board. Agencies also felt that the areas of activation and deactivation were important and needed greater coverage. These findings spurred the examination of policy contents in these areas. While there was limited literature on BWC policies specifically, research showed that agencies which allowed greater discretion via their BWC policies had less activations and increased complaints and uses of force (White & Fradella, 2018). The same study found variations in their analyses of BWC policies on discretionary activation and deactivation. The instances of discretionary activation and deactivation will be discussed in the policy analysis chapters below.

The underlying thread within the discussion on prior literature of BWC devices and the survey results showed that the current state of BWC programs and policies in Texas looked somewhat like prior literature, with the same key findings ringing true throughout. Parts of the findings on the current state of BWC programs were like those of prior literature, like benefits of the programs and complaint reductions. The mixed findings and limitations within, however, needed additional information to fill in those gaps. This led to the policy contents analysis and examining whether BWC policies could have varying contents, providing insight into the mixed findings. Future research should

seek to connect the findings from both parts of this current study and determine whether policy differences correlate with the findings from the BWC programs.

Policy Content Analysis

The next section covers the discussion of Chapter 5's results, which examined research questions 2 and 3. Research question 2 asked how Texas police agencies included state mandated policy components in their BWC policies. The most-inclusive mandate, *Texas Occupations Code 1701.655*, encompassed several components, including the *Public Information Act* and minimum retention periods (one portion of *Senate Bill 158*). Half of the sample included all the required components, whereas only 8% did not include any of those components. The departures in these percentages came from policies only including one or two mandates, without including all three. The policies who failed to include all three mandates generally only lack one or two components within the mandate itself. The main areas that were missing from the full sample of policies were failed inclusion of the minimum retention period or required training for *Senate Bill 158* and missing inclusion of the *Public Information Act* or allowing officers to view their own footage for *Texas Occupations Code 1701.655*. Some policies only included the mandates by name, where others included detailed information on all the mandates.

These findings, while not seen in prior literature, also connect back to the interpretation of policies and how officers determine the usage of these devices. Given the mixed results within BWC device literature (Lum et al., 2019) and information on increased discretion within policies also increasing the likelihood of negative police-citizen encounters (White & Fradella, 2018), the coverage of these mandates was

important to have a base knowledge of. These results were not connected to any officer behaviors or BWC device usage. However, these findings were also exploratory in nature. As a reminder, prior to this study, there was no knowledge on the current makeup of BWC programs, and more importantly, policy contents, within the state of Texas. Understanding the ways some agencies differed in how they covered even the minimum requirements for BWC policies, can lend insight into future research on how these contents can impact officer behaviors, as other literature has provided for police policies, like deadly and less-lethal force policies.

In answering research question 2, the current study found that when agencies included the mandated components, they were grouped into those that either included just the names of the mandates or included details on the components within the mandates. Therefore, the coverage of the mandates was not as standardized as anticipated. This means that while most of the policies covered areas of the mandates, how they were covered differed, with most policies including very little details on the mandated components, which harkens back to the literature on discretionary allowances for policies and the results of them, like increased uses of force (Lum et al., 2019; Rowe et al., 2017; White & Fradella, 2018). Additional discussion of how these were similar or different between agencies will be included below. This will lead into some practical and policy implications.

Research question 3 sought to determine policy contents outside those found in the mandates. Using prior literature and established measures, like the BWC TTA PIP scorecard (White et al., 2018), the current study included additional information on the policy content areas of general issues, activation, deactivation, data retention, data

transfer/download, public release, BWC viewing, BWC training, and policy/program evaluations. In answering this question, the main findings centered on activation and deactivation, namely the discretion afforded officers for those instances, BWC wearing, self-viewing and supervisory viewing, the coverage of public disclosure for deadly force cases, how the policies included continuing training, and those policies that addressed policy violations.

Over half (56%) of the policies included some content on discretionary activation and slightly more policies (67%) included content on discretionary deactivation. Both areas included some instances where concerns for privacy and recording sensitive populations or victims were the focus. However, some of the main coverages for BWC usage (like activation, especially the discretionary usage allowed) were for protections of both officers and citizens via coverage of the event and prevention of complaints, which is somewhat like accountability, but much less about transparency. This became less apparent when looking at discretionary deactivation and the allowances for officers to protect the privacy of police personnel and witnesses/victims. While this is an important protection, the higher allowances throughout the policies for discretionary deactivation could provide opportunities for some officers to misuse this discretionary point, based on the verbiage of the policies. Transparency as a term itself was barely mentioned within the policies at all and the limited allowances for public viewing (outside of open records requests) appeared to prevent footage to be viewed regularly and allowing for such transparency, as the programs were initially implemented for or marketed as (Stoughton, 2018). There was only one policy that included any information on time to release footage, with details on when and what footage would be released.

Further highlighting the issues of unclear discretionary points, is the lack of required reporting for activation and deactivation reasonings that makes less restrictive coverage of discretionary activation and deactivation potentially problematic. As required deactivation reasoning either verbally or within an officer's report is required through *Senate Bill 158*, the lack of this within policies depicts noncompliance. This provision increases accountability and could mean less likelihoods of officers misusing the more lenient discretionary deactivation allowances. The instances for increased discretion were found in prior police policy analysis literature to also increase uses of force (Terrill et al., 2012; Terrill & Paoline, 2017), as well as decreases in activation (Rowe et al., 2017; White & Fradella, 2018). Finally, as noted in the literature review of this project, the importance of administrative policies and their coverages provides the standards for how officers act and their behaviors. Prior literature on BWC programs and policies showed that without proper planning and implementation, especially with increased allowances for discretionary usages can result in negative consequences, like issues with public records requests, privacy issues, and resistance because of both departmental cultures and the political and state legislative environments at the time of adoption and during policy reviews (Koper et al., 2014; White & Fradella, 2018; White et al., 2018).

To fully answer research question 3, additional areas outside the scorecard (White et al., 2018) were added to see if policies included further information on training, viewing, and policy violations. One of the key points in these areas outside the mandates and scorecard were the coverage of additional training and the interpretability of those. The instances for those policies that included additional training covered two options. Some of the policies required officers to attend additional training when provided,

whereas others only mentioned that officers ‘may’ attend the additional training provided. This additional training can keep officers up to date on the use of devices as they are updated and on the policy contents and procedures/guidelines as they change. Without officers being required to attend these additional trainings, as the wording suggests that they can attend them, but are not required to, then there may be some officers who are up to date on all policies and procedures and other officers would still be operating under the prior procedures, potentially placing them in a position of policy violations or misconduct complaints.

Policy Variation by Agency Types

The final research question asked how policies were similar or different across different agency types. The current study was fortunate to have agencies from all 10 categories of BJA local personnel size categories (Hyland & Davis, 2019) as well as 4 different agency types, municipal/local, independent school districts (ISDs), universities, and special jurisdiction agencies. Those agency sizes were then grouped into small, medium, and large agencies, based on the representative composition of the total number of agency policies in the state of Texas. To look at similarities and differences, the largest agency type represented—municipal—were separated by agency sizes. The remaining three types were analyzed as a whole, given their representation was much less in the total sample of policies.

Variations were not examined under every topic analyzed in research questions 2 and 3, but only for those that were important to the overall purpose of the study and those that were found to have variation in the full sample. The findings are unique to the current study, as there was no prior literature examining the similarities and differences

of BWC policies using agency types and sizes. The only prior literature on BWC devices and differences in their use were looking at units within agencies (Gaub, Todak, & White, 2020a, 2020b) and the implementation of a BWC program in a small agency (Gaub, White, Padilla, & Katz, 2017). These prior studies found that BWC devices were used differently based on the unit or agency size. As such, determining variations within BWC policies may account for some of the differences found in prior literature on BWC devices, however direct comparisons cannot be made, as these are different studies using differing units of analyses.

The variations for mandates were that small municipal, ISDs, and special jurisdictions did not include more than the minimum on *Senate Bill 158*, which was the retention period of 90 days and that officers are to have training prior to using BWC devices. Additionally, the *Public Information Act* was covered similarly across all agency types and sizes, except for the coverage of prohibited juvenile footage release in ISD policies. Finally, large municipal agencies were the only category to have policies include at least one mandate, whereas all other groups had policies that did not include any mandated materials. There were many more variations for activation than deactivation within the full sample, but when looking at agency composition, discretionary activation and deactivation were centered on additional evidentiary value and privacy concerns in municipal agencies and added coverage for student conversations in ISDs and “exigent circumstances” in special jurisdictions. Additionally, there were ISDs who did not include required activation and ISDs and universities that did not include required deactivation.

There were two main variations found within the BWC viewing topic. Medium municipal agencies included restrictions for self-viewing and medium and large municipal agency policies included information on state laws allowing officers to view their own footage. Details for supervisors to review footage for racial profiling laws were also only in one special jurisdiction policy. Most policies that mentioned racial profiling laws only stated the review of footage, without the inclusion of details for the review. Mandatory training was another policy content area that included variations. Small municipal agencies, ISDs, and special jurisdiction agencies only included ‘department/agency-approved training’ as their mandatory training coverage. Medium and large municipal agencies and university agencies, on the other hand, included specific course objectives when covering required training on BWCs. Finally, the policies also showed some variation in their policy violations and consequences content. While there were coverages on the violation of prohibited release of footage within all agency types and sizes, a progression-style list of consequences for general policy violations was only found in medium and large municipal agencies. Finally, officer justifications were included when mentioning failure to activate and failure to document reasoning for deactivation violations and only included consequences for unjustified officers, with “disciplinary actions” being most common coverage of consequences.

Implications

The results found in the current study not only addressed the 4 research questions, but also provided areas where research, policy, and practical implications can drive both academic and practitioner fields forward. The current study focused on an exploratory look into BWC programs and policies in Texas, which has yet to be conducted in prior

studies with multiple agency sizes and types. One of the first research implications is that the results from this study aid in comparing BWC policies to prior research on BWC policy and device literature. The discussion above revealed some similarities in the policy contents when compared to a prior BWC policy analysis, like the use of some form of activation and deactivation within almost all policies and provisions for officers and supervisors to view their footage (White et al., 2018). There were also some key differences between the current study and prior literature, which makes the project stand out and provide ample room for growth. The inclusion of more than funded municipal agencies showed that there were BWC policies that held similarities and variations within ISD, university, and special jurisdiction agencies, as well as municipal. Prior literature showed that BWC devices were used differently within varying agency sizes and unit types (Gaub, White, Padilla, & Katz, 2017; Gaub, Todak, & White, 2020a, 2020b). Seeing where policies were similar or different, depending on their agency compositions, may have some factor in these findings from previous research. Some of these variations, like the coverage of mandates within smaller agencies, especially those that were non-municipal, may point to the lack of communication on required policy components. Examining these differences closer in future research, especially with the inclusion of officer behaviors from those smaller and non-municipal agencies, can aid in adding to the BWC device literature on how BWCs are used differently within varying agencies and units.

The second research implication for the current study is the methodology. Prior studies on BWC policies utilized a quantitative nature to determine the amount of policy contents and examine basic themes from those policies. The current study utilized a

qualitative approach to look beyond whether the policy included a point, mandate, or guideline, but how it was included. Prior literature emphasized the importance of discretionary allowances within other police policies, as well as BWC policies (Maury, 2016; Terrill & Paoline, 2017; Terrill et al., 2012; White & Fradella, 2018). Using the methodology from this project allowed for a coverage of policy contents and their specific wording, which showed not just whether there was required or discretionary activation and deactivation, but how it was covered. These findings can inform future research to determine whether the specific ways both required and discretionary activation and deactivation was included in these policies impacted officers' behaviors and their usages of the BWC devices.

Beyond the research implications, the current study also provides both policy and practical implications for agencies with BWC programs and policies, as well as agencies who are looking to implement a program of their own. The first policy implication is the need to address standardization. There were multiple responses in the survey where agencies noted that BWC policies could be improved with the use of model policies or standardizing BWC policies across all agencies. Additionally, several policies were only missing a couple mandated components, such as retention periods for footage and the inclusion of provision for open records requests. It would be a recommendation to implement all state mandated policy components within BWC policies of all agencies. This will ameliorate the call for standardization, as active BWC programs within the state of Texas are required to include several policy content areas, per state mandates. The practical implication tied to this would be to provide readily accessible materials to policy agencies, perhaps via email dispersion, of the mandated policy components and

provide examples of how these were included in other policies of similar agency types. For example, as seen in the results from the current study, there are some considerations ISD police agencies must consider that municipal agencies do not. The complete standardization of BWC policies may not be available, or necessary, but the provisions of the state mandates for them can be included, as well as adjusted to fit the needs of the individual agency.

The International Association of Police (IACP) provides a model BWC policy, which also includes some key points, however its coverage for state mandated components only mentions ‘state laws.’ The Texas Commission on Law Enforcement (TCOLE) also provides a list on required BWC policy components and includes 2 sample policies. Additionally, LEMIT offers a 2-hour course on BWC programs and provides information on how to implement policies and practices that are compliant with federal and state regulations. As these two options are state-specific, they include all mandated materials within their model policies. Finally, the current study can also aid in the dispersion of state-specific information via presentations and reports to those agencies in contact with LEMIT—as well as those throughout the state—and provide examples of complete mandate coverage, versus areas that just missed the minimum requirement and policies that failed to include any of the mandated contents.

Next, the policy implication towards careful examination of discretionary terminology for BWC activation and deactivation should be noted. There were instances in the current study where officers were allowed to activate and deactivate their BWCs based on direct discretionary reasons, like ‘may activate/deactivate when the officer reasonably believes,’ as well as through less known discretionary reasons, as ‘when the

event is concluded.’ Both cases are examined for justified usage with officer justifications through their reports and a reasonableness standard; however, there were instances where these comparisons to prevent misconduct or misuse of the devices were not present in the policies. A practical recommendation on this point would be to carefully assess the policy for discretionary wording. If less discretion is the intended effect, then ensuring that the BWC policy is clear in the intent for activation and deactivation is crucial. The suggested coverage would not be to remove discretionary activation and deactivation altogether, rather to be clear when required activation/deactivation differs from discretionary.

It is understood that required coverage cannot include all potential situations but providing examples which assist the officer in understanding the contexts around required activation/deactivation—as some policies did—, rather than leaving the coverage as the ‘event being concluded’ can help reduce the chances for discretionary wording being misused and allow for misconduct to occur. This will also provide a standing for any situations where the officer’s conduct may come into question with complaint investigations, with clear coverage of allowances and the ability for an officer to know the correct usage of devices.

Another policy implication would be the inclusion of BWC footage release coverage. There were policy contents that included prohibited release of footage, some coverage of media and criminal justice actors to view the footage, and there were instances for individuals to access BWC footage via the *Texas Public Information Act*. There was only one policy that discussed the release of footage, as well as the time specifically to release, to the public. Given the initial goals of accountability and

transparency, as well as the hesitations surrounding the public viewing BWC footage, there were positive perceptions of the public having access to the footage and agencies being more transparent with their footage and policies (Çubukçu et al., 2021; Demir et al., 2020; Lum et al., 2019). Practically, the inclusion of whether BWC footage will be released to the public, and if so, the stipulations surrounding that release can be included within policies as seen in the results of the current study. The release of the footage may impact citizen complaints by way of reducing false complaints, increasing the public's trust and legitimacy in BWC programs and their devices, and aiding to increase the accountability and transparency that these devices and programs first promised.

Finally, the examination of multiple agency types and sizes can also provide some policy and practical implications. As stated earlier, all agencies who have active BWC programs are to include certain materials and are held to the same levels of compliance across the board. There was no model policy—the first recommendation—for agencies that encounter special circumstances, such as ISDs and their work with mostly juveniles as well as special jurisdictions and their needs for exigent circumstances, as their work does not necessarily align with typically law enforcement activity. As such, a recommendation would be to examine the differences between municipal agencies and ISD, university, and special jurisdiction agencies to see where BWC policies would need to include alternatives. Once this is done, a practical implication would be to provide a model or sample policy that can include the varied styles of policing these agencies may encounter. This can be done through the same processes as seen in prior literature with the use of policy review boards, which would ensure proper implementation and

increased standardization for all agency types, not just those that fall within municipal police-type functions (Terrill et al., 2013; White & Fradella, 2018).

Limitations

The current study is not without its limitations. This study was first and foremost exploratory in nature, not explanatory. As such, the current study can only present the findings as they are, how they compare to prior literature, and provide areas for future research to build upon. Future research is intended to connect the survey results with the policies from those agencies to determine whether policy contents impact outcomes, such as complaint reduction, and officer sanctions and disciplines.

Next, the current sample is comprised completely of Texas agencies, and as such, cannot be generalized to agencies within other states. Additionally, the current sample did not include either county, constable, or state agencies. These results are only for those agency types mentioned in the current study. These policies were also collected using a convenience sampling approach, meaning that these policies were provided by agencies who were willing to share them with the research team. As such, there could be policies within the state of Texas that vary from the current results. These results should be interpreted with these concessions in mind.

Third, the current study does not include any officer behaviors with BWCs or BWC device usages. As such, the results only depict what the policy contents are and how they may impact officer behaviors and BWC usage. Future research would seek to incorporate additional information from agencies and compare their officers' behaviors with the policy contents to determine whether the policies impacted behaviors, as prior police policy literature has done (Terrill et al., 2012; Terrill & Paoline, 2017). Taking the

findings from this study and exploring the BWC device usages as they compare with the policy coverage of those usages will bring that connection missing in the current study as well as prior literature on BWC device usage and their effectiveness.

Finally, the current study utilized previously established concepts and themes to qualitatively analyze the BWC policies in the current sample. As such, there are potentials for biases to be seen within the findings. These biases are mostly unavoidable, as policy content analysis examines materials which already are group into topic areas. The themes seen within prior literature were the same themes and topic areas highlighted within the policy layouts. As such, completely inductive, open coding would not have yielded alternative results as those presented in the current study⁹. The use of deductive coding for qualitative content analysis was also validated by prior studies on the benefits of the methodology (Hsieh & Shannon, 2005). The current study was much like directed and summative content analyses described in Hsieh and Shannon's (2005) article on qualitative content analysis approaches. The validity for the project was satisfied using a consistent coding scheme (see Appendix C) from the BWC TTA PIP scorecard (White et al., 2018) and establishing an approved scorecard through multiple iterations within a research team and through prior literature (Potter & Levine-Donnerstein, 1999). This coding scheme was used to ensure that all coded material were consistent with the operationalization of the deductive codes and utilized continually throughout the data. Using deductive coding using the established coding scheme ensured that a standard of coding was used throughout (Potter & Levine-Donnerstein, 1999). With the use of a standardized, validated coding scheme, the reliability used to ameliorate deducing coding

⁹ The author coded a few policies inductively and found the same themes and content areas as the deductive coding. Therefore, the use of inductive coding would not have yielded alternative results.

biases was the use of constantly comparing newly coded material with previously coded policies to ensure consistent conceptualization within the entire dataset (Glaser, 1965).

Future Research

With the implications and limitations covered, one final area to look at the results from the current study with is through areas for future research. One area highlights the findings and implications for variations in policy components. Now that we know how various BWC components are incorporated into policies, future studies could select agencies that have restrictive and less restrictive policies in terms of various components (i.e., activation, deactivation, and training requirements) and determine if policy types lead to differential discretionary outcomes, like complaints, lawsuits, uses of force, etc.

Another avenue for future research would be to combine the findings from the current study. When looking at the survey results and the policies, it is possible to connect how agencies responded to the survey results and the content within their policies to determine whether the policies are significantly different, based on the responses within the survey, like disciplinary actions, sanctions, and complaint reductions. In this light, the policy variations would be the outcomes, whereas the prior future direction used the policies to determine various outcomes.

Finally, with the basis of policy contents explored, future research can expand the examination within policy contents. Taking the multiple agency types and sizes, future studies can empirically test whether the variations between agency categories are statistically significant or not. Areas where these examinations can occur may be mandated components, discretionary points within policies, public release of footage, policy violations, and more.

Conclusion

The current study sought to explore BWC programs and policies within the state of Texas using descriptive statistics and qualitative content analysis. The results showed that there was a higher percentage of BWC programs in the state of Texas than the national percentage of BWC programs. Within these, the current study went beyond BWC devices and into the policies, as prior literature focused on the effectiveness of devices alone. The BWC policy contents were presented, along with policy recommendations—as well as actionable steps for implementing those recommendations—based on those findings within the discussion. The main recommendations for police agencies were to standardize their policies with state mandated policy components, mitigate the use of discretionary terminology for activation and deactivation, include additional information on the public release of BWC footage, and consider the variations in agency types within their policy contents. The current study concluded with the next steps to emerge from the current study, as the foundation for multiple works was laid in this project, including determining differences in policy contents based on agency compositions and comparing policy contents through outcomes established in the quantitative portion of this study. This is only the beginning, with so much room for growth, empirically and practically, beyond the BWC device.

REFERENCES

- Adams, I. & Mastracci, S. (2019). Police body-worn cameras: Effects on officers' burnout and perceived organizational support. *Police Quarterly*, 22(1), 5-30.
<https://doi.org/10.1177%2F1098611118783987>
- Alpert, G. P. & Anderson, P. R. (1986). The most deadly force: Police pursuits. *Justice Quarterly*, 3(1), 1-14.
https://heinonline.org/HOL/Page?handle=hein.journals/jquart3&div=8&g_sent=1&casa_token=mTCYkGBebbEAAAAA:VnP5sqFFu6RoimHE9gz8egvfgCjzf2wQSIVlq5NPekLgm_EILWT9H_8grKZCNB62HxwVNXSpflo&collection=journals
- Ariel, B., Farrar, W. A., & Sutherland, A. (2015). The effect of police body-worn cameras on use of force and citizens' complaints against the police: A randomized controlled trial. *Journal of Quantitative Criminology*, 31, 509-535.
<https://doi.org/10.1007/s10940-014-9236-3>
- Ariel, B., Sutherland, A., Henstock, D., Young, J., Drover, P., Sykes, J., Megicks, S., & Henderson, R. (2016). Wearing body cameras increases assaults against officers and does not reduce police use of force: Results from a global multi-site experiment. *European Journal of Criminology*, 13, 744–755.
<https://doi.org/10.1177%2F1477370816643734>
- Ariel, B., Sutherland, A., Henstock, D., Young, J., Drover, P., Sykes, J., Megicks, S., & Henderson, R. (2017). “Contagious accountability”: A global multisite randomized controlled trial on the effect of police body worn cameras on citizens'

complaints against the police. *Criminal Justice and Behavior*, 44, 293–316.

<https://doi.org/10.1177%2F0093854816668218>

Ariel, B., Sutherland, A., Henstock, D., Young, J., Drover, P., Sykes, J., Megicks, S., & Henderson, R. (2018). Paradoxical effects of self-awareness of being observed: Testing the effect of police body-worn cameras on assaults and aggression against officers. *Journal of Experimental Criminology*, 14, 19–47.

<https://link.springer.com/article/10.1007/s11292-017-9311-5>

Becknell, C., Mays, G. L., & Giever, D. M. (1999). Policy restrictiveness and police pursuits. *Policing: An International Journal*, 22(1), 93-110.

<https://doi.org/10.1108/13639519910256901>

Burns, N. & Grove S. K. (2005). *The practice of nursing research: Conduct, critique & utilization*. Elsevier Saunders.

Chapman, S. G., Crockett, T. S. (1963). Gunsight dilemma: Police firearms policy. *Police*, 6, 40-45.

Çubukçu, S., Sahin, N. M., Tekin, E., & Topalli, V. (2021). Body-worn cameras and adjudication of citizen complaints of police misconduct. *NBER Working Paper Series 29019*, 1-43. <http://www.nber.org/papers/w29019>

Davis, K. C. (1970). Discretionary justice. *Journal of Legal Education*, 23(1), 56–62. <http://www.jstor.org/stable/42892041>

Davis, K. C. (1975). *Police discretion*. West Publishing Company.

De Beaugrande, R., & Dressler, W. (1981). *Introduction to text linguistics*. Longman.

Demir, M., Apel, R., Braga, A. A., Brunson, R. K., & Ariel, B. (2020). Body worn cameras, procedural justice, and police legitimacy: A controlled experimental

- evaluation of traffic stops. *Justice Quarterly*, 37(1), 53-84.
<https://doi.org/10.1080/07418825.2018.1495751>
- Elo, S., & Kyngäs, H. (2008). The qualitative content analysis process. *Journal of advanced nursing*, 62(1), 107-115. <https://doi.org/10.1111/j.1365-2648.2007.04569.x>
- Falcone, D. N. & Wells, L. E. (1999). A study of police vehicle pursuit policy characteristics. *Criminal Justice Policy Review*, 9(3), 307-333.
<https://doi.org/10.1177%2F088740349900900303>
- Ferdik, F. V., Kaminski, R. J., Cooney, M. D., & Sevigny, E. L. (2014). The influence of agency policies on conducted energy device use and police use of lethal force. *Police Quarterly*, 17(4), 328-358. <https://doi.org/10.1177%2F1098611114548098>
- Floyd v. City of New York, 959 F. Supp. 2d 540, 658 (S.D.N.Y. 2013).
- Fyfe, J. J. (1988). Police use of deadly force: Research and reform. *Justice Quarterly*, 5(2), 165-205. <https://doi.org/10.1080/07418828800089691>
- Gaub, J. E. & White, M. D. (2020). Open to interpretation: Confronting the challenges of understanding the current state of body-worn camera research. *American Journal of Criminal Justice*, 45, 899-913. <https://doi.org/10.1007/s12103-020-09518-4>
- Gaub, J. E., Todak, N., & White, M. D. (2020a). One size doesn't fit all: The deployment of police body-worn cameras to specialty units. *International Criminal Justice Review*, 30(2), 136-155. <https://doi.org/10.1177/1057567718789237>
- Gaub, J. E., Todak, N., & White, M. D. (2020b). The distribution of police use of force across patrol and specialty units: A case study in BWC impact. *Journal of*

Experimental Criminology, 17, 545-561. <https://doi.org/10.1007/s11292-020-09429-8>

- Gaub, J. E., White, M. D., Padilla, K. E., & Katz, C. M. (2017). Implementing a police body-worn camera program in a small agency. *ASU Center for Violence Prevention and Community Safety*, 18, 1-18.
<https://www.bwctta.com/sites/default/files/Files/Resources/SAS%20Draft%20Technical%20Report%2010-17%20-%20FINAL.pdf>
- Glaser, B. G. (1965). The constant comparative method of qualitative analysis. *Social Problems* 12(2), 436-445. <https://www.jstor.org/stable/798843>
- Goodall, M. (2007). *Guidance for the police use of body-worn video devices: Police and crime standards directorate*. Home Office.
library.college.police.uk/docs/homeoffice/guidance-body-worn-devices.pdf
- Goodison, S., & Wilson, T. (2017). *Citizen perceptions of body worn cameras: A randomized controlled trial*. Police Executive Research Forum.
perf.memberclicks.net/assets/bodyworncameraperceptions.pdf
- Hicks, W. L. (2006). Police vehicular pursuits: A descriptive analysis of state agencies' written policy. *Policing: An International Journal*, 29(1), 106-124.
<https://doi.org/10.1108/13639510610648511>
- Hsieh, H. & Shannon, S. E. (2005). Three approaches to qualitative content analysis. *Qualitative Health Research*, 15(9), 1277-1288.
<https://doi.org/10.1177/1049732305276687>
- Huff, J., Katz, C. M., & Hedberg, E. C. (2020). A randomized controlled trial of the impact of body-worn camera activation on the outcomes of individual incidents.

Journal of Experimental Criminology, 1-26. <https://doi.org/10.1007/s11292-020-09448-5>

- Hyatt, J. M., Mitchell, R. J., & Ariel, B. (2017). The effects of a mandatory body-worn camera policy on officer perceptions of accountability, oversight, and departmental culture. *Villanova Law Review*, 62(5), 1005-1036.
https://heinonline.org/HOL/Page?handle=hein.journals/vllalr62&div=40&g_sent=1&casa_token=gro6UiZMtesAAAAA:09u8U6XsCSx0-uBsLUDUYHJ2s3M7-6ywS7TwtZnyqOB7UU0DSekuPelSMh1RB_WMbBtzfv5-lzY&collection=journals
- Hyland, S. S., & Davis, E. (2019). *Local police departments, 2016: Personnel*. Bureau of Justice Statistics. <https://bjs.ojp.gov/content/pub/pdf/lpd16p.pdf>
- Ingram, J. R. & Weidner, R. R. (2011). Front-line supervisors' perceptions of less-lethal force policies: Examining the 'transmission belts' of police departments. *Journal of Crime and Justice*, 34(3), 221-233.
<https://doi.org/10.1080/0735648X.2011.609730>
- Ingram, J. R., Weidner, R. R., Paoline, III, E. A., & Terrill, W. (2014). Supervisory influences on officers' perceptions of less lethal force policy: A multilevel analysis. *Policing: An International Journal*, 37(2), 355-372.
<https://doi.org/10.1108/PIJPSM-05-2013-0051>
- Jennings, J. T. & Rubado, M. E. (2017). Preventing the use of deadly force: The relationship between police agency policies and rates of officer-involved gun deaths. *Public Administration Review*, 77(2), 217-226.
https://onlinelibrary.wiley.com/doi/pdf/10.1111/puar.12738?casa_token=4BrM9tJ

npTIAAAAA:FkBxHcfVHV2-

9PVPTmnhAdi6KPkbN4I2MjiJDLJlipAZ8KerZB_nSiS_oHeW_ri14WvC_ajfSq

hciQSU

Kennedy, D. B., Homant, R. J., & Kennedy, J. F. (1992). A comparative analysis of police vehicle pursuit policies. *Justice Quarterly*, 9(2), 227-246.

https://heinonline.org/HOL/Page?handle=hein.journals/jquart9&div=22&g_sent=1&casa_token=8J-KB6p384oAAAAA:4szGffxI-826H2SfE6P9bKV0RylTa9UO5K6LptJjcTugjGQgBsB8Az6Ol7qCm6YBgLmqp7W-rEM&collection=journals

Koen, M. C. (2016). *On-set with body worn cameras in a police organization: Structures, practices, and technological frames*. (Publication No. 10419) [Doctoral dissertation, George Mason University]. Mason Archival Repository Service. <https://hdl.handle.net/1920/10419>

Koper, C. S., Lum, C., Willis, J., Woods, D. J., & Hibdon, J. (2015). *Realizing the potential of technology in policing: A multisite study of the social, organizational, and behavioral aspects of implementing police technologies*. National Institute of Justice.

Krippendorff, K. H. (2004). *Content analysis: An introduction to its methodology*. 2nd Ed. Sage.

Kuntz, N. J. (2006). *Vehicular pursuits: Policy analysis and recommendations for the Missoula Police Department*. (Publication No. 8905) [Master's Thesis, University of Montana]. ScholarWorks.

https://scholarworks.umt.edu/etd/8905?utm_source=scholarworks.umt.edu%2Fetd%2F8905&utm_medium=PDF&utm_campaign=PDFCoverPages

Lum, C., Koper, C. S., & Willis, J. (2017). Understanding the limits of technology's impact on police effectiveness. *Police Quarterly*, 20, 135–163.

<https://doi.org/10.1177%2F1098611116667279>

Lum, C., Stoltz, C., Koper, C. S., & Scherer, J. A. (2019). Research on body-worn cameras: What we know, what we need to know. *Criminology and Public Policy*, 18, 93-118. <https://doi.org/10.1111/1745-9133.12412>

Malm, A. (2019). Promise of police body-worn cameras. *Criminology and Public Policy*, 18, 119-130. <https://doi.org/10.1111/1745-9133.12420>

Maury, K. J. (2016). Police body-worn camera policy: Balancing the tension between privacy and public access in state laws. *Notre Dame Law Review*, 92(1), 479-512. <https://heinonline.org/HOL/Page?handle=hein.journals/tndl92&collection=journals&id=489&startid=&end=522>

McClure, D., Vigne, N. L., Lynch, M., Golian, L., Lawrence, D., & Malm, A. (2017). *How body cameras affect community members' perceptions of police: Results from a randomized controlled trial of one agency's pilot*. Washington, DC: Justice Policy Center, Urban Institute. [urban.org/sites/default/files/publication/91331/2001307-how-body-cameras-affect-community-members-perceptions-of-police_1.pdf](https://www.urban.org/sites/default/files/publication/91331/2001307-how-body-cameras-affect-community-members-perceptions-of-police_1.pdf)

McEwen, T. (1997). Policies on less-than-lethal force in law enforcement agencies. *Policing: An International Journal*, 20(1), 39-59. <http://dx.doi.org/10.1108/13639519710162006>

- Mohr, L. B. (1969). Determinants of innovation in organizations. *American Political Science Review*, 63(1), 111–126. <https://doi.org/10.2307/1954288>
- Murphy, J. R. (2018). Is it recording?—Racial bias, police accountability, and the body-worn camera activation policies of the ten largest metropolitan police departments in the USA. *Columbia Journal of Race and Law*, 9(4), 141-189.
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3369579
- Peterson, B. E. & Lawrence, D. S. (2021). Do the effects of police body-worn cameras on use of force and complaints change over time? Results from a panel analysis in the Milwaukee Police Department. *Criminal Justice and Behavior*, 48(6), 734–754. <https://doi.org/10.1177/0093854820970583>
- Potter, W. J. & Levine-Donnerstein, D. (1999). Rethinking validity and reliability in content analysis. *Journal of Applied Communication Research*, 27(3), 258-284.
<http://dx.doi.org/10.1080/00909889909365539>
- President's Commission on Law Enforcement and Administration of Justice. (1967a). *The challenge of crime in a free society*. United States Department of Justice.
<https://www.ojp.gov/pdffiles1/Digitization/42NCJRS.pdf>
- President's Commission on Law Enforcement and Administration of Justice. (1967b). *Task force report: The police*. United States Department of Justice.
<https://www.ojp.gov/pdffiles1/Digitization/147374NCJRS.pdf>
- President's Task Force on 21st Century Policing. (2015). *Final report of the president's task force on 21st century policing*. Office of Community Oriented Policing Services. <https://cops.usdoj.gov/RIC/Publications/cops-p341-pub.pdf>

- Pyo, S. (2020). Contingency factors explaining policy adoption: Body-worn camera policy across US states. *Policy Sciences*, 53, 413-435.
<https://doi.org/10.1007/s11077-020-09398-9>
- Rockwell, A.R., Wells, W., Watkins, R., & Armstrong, T. (2020). *Body-worn cameras in Texas police departments: Utilization and policies in 2020*. Bill Blackwood Law Enforcement Management Institute of Texas.
<http://www.lemitonline.org/research/documents/Report%20on%20Body-Worn%20Cameras%20in%20Texas%20Police%20Departments%20-%20Utilization%20and%20Policies%20in%202020.pdf>
- Rowe, M., Pearson, G., & Turner, E. (2017). Body-worn cameras and the law of unintended consequences: Some questions arising from emergent practices. *Policing: A Journal of Policy and Practice*, 12(1), 83-90.
<https://doi.org/10.1093/police/pax011>
- Smith, P. A. (2010). *Police vehicle pursuits: A California policy analysis* (Publication No. 3415687). [Doctoral Dissertation, University of La Verne]. ProQuest Dissertations & Theses Global. <https://ezproxy.shsu.edu/login?url=https://www-proquest-com.ezproxy.shsu.edu/dissertations-theses/police-vehicle-pursuits-california-policy/docview/725716064/se-2?accountid=7065>
- Sousa, W. H., Coldren, Jr., J. R., Rodriguez, D., & Braga, A. A. (2016). Research on body worn cameras: Meeting the challenges of police operations, program implementation, and randomized controlled trial designs. *Police Quarterly*, 19(3), 363-384. <https://doi.org/10.1177/1098611116658595>

Stoughton, S. W. (2018). Police body-worn cameras. *North Carolina Law Review*, 96, 1363-1424.

https://heinonline.org/HOL/Page?handle=hein.journals/nclr96&div=42&g_sent=1&casa_token=wFqThwnDILsAAAAA:pkBdkxKeRk3TIpU-YIzwMa5KQWyAOSmQQY1mYWm97a1zyJrZYjvUrwGqIHw--uI1HTY1L-us1QQ&collection=journals

Terrill, W. & Paoline III, E. A. (2017). Police use of less lethal force: Does administrative policy matter? *Justice Quarterly*, 34(2), 193-216.

<https://doi.org/10.1080/07418825.2016.1147593>

Terrill, W. & Paoline, III, E. A. (2012). Examining less lethal force policy and the force continuum: Results from a national use-of-force study. *Police Quarterly*, 16(1), 38-65. <https://doi.org/10.1177%2F1098611112451262>

Terrill, W. & Paoline, III, E. A. (2013). Less lethal force policy and police officer perceptions. *Criminal Justice and Behavior*, 40(10), 1109-1130.

<https://doi.org/10.1177%2F0093854813485074>

Terrill, W., Paoline, E.A. III and Ingram, J.R. (2012). *Assessing police use of force policy and outcomes: Final technical report*. National Institute of Justice.

Texas OCC § 1701.655 (2021).

Texas Public Information Act, 73rd Leg., R.S., ch. 268, § 1, 1993 Tex. Gen. Laws 583, 594–607.

TX SB158, 2015, 84th Legislature (Texas 2015).

<https://capitol.texas.gov/tlodocs/84R/billtext/pdf/SB00158F.pdf>

- Uelmen, G. F. (1973). Varieties of police policy: A study of police policy regarding the use of deadly force in Los Angeles County. *Loyola of Los Angeles Law Review*, 6(1), 1-65.
https://heinonline.org/HOL/Page?handle=hein.journals/lla6&div=7&g_sent=1&asa_token=lhyd1q1EzsUAAAAA:mxjv_y0WVjSpjiLNVZmyPa5fA-7-i4L0dPO6dLxSeOYaGS4_zHzbscRAKD2NdFhSt672Xjaz6sE&collection=journals
- Walker, S. (1993). *Taming the system: The control of discretion in criminal justice, 1950-1990*. Oxford University Press.
- Walker, S. (2007). *Police Accountability: Current Issues and Research Needs*. National Institute of Justice.
- Wells, L. E. & Falcone, D. N. (1992). Organizational variations in vehicle pursuits by police: The impact of policy on practice. *Criminal Justice Policy Review*, 6(4), 311-333. <https://doi.org/10.1177%2F088740349200600403>
- White, M. D. (2000). Assessing the impact of administrative policy on use of deadly force by on- and off-duty police. *Evaluation Review*, 24(3), 395-318.
<https://journals.sagepub.com/doi/pdf/10.1177/0193841X0002400303>
- White, M. D. (2001). Controlling police decisions to use deadly force: Reexamining the importance of administrative policy. *Crime and Delinquency*, 47(1), 131-151.
<https://journals.sagepub.com/doi/pdf/10.1177/0011128701047001006>
- White, M. D. & Fradella, H. F. (2018). The intersection of law, policy, and police body-worn cameras: An exploration of critical issues. *North Carolina Law Review*, 96, 1579-1638.

https://heinonline.org/HOL/Page?handle=hein.journals/nclr96&div=46&g_sent=1&casa_token=X_S3jbeDJrIAAAAA:ffCJuGdTdX4A6O84mhX48cQrLuJBTP0itrUfZjytHBmBiqQXhcQdmXoI3jDeD8Hx_Xjy-xJXD7s&collection=journals

White, M. D. & Marsh, E. E. (2006). Content analysis: A flexible methodology. *Library Trends*, 55(1), 22-45. <https://doi.org/10.1353/lib.2006.0053>

White, M. D., Flippin, M., & Katz, C. H. (2018). *Key trends in body-worn camera policy and practice: A two-year policy analysis of US department of justice-funded law enforcement agencies*. Department of Justice.
<http://bwctta.com/sites/default/files/Files/Resources/Policy%20Analysis%20Year%202%20FINAL.pdf>

White, M. D., Gaub, J. E., Malm, A., & Padilla, K. E. (2019). Implicate or exonerate? The impact of police body-worn cameras on the adjudication of drug and alcohol cases. *Policing: A Journal of Policy and Practice*, 15(2), 1-11.
<https://doi.org/10.1093/police/paz043>

Wooditch, A., Uchida, C. D., Solomon, S. E., Revier, L., Connor, C., Shutinya, M., McCluskey, J., Swatt, M. L. (2020). Perceptions of body-worn cameras: Findings from a panel survey of two LAPD divisions. *American Journal of Criminal Justice* 45, 426–453. <https://doi.org/10.1007/s12103-020-09517-5>

Wright II, J. E. & Brown, H. (2020). What matters more? Police or the community for body worn camera policy? *Public Administration Quarterly*, 44(3), 462-482.
<https://doi.org/10.37808/paq.44.3.5>

APPENDIX A

IRB Approval Letter

Date: Nov 7, 2020 11:42:28 AM CST

TO: Rita Watkins

FROM: SHSU IRB

PROJECT TITLE: 2020 Body-Worn Camera Practices in Texas

PROTOCOL #: IRB-2020-306

SUBMISSION TYPE: Initial

ACTION: Exempt

DECISION DATE: November 5, 2020

EXEMPT REVIEW CATEGORY: Category 2.(i). Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior (including visual or auditory recording).

The information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects.

REVISED SPECIAL UPDATE RE: COVID-19 CRISIS: The IRB has released specific guidelines for easing or transitioning existing IRB-approved studies or any new study subject to IRB oversight to in-person data collection. Please be advised, before ANY in-person data collection can begin, you must have IRB approval specifically for the conduct of this type of research. Please see the IRB response page for COVID-19 [here](#).

REVISED: ATTENTION RESEARCHERS! Effective Monday, July 27, 2020, the IRB has revised its online office hours to 12-2 on Zoom Monday through Thursday. These will be permanent office hours. To access Zoom during the IRB's office hours, click [here](#). Just in case, here is the meeting ID: 712-632-8951. **SEE YOU ON ZOOM FROM 12-2 MONDAY-THURSDAY!**

Greetings,

Thank you for your submission of Initial Review materials for this project. The Sam Houston State University (SHSU) IRB has determined this project is EXEMPT FROM IRB REVIEW according to federal regulations.

Since Cayuse IRB does not currently possess the ability to provide a "stamp of approval" on any recruitment or consent documentation, it is the strong recommendation of this office to please include the following approval language in the footer of those recruitment and consent documents: IRB-2020-306/November 5, 2020.

We will retain a copy of this correspondence within our records.

*** What should investigators do when considering changes to an exempt study that could make it nonexempt?**

It is the PI's responsibility to consult with the IRB whenever questions arise about whether planned changes to an exempt study might make that study nonexempt human subjects research.

In this case, please make available sufficient information to the IRB so it can make a correct determination.

If you have any questions, please contact the IRB Office at 936-294-4875 or irb@shsu.edu. Please include your project title and protocol number in all correspondence with this committee.

Sincerely,

Chase Young, Ph.D.
Chair, IRB
Hannah R. Gerber, Ph.D.
Co-Chair, IRB

APPENDIX B

Survey Instrument

Sam Houston State University

Consent for Participation in Research

LEMIT 2020 STUDY OF BODY-WORN CAMERAS IN TEXAS

You are being asked to be a participant in a research study about the adoption of body-worn cameras by law enforcement agencies in Texas. You have been asked to participate in the research because you lead a police agency in Texas, and you have unique knowledge about this topic.

WHAT IS THE PURPOSE, PROCEDURES, AND DURATION OF THE STUDY?

The study seeks to understand body-worn camera adoption in the state by asking police leaders to report some basic information by responding to a brief survey.

WHAT ARE REASONS YOU MIGHT CHOOSE TO VOLUNTEER FOR THIS STUDY?

You may want to volunteer and complete this survey because you will be providing information LEMIT can use and share about body-worn cameras in Texas. You have specific and unique knowledge that you can share with us. Completing this short survey will not require much of your time.

WHAT ARE REASONS YOU MIGHT CHOOSE NOT TO VOLUNTEER FOR THIS STUDY?

You may not want to participate because we are asking you to volunteer your time. You will not be compensated for participating in this study.

DO YOU HAVE TO TAKE PART IN THE STUDY?

You can choose whether to be in this study or not. If you volunteer to be in this study, you may withdraw at any time without consequences of any kind. You may also refuse to answer any questions you don't want to answer and still remain in the study.

WHAT IF YOU HAVE QUESTIONS, SUGGESTIONS, OR CONCERNS?

The individuals in charge of this study are Dr. Rita Watkins and Dr. William Wells of the Law Enforcement Management Institute of Texas (LEMIT) at Sam Houston State University. If you have questions, suggestions, or concerns regarding this study or you want to withdraw from the study, you can contact Dr. Watkins and Dr. Wells using their contact information listed below. If you have any questions, suggestions, or concerns about your rights as a volunteer in this research, contact the Office of Research and Sponsored Programs – Sharla Miles at 936-294-4875 or e-mail ORSP at sharla_miles@shsu.edu.

WHAT ABOUT PRIVACY AND CONFIDENTIALITY?

The only people who will know that you are a research participant are members of the research team. No information about you, or provided by you during the research will be

disclosed to others without your written permission, except:

When the results of the research are published or discussed in conferences, no information will be included that would reveal your identity. Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission or as required by law.

WHAT ARE MY RIGHTS AS A RESEARCH PARTICIPANT? If you feel you have not been treated according to the descriptions in this form, or you have any questions about your rights as a research participant, you may call the Office of Research and Sponsored Programs – Sharla Miles at 936-294-4875 or e-mail ORSP at sharla_miles@shsu.edu.

You may choose not to participate or to stop your participation in this research at any time. Your decision whether or not to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled, and the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled. You will not be offered or receive any special consideration if you participate in this research.

AGREEMENT TO PARTICIPATE

By completing the survey I acknowledge that have read and understand the above information, and I willingly consent to participate in this study. I understand that if I should have any questions about my rights as a research subject, I can contact Dr. Rita Watkins at 936-294-1679 and icc_rjw@shsu.edu or Dr. Wells at 936-294-4817 or wmw005@shsu.edu.

1. Does your agency have body-worn cameras?

☐ Yes

☐ No

2. How many body-worn cameras does your department have?

☐ 1-5

☐ 6-10

☐ 11-20

☐ 21-50

☐ 51-100

☐ 101-150

☐ 151-200

☐ 201+

3. What division(s) or unit(s) are the body-worn cameras used in?

Division 1/Unit 1 _____

Division 2/ Unit 2 _____

Division 3/Unit 3 _____

Division 4/Unit 4 _____

Division 5/Unit 5 _____

If more than 5 divisions/units, please include the remainders in this box, separating each division by a semi-colon. _____

4. Approximately what percentage of patrol officers wear body cameras?

☐ 1% - 25%

☐ 26% - 50%

☐ 51% - 75%

☐ 76% - 100%

5. In what year did your department first start using body-worn cameras?

2005	2009	2013	2017
2006	2010	2014	2018
2007	2011	2015	2019
2008	2012	2016	2020

6. In what month, if known, did your department first start using body-worn cameras?

January	May	September	Unknown
February	June	October	
March	July	November	
April	August	December	

7. According to your body-worn camera policy, when are patrol officers required to activate and deactivate their body-worn cameras when responding to a call?

Activation _____

Deactivation _____

8. Has your department or external training provider ever delivered training to officers on the use of body-worn cameras?

☐ Yes

☐ No

9. To the best of your knowledge, has an officer in your department ever been sanctioned for violating any of your department's body-worn camera policy in the years 2019 or 2020?

☐ Yes

☐ No

10. Has your agency disciplined any officer for violating your department's body-worn camera policy about when to turn on or turn off their camera in 2020?

☐ Yes

☐ No

11. In what year was your body-worn camera policy most recently reviewed for modifications and updates?

2010	2014	2018
2011	2015	2019
2012	2016	2020
2013	2017	

12. To the best of your knowledge, has the use of body-worn cameras reduced the number of citizens' complaints your department has received.

☐ Yes

☐ No

13. Were any of your body-worn cameras purchased through a grant?

☐ Yes

☐ No

14. What is the approximate total annual cost of your body-worn camera program, including new equipment, repairs, upgrades, cloud storage, training, etc.

15. How would you describe the pros and cons of a body-worn camera program?

Pros _____

Cons _____

16. Please describe how you think body-worn camera policies could be improved.

17. Are you willing to provide a copy of your body-worn camera policy document(s) in order for researchers to describe the most common and most distinct elements of policies from across the state? Your agency will not be identified by name in any reports that are based on this information.

☐ Yes

☐ No

18. Thank you for agreeing to share your policy. Please fill in the information below, including the name, e-mail address, and phone number of the person we should contact to obtain the policy document(s).

Agency Name _____

Contact Person Name _____

Contact Person E-Mail _____

Contact Person Phone Number _____

APPENDIX C

Quantitative and Qualitative Codebook

<i>Body-worn Camera Quantitative Codebook</i>					
<i>Variable Name</i>	Variable Label	Codes	Reasoning for Codes	Valid Range	Missing Code
<i>bwcs</i>	Does your agency have body-worn cameras?	0=No 1=Yes	If yes, survey continued. If no, survey ended.	0-1	-999
<i>bwc_count</i>	How many body-worn cameras does your department have?	1=1-5 2=6-10 3=11-20 4=21-50 5=51-100 6=101-150 7=151-200 8=201+	Able to differentiate with a little more detail on the variance of BWCs within programs.	1-8	-999
<i>DIVISION CODE HEADER</i>	What division(s) or Unit(s) are the body-worn cameras used in?	Dummy codes below	Took qualitative responses for division questions 1-5 and other and recoded each of them into dummy variables to depict the different divisions where	0-1	-999

			BWCs are employed.		
<i>div_all</i>	BWCs are used for ALL OFFICERS	0=No 1=Yes	See DIVISION code header. If no for ALL, see other variables for divisions to note specific divisions BWCs are employed.	0-1	-999
<i>div_patrol</i>	BWCs are used in PATROL divisions	0=No 1=Yes	See DIVISION code header.	0-1	-999
<i>div_SRO</i>	BWCs are used for SCHOOL RESOURCE OFFICERS	0=No 1=Yes	See DIVISION code header.	0-1	-999
<i>div_investigations</i>	BWCs are used for INVESTIGATIONS units	0=No 1=Yes	See DIVISION code header.	0-1	-999
<i>div_specialty</i>	BWCs are used for SPECIALTY units	0=No 1=Yes	See DIVISION code header.	0-1	-999
<i>div_supervisor</i>	BWCs are used for SUPERVISOR officers and includes any type of supervisor and does not have to include all of them.	0=No 1=Yes	See DIVISION code header.	0-1	-999

<i>div_admin</i>	BWCs are used for ADMINISTRATION officers and personnel. The survey responses do not state what classifies under “Admin/Administration”.	0=No 1=Yes	See DIVISION code header.	0-1	-999
<i>div_NPO</i>	BWCs are used in non-police officer positions/units. Some examples include court, corrections, and fire.	0=No 1=Yes	See DIVISION code header.	0-1	-999
<i>div_misc</i>	The responses from the divisions qualitative questions were unable to be placed into the other dummy variables due to confusion.	0=No 1=Yes	This variable is likely to be recoded into other division variables. Future coding to be determined.	0-1	-999
<i>year_start</i>	In what year did your department first start using body-worn cameras?	2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 Unknown	If their response was “unknown”, recoded as missing.	2005-2020	-999

<i>month_start</i>	In what month, if known, did your department first start using body-worn cameras?	1=January 2=February 3=March 4=April 5=May 6=June 7=July 8=August 9=September 10=October 11=November 12=December	If their response was “unknown”, recoded as missing.	1-12	-999
<i>activation</i>	According to your body-worn camera policy, when are patrol officers required to ACTIVATE their BWCs when responding to a call?	TBD	This was originally input as qualitative, so we will need to go through and code these for themes. So, these responses are likely to become dummy variables just like the divisions code scheme above.	TBD	TBD
<i>deactivation</i>	According to your body-worn camera policy, when are patrol officers required to DEACTIVATE their BWCs when responding to a call?	TBD	This was originally input as qualitative, so we will need to go through and code these for	TBD	TBD

			themes. So, these responses are likely to become dummy variables just like the divisions code scheme above.		
<i>training</i>	Has your department or external training provider ever delivered training to officers on the use of body-worn cameras?	0=No 1=Yes	Only asks about whether training was provided; increased detail to be provided in the qualitative component of the policy analysis.	0-1	-999
<i>sanction</i>	To the best of your knowledge, has an officer in your department ever been SANCTIONED for violating any of your department's body-worn camera policy in the years 2019-2020?	0=No 1=Yes	This will be compared with the policy's restrictiveness. Whether the policy states anything about restrictiveness or not and so on.	0-1	-999
<i>discipline</i>	Has your agency DISCIPLINED any officer for violating your department's body-worn camera policy about when to turn on or turn off their camera in 2020?	0=No 1=Yes	This will be compared with the policy's restrictiveness. Whether the policy includes	0-1	-999

			any information about violations of activation and deactivation of BWCs.		
<i>policy_review</i>	In what year was your body-worn camera policy most recently reviewed for modifications and updates?	2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020	If left blank, the response was coded as missing.	2010-2020	-999
<i>complaints</i>	To the best of your knowledge, has the use of body-worn cameras reduced the number of citizens' complaints your department has received?	0=No 1=Yes	This will be compared with the content of policies to determine what form of policies aid in perceived citizen complaint reductions.	0-1	-999
<i>grant</i>	Were any of your body-worn cameras purchased through a grant?	0=No 1=Yes	This will POTENTIALLY be used to correlate with whether these policies include	0-1	-999

			any state/federal mandates required if receiving grant funding.		
<i>cost</i>	What is the approximate TOTAL ANNUAL COST of your body-worn camera program, including new equipment, repairs, upgrades, cloud storage, training, etc.?	Qualitative input of cost (in US dollars).	This was included as a fill-in-the-blank. Each one was recoded to be a numerical entry.	\$0-\$2,400,000	-999
<i>program_pros</i>	How would you describe the PROS of a body-worn camera program?	Qualitative entry	This was an open-ended question which will be recoded for themes. Unsure if this will be through ATLAS.ti or SPSS.	TBD	TBD
<i>program_cons</i>	How would you describe the CONS of a body-worn camera program?	Qualitative entry	This was an open-ended question which will be recoded for themes. Unsure if this will be through ATLAS.ti or SPSS.	TBD	TBD
<i>policy_improve</i>	Please describe how you think body-worn camera policies could be improved.	Qualitative entry	This was an open-ended	TBD	TBD

			question which will be recoded for themes. Unsure if this will be through ATLAS.ti or SPSS.		
<i>provide_policy</i>	Are you willing to provide a copy of your body-worn camera policy document(s) in order for researcher to describe the most common and most distinct elements of policies from across the state? Your agency will not be identified by name in any reports that are based on this information.	0=No 1=Yes	This provided us the rate of policies which we received.	0-1	-999
<i>agency_name</i>	The AGENCY NAME for those who agreed to provide their BWC policies.	Qualitative entry	May recode this to include the agency numbers associated with the coding for the TCPPP.	TBD	TBD

*The single asterisk indicates these questions were derived from the BWC TTA PIP scorecard. If the CODE GROUP only contains an asterisk, then it indicates the entire group derived from the BWC TTA scorecard.

+The single plus symbol indicates questions brought in by the research team (Rockwell, Wells, Watkins, Armstrong, Richardson, and Senator West). If the CODE GROUP only contains a single plus symbol, then it indicates the entire group derived from the RESEARCH TEAM.

++If the Variable Label/Scorecard question is **BOLDED**, then it indicates **a mandatory policy requirement according to TTA and BJA**, but this is **only the case for those policies that sought out certification through the BWC TTA PIP**. The mandatory items were developed according to the criteria developed by the TTA team and the Bureau of Justice Assistance (BJA).

Agencies funded through BJA’s BWC Pilot implementation Program that do not have mandatory items within their policy are required to revise their policy in order to access federal funds.

<i>Code Group</i>	<i>Variable Name</i>	<i>Variable Label</i>	<i>Codes</i>	<i>Reasoning for Codes</i>	<i>Valid Range</i>
<i>BJS Agency Sizes+</i>	0-1	Agencies who have 0-1 sworn officers	“0-1”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	FBI yearly crime in the US (2020)
	2-4	Agencies who have 2-4 sworn officers	“2-4”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
	5-9	Agencies who have 5-9 sworn officers	“5-9”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	

	10-24	Agencies who have 10-24 sworn officers	“10-24”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
	25-49	Agencies who have 25-49 sworn officers	“25-49”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
	50-99	Agencies who have 50-99 sworn officers	“50-99”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
	100-249	Agencies who have 100-249 sworn officers	“100-249”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some	

				external source, TBD.	
	250-499	Agencies who have 250-499 sworn officers	“250-499”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
	500-999	Agencies who have 500-999 sworn officers	“500-999”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
	1000+	Agencies who have 1000+ sworn officers	“1000+”	Bureau of Justice Statistics, local personnel coding for agency sizes. This will be collected from some external source, TBD.	
<i>BWC Policy Links to Other Policies+</i>	other_policy	Does the BWC policy mention another agency policy (racial profiling, use of force, etc.)?		To determine whether policies within agencies are interconnected.	Has to mention any other policy within that agency. This

					does NOT include statutes or external policies/sources .
	other_specific	If the BWC policy does mention another agency policy, then which one (include codes if available)?	“UOF” “profiling” *These are examples*	Denotes the specific policies that are connected within the policies. This may need to become its own code group and then break it down for variables of the different policies.	what the policy is. The codes for this variable may be the name of the policies.
BWC Training	mandatory_training*	Does the policy specify mandatory training requirement for participation in the BWC program?	“yes” “no”		
	training_length+	How long is the training for BWCs?	“length times”	Depicts how long trainings are required for BWCs. This may need to become its own code group and then break it down for variables of the different policies.	This is only if it is included within the policy.
	continuing_training+	Does the policy specify continuing	“continuing training”	The policy states whether the	

		BWC training of any kind?		training agencies received for the usage of BWCs will be continued on ANY form of post-initial training.	
	training_mandatory+	Does the policy specify what kind of mandatory training, if any, is being used?	“type of mandatory training”	This could be anything from the length of training to whether the policy specifies whether an external training agency was used. This is to show any TYPE of training being used.	This is not IF there is training, it’s more what KIND of training.
	training_voluntary+	Does the policy specify what kind of voluntary BWC training, if any, is being used?	“type of voluntary training”	This could be anything from the length of training to whether the policy specifies whether an external training agency was used. This is to show any TYPE of training being used.	This is not IF there is training, it’s more what KIND of training.
	training_personnel+	Does the policy state which officers/personnel must receive the training?	“who gets the training”	This is if the policy states that a certain kind of officer/personnel must receive the	This is less likely to be a code we keep at the end, but I would like to

				training. This is for Mandatory training.	see if the policy states any requirements for specific people to receive BWC training.
BWC Viewing	viewing_IA*	Does the policy specify authority and conditions for Internal Affairs review of BWC footage?	“Internal Affairs”	This is when the policy specifically states if IA can view the footage and what the conditions for IA viewing to be.	
	viewing_training*	Does the policy specify authority and conditions for review of BWC footage by training personnel?	“Training viewing”	This is for when policies (like the 8 preliminary policies) state that training personnel/officers are allowed to view/utilize as a example for future training scenarios.	
	viewing_supervisor*	Does the policy specify authority and conditions for supervisory review of BWC footage?	“supervisory viewing”	This includes if the policy states supervisors (may also state administration) can view the footage for ANY REASON.	

	viewing_self*	Does the policy specify authority of officer to review footage he/she recorded?	“self-viewing”	Are officers allowed to view their own footage for ANY reason? (quality control to ensure proper operation; review of cases prior to court duties; etc.)	
	viewing_others*	Does the policy specify authority of other officers to review BWC footage?	“other officers viewing”	Are officers (OTHER than supervisory staff/officer who’s BWC footage it is) allowed to view that footage?	This is not to include whether officers view it because of training. That would fall under “viewing_training”.
	viewing_audit*	Does the policy specify process for auditing of BWC footage for performance review or policy compliance?	“audit viewing”	This could also be a part of the “Supervisory Viewing” variable. Please code for BOTH if this is the case. This is for when the footage is used for review of how the BWCs are working (maintaining proper functionality) and whether officers are	

				following the policy requirements.	
	viewing_CI*	Does the policy specify process for BWC review following a critical incident (officer-involved shooting, pursuit, etc.)?	“critical incident viewing”	This is if the policy states anything about viewing and/or reviewing footage following a critical incident. Most policies (from what ARR has seen) do not specifically state processes other than it will be reviewed. However, include ALL situations where policies state BWC viewing/reviewing following a critical incident.	
	viewing_CJactors*	Does the policy specify process for coordination with “downstream” criminal justice actors (prosecutors, defense, courts, etc.)?	“CJ actors viewing”	If stated in the policy, how are agencies to handle when BWC footage is requested from other criminal justice actors.	This is NOT the same as when the public/media request access to BWC footage. That falls under “viewing_media”.

	viewing_public*	Does the policy specify prohibitions for public sharing of BWC footage?	“public sharing of footage”	This is where a policy states if there are any instances where the footage CANNOT be released to the public or cannot be shared publicly.	This is most often the case when policies are talking about active investigations/cases within the court system. BWC footage may not be available for public sharing until the case has reached a conclusion or is no longer active.
	viewing_UoF+	Does the policy specify situations individuals involved in use of force situations/families of individuals involved in use of force situations can view the footage?	“UOF encounter viewing”	This is only in the event of a use of force situation and only if it is mentioned in the BWC policy itself.	
	viewing_victims_ongoing+	Does the policy specify whether families of victims or victims themselves can view the BWC footage?	“Ongoing victim viewing”	Again, this is only if it is mentioned in the policy itself.	This may coincide with the variable “exempt public

		<p>of ongoing/currently investigated cases?</p> <p>*Crime victims: active assault, clear victimization, etc.</p>			<p>”, as both mention ongoing cases. Pay attention to whether it is covering specific individuals viewing it, actual public release exemptions, or a combination of both. If a combination of both, make sure to code the same section with both variables.</p>
	viewing_media+	<p>Does the policy specify any situations/circumstances where BWC footage may be viewed by the media?</p>	<p>“Media viewing”</p>	<p>This is if the policy mentions whether the media can view the footage. Does it specify certain instances where there may be some exemptions, special circumstances, etc?</p>	<p>This may get confused with the Public Release code group, as that is what that section was more so referring to, however, it may</p>

				*if they can view it to write their story, but actually release the footage itself	make sense to see if there are any particular mentions for media viewing.
Data Storage and Retention*	retention_periods	Does the policy specify data retention periods by incident category?	“retention periods by IC”	This is if there are certain circumstances where different kinds of footage may be kept longer/shorter than others.	For instance, critical incidents may be kept longer than “no incident” footage.
	video_storage	Does the policy specify process/location for proper video storage?	“video storage”	What are the procedures and processes for storing BWC footage and does the policy state where the footage will be stored?	
Data Transfer/Download	custody_chain*	Does the policy address chain of custody issues/concerns?	“chain of custody”	This is for chain of custody mentions in general, including violations as well as basic protocols.	
	transfer_responsibility*	Does the policy assign responsibility for data transfer/download?	“download/ transfer responsibility”	This is to ask WHO is responsible for dealing with data transfer/download.	
	download_process*	Does the policy provide guidance on	“download process”	BWC footage needs to be	May include (BUT

		process/requirement for data download (time requirements, by end of shift, etc)?		downloaded into some form of data collection system, with a process. This question is for if the policy details out that process.	NOT LIMITED TO) that “all officers with BWCs must download (or may say upload) their footage at the end of each shift”.
	category_tagging*	Does the policy specify incident types/categories for proper tagging of videos?	“category tagging”	are there specific categories/types of footage/videos that agencies require be tagged to footage that is downloaded?	This variable is for IF there are categories
	tagging_process*	Does the policy specify process for tagging videos by category?	“tagging process”	This is an extension of the question above (category_process), only this question is for if the policy includes the process for which video gets what category and/or how it gets tagged	
	data_issues*	Does the policy specify prohibitions for data tampering, copying, and deleting?	“prohibitions for messing with data”	This is for when the policy make a note of the prohibitions for what	Tampering, copying, and/or deleting

				cannot be done to data.	
	download_issues+	Does the policy provide a process to address any issues associated with the BWC footage failing to download when officers are required to do so?	“footage download failure”	BWCs may have technical issues which prohibit officers from being able to download their shift/day/allotted footage when they are supposed to/required to according to the BWC policy. Does the policy specify a process for officers to address this instance?	Please make sure that this section is solely for the failure of an officer to be able to DOWNLOAD the footage and only if there is a mention of this and/or a process for officers to handle this situation.
	+ equipment_malfunction	Does the policy specify a process in order for officers to handle malfunctioning BWCs and associated hardware/equipment?	“BWC equipment malfunction”	In some instances, BWCs may not be functioning properly when officers begin their shifts/need to use them. What does the policy state about addressing/handling this situation when it occurs?	As stated before, this is only if this information is included in the policy itself. Code that section, specifically the process for which officers use to deal with malfunctioning

					BWC equipment.
General Issues+	private_BWCs	Does the policy address the wearing of private-owned BWCs?	“private BWCs”	Are officers allowed to bring in privately-owned body-worn cameras, or are they only allowed to wear agency-provided?	This can be a yes or no situation, simply code the statement of whether it is allowed or not.
	BWC_location	Does the policy specify body/uniform location for BWC placement?	“BWC location”	Where are BWCs to be located on the officer’s person? This is only if the policy includes this response.	
	BWC_wearing	Does the policy specify requirements/conditions for required and voluntary BWC wearing?	“BWC wearing”	Are BWCs required to be worn; are they voluntary; does the policy include any requirements for the wearing of these BWCs?	
	who_BWC	Does the policy specify who is assigned/permitted to wear BWCs?	“Who wears BWCs”	This is if the policy outlines the specifics on who is assigned or allowed to wear BWCs	Generally, this is for all patrol officers in most policies, but some may include other situations. Any

					mention of who is to wear or may wear BWCs is to be included in this variable.
<i>Policy and Program Evaluation+</i>	continued_review	Does the policy specify a process for continuing review of BWC program (including policy review)?	“continued review”	does the policy mention anything where agencies or external personnel will be reviewing and/or updating their BWC program/policy.	Both program reviews AND policy reviews are included in this variable.
<i>Policy Page Lengths+</i>	“#”	What is the length of the policy? What page number is there?	“Policy Page Length”	This is a variable to put the number of the policy page length.	This will become a group of variables with the different page lengths being the variables. This allows us to filter out the policies according to their comprehensiveness and/or page length.

Public Release*	“state_disclosure”	Does the policy demonstrate an understanding of the state’s public disclosure laws?	“state’s disclosure laws”	Does the policy include the state’s disclosure law as it applies to disclosing BWC footage?	
	“footage_redaction”	Does the policy specify a process for BWC review and redaction prior to release?	“footage review and redaction”	what does the policy say about how BWC footage is reviewed and if it ever needs to be redacted prior to releasing the footage?	
	“public_records”	Does the policy specify a process to receive and process public release records requests for BWC footage?	“public records requests”	what is the process in the policy for handling public records requests?	
	“exempt_public”	Does the policy specify whether certain categories of BWC footage are exempt/prohibited from public disclosure?	“exempt from public disclosure”	what categories (if the policy includes categories of BWC footage) are exempt or prohibited from being released or disclosed to the public.	This can include, BUT IS NOT LIMITED TO, open/ongoing cases involving BWC footage; critical incidents; officer-involved shootings.

	“authorize_release”	Does the policy specify who is authorized to approve release of BWC footage?	“who authorizes release of footage”	Does the policy state who specifically can release BWC footage?	This can include BUT IS NOT LIMITED TO supervisors, one unit in the agency, and/or administration
	“policy_public”	Is the BWC policy publicly available?	“policy public”	This may not be included in the policy itself.	The coder needs to search the agency and determine whether the policy is publicly available. If it is, put the URL link in the comments of the code tagging.
<i>Texas State Mandates+</i>	Senate_Bill_158	<p>The following are requirements for all BWC programs and must be included in the BWC policies, according to Senate Bill 158, passed on Sept. 01, 2015.</p> <ul style="list-style-type: none"> when and why an officer may 	“Senate Bill 158”	This may need to be broken down into different variables and have the “Senate Bill 158” be the code group header, but for now, these sections will be highlighted all under the one variable.	This went into effect in 2015. Which means that all 223 policies we have should all include some form of these required provisions.

		<p>choose to activate or not activate a body worn camera</p> <ul style="list-style-type: none">• a law enforcement agency that operates a body-worn camera program must adopt a policy and training program for the use of body cameras• Cities must retain video and audio recordings from an officer-worn camera that do not capture a violation, use of deadly force by an officer, or are otherwise related to an administrative or criminal investigation of			
--	--	--	--	--	--

		<p>an officer for 90 days.</p> <ul style="list-style-type: none">• If the video and audio recording from an officer-worn camera captures the use of deadly force by an officer, is related to an administrative or criminal investigation of an officer, or captures a violation by any person, then cities should follow retention periods for internal affairs investigation records or offense investigation records, as appropriate, but not less than 90 days.			
--	--	---	--	--	--

	Texas_Code_1701.655	<p>Texas Occupations Code §1701.655 establishes requirements for body worn camera policies for law enforcement agencies implementing a body worn camera program. The list below includes the items required to appear in your agency's policy.</p> <ul style="list-style-type: none"> • Guidelines for when a peace officer should activate a camera or discontinue a recording currently in progress, considering the need for privacy in certain situations and at certain locations. • Provisions relating to data retention, 	“Texas Occupations Code 1701.655”	<p>As with the Senate Bill Variable, this may need to become its own code group to separate each requirement, but for now, it's all in one variable to have it in the codebook.</p>	
--	---------------------	--	-----------------------------------	---	--

		<p>including a provision requiring the retention of video for a minimum period of 90 days.</p> <ul style="list-style-type: none"> • Provisions relating to storage of video and audio, creation of backup copies of the video and audio, and maintenance of data security. • Guidelines for public access, through open records requests , to recordings that are public information. • Provisions entitling an officer to access any recording of an incident involving the 			
--	--	---	--	--	--

		<p>officer before the officer are required to make a statement about the incident.</p> <ul style="list-style-type: none"> • Procedures for supervisory or internal review. • The handling and documenting of equipment and malfunctions of equipment. • A policy may not require a peace officer to keep a body worn camera activated for the entire period of the officer's shift. • A policy adopted under this section must be consistent with 			
--	--	---	--	--	--

		<p>the Federal Rules of Evidence and Texas Rules of Evidence.</p> <ul style="list-style-type: none"> • A policy must ensure that a body worn camera is activated only for a law enforcement purpose. 			
	Public_Information_Act	<p>(a) This section provides the fee for obtaining a copy of body worn camera recording pursuant to §1701.661 of the Government Code.</p> <p>(1) Section 1701.661 of the Government Code is the sole authority under which a copy of a body worn camera recording may be obtained from a law enforcement agency under the Public Information Act, Chapter 552 of the</p>	“Public Information Act”	<p>This Texas code is for outlining the requirements for individuals to request BWC footage. Does the policy mention one of the following?</p> <ul style="list-style-type: none"> • Public Information Act • Texas Code 70.13 • Government/ Texas Code 1701.661 	<p>Less concerned if the policy itself contains all the details for the Public Information Act codes and fees associated. This is for IF THE POLICY MENTIONS ANY OF THE CODES/ACT TITLES MENTIONED HERE.</p>

		<p>Government Code, and no fee for obtaining a copy of a body worn camera recording from a law enforcement agency may be charged unless authorized by this section.</p> <p>(2) This section does not apply to a request, or portions of a request, seeking to obtain information other than a copy of a body worn camera recording. Portions of a request seeking information other than a copy of a body worn camera recording are subject to the charges listed in §70.3 of this chapter.</p> <p>(b) The charge for obtaining a copy of a body worn camera recording shall be:</p> <p>(1) \$10.00 per recording responsive to the request for information; and</p>			
--	--	--	--	--	--

		<p>(2) \$1.00 per full minute of body worn camera video or audio footage responsive to the request for information, if identical information has not already been obtained by a member of the public in response to a request for information.</p> <p>(c) A law enforcement agency may provide a copy without charge, or at a reduced charge, if the agency determines waiver or reduction of the charge is in the public interest.</p> <p>(d) If the requestor is not permitted to obtain a copy of a requested body worn camera recording under §1701.661 of the Government Code or an exception in the</p>			
--	--	---	--	--	--

		Public Information Act, Chapter 552 of the Government Code, the law enforcement agency may not charge the requestor under this section.			
Video Capture: Activation	“violations_failing”+	Does the policy address violations of officers FAILING TO ACTIVATE their BWCs?	“violation s for failure to activate”	this question only asks if the policy addresses violations, meaning if it mentions violations of failing to activate.	highlight the mention and/or what the violations for failing to activate are
	“sensitive_recording”*	Does the policy provide guidance on BWC recording of crime victims and other sensitive populations?	“recording victims/ sensitive populations”	what does the policy say about recording crime VICTIMS and other sensitive populations?	
	“citizen_notification”*	Does the policy provide guidance on citizen notification of BWC?	“citizen notification”	what does the policy say about letting citizens know they are being recorded/ that there is a BWC present?	
	* “prohibited_recording”	Does the policy specify circumstances for when recording is prohibited? (locker room, supervisor/officer	“prohibite d BWC recording”	what does the policy say about when officers are NOT allowed to have their BWCs	

		conversations, strip searches)		activated/not allowed to record?	
	“choose_nonactive”*	Does the policy specify circumstances/conditions when officers can choose to NOT activate?	“officers choose to not activate”	If the policy includes it, in what situations would officers be able to CHOOSE to NOT activate their BWCs?	
	“discretion_activate”*	Does the policy specify if officers have discretion on when to activate BWC?	“discretion to activate”	If officers have discretion, what are those situations/circumstances?	
	“when_activate”*	Does the policy specify when officers are to activate their BWCs?	“activation”	when specifically, are officers required to activate their BWCs?	
	“BWC_existence”*	Does the policy specify/require that officers document existence of BWC recording?	“officers document BWC existence”	are officers required to notify that BWC recording is happening or that there is a BWC present? If so, how; when; etc.	
+	“failure_consequences”	If the policy specifies violations of activation, does it specify what the CONSEQUENCES are for failing to activate when required?	“consequences to activation failure”	If the policy mentions violations for officers failing to activate their BWCs when they are supposed to, does it include what the	

				potential consequences are? If so, include all sections detailing this response.	
Video Capture: Deactivation	“BWC_deactivation”*	Does the policy provide guidance on appropriate BWC deactivation (When and how to deactivate)?	“BWC deactivation”	what are the specific requirements for officers to DEACTIVATE their BWCs? What does the policy say about deactivation?	
	“discretionary_deactivation”*	Does the policy provide guidance on requirement for discretionary deactivation/non-activation of the BWC?	“discretionary deactivation”	what does the policy say about officers being able to have the discretion to DEACTIVATE their BWCs?	This may also be covered with the violations for non-activation question above. Highlight for BOTH if it includes discretionary deactivation AND non-activation.
	“statutes_deactivation” +	Does the policy address violations of STATE STATUTES where an officer must require reasoning for	“State statutes deactivation”	does policy state anything about if officers violate state statutes where they are REQUIRED	THIS MAY OR MAY NOT BE CHANGED WHEN

		deactivation of their BWC?		to provide reasoning for deactivating their BWCs?	INCLUDING TEXAS STATE MANDATES.
	“deactivation_consequences”+	If the policy specifies violations for when officers fail to require reasoning for deactivating their BWCs, does the policy also include consequences for failing to require reasoning for deactivating their BWCs?	“deactivation reasoning consequences”	If there is a statement for the violations if an officer fails to require reasoning for deactivating their BWCs, then does the policy include consequences? If so, all wording goes under this code.	
<i>Year Policy Established+</i>	“Insert Year Here”	Does the policy include the year the BWC policy/program was first established?	“Year Policy Established”	This will become a code group where the code will be the years themselves.	This way this can be filtered to note the differences between older policies and newer ones.
<i>Year Policy Last Reviewed+</i>	“Insert Year Here”	Does the policy note what year the BWC policy/program was most recently reviewed?	“Year most recently reviewed”	This will become a code group where the code will be the years themselves.	This way this can be filtered to note the differences between older policies and newer ones.

VITA

Alexis R. Rockwell

**Department of Criminal Justice and Criminology | College of Criminal Justice
Sam Houston State University**

EDUCATION

2018-2022 (expected)	Doctor of Philosophy, Criminal Justice , Sam Houston State University <ul style="list-style-type: none"> Dissertation: <i>Beyond the device: Examining body worn camera programs and policies in Texas.</i> Committee: Drs. Jason R. Ingram (chair), William Wells, and Willard M. Oliver
2016-2018	Master of Science, Criminal Justice , Troy University
2012-2016	Bachelor of Science, Criminal Justice , Troy University <i>Minor: Social Sciences</i> Cum Laude

RESEARCH INTERESTS

Police Use of Force; Police Culture; Police Officer Health and Wellness; Police Officer Body-Worn Cameras; Police Policies.

POSITIONS

2022 – Present	Assistant Professor , University of South Alabama, Mobile, AL
2019 – 2022	Graduate Research Assistant , Bill Blackwood Law Enforcement Institute of Texas, Huntsville, TX
2018 – 2019	Research Assistant , Sam Houston State University, Huntsville, TX
2016 – 2018	Teaching Assistant , Troy University, Troy, AL

RESEARCH PUBLICATIONS

Peer-Reviewed Journal Articles

Ingram, J.R., **Rockwell, A.R.**, Guerra, C., & Paoline III, E.A. (2021). Occupational culture and officer job satisfaction: An examination of cultural “misfits.” *Policing: A Journal of Policy and Practice*, online first.
<https://doi.org/10.1093/police/paab023>

Rockwell, A.R., Bishopp, S.A., & Orrick, E.A. (2021). Do policy and training changes influence patterns of police use of force? An interrupted time-series analysis. *Policing: An International Journal*, 44(3), 469-482.
<https://doi.org/10.1108/PIJPSM-07-2020-0128>

Articles Under Review

Ingram, J.R., Paoline III, E.A., **Rockwell, A.R.**, & Azimi, A. View from the Top: Police Chiefs’ Cultural Orientations.

Journal Articles in Progress

Padilla, K.E., **Rockwell, A.R.**, & Huff, J. A qualitative exploration of stress in a criminal investigations section.

Smith, W.T., **Rockwell, A.R.**, Padilla, K.E., & Benton, F.R. Military experience, culture, health, and wellness among police chiefs.

Technical Reports

Harper, M., Wagner, M., Wells, W., & **Rockwell, A.R.** (2022). Police chief perceptions of officer physical fitness and barriers to better fitness. Technical Report. Submitted January 24.
<http://www.lemitononline.org/research/documents/Police%20Chief%20Perceptions%20of%20Officer%20Physical%20Fitness%20and%20Barriers%20to%20Better%20Fitness.pdf>

Rockwell, A.R., Wells, W., Watkins, R., & Armstrong, T. (2020). *Body-worn cameras in Texas police departments: Utilization and policies in 2020*. Technical Report submitted to Senator Royce West, District 23, member of Texas Legislature. Submitted December 01.
<http://www.lemitononline.org/research/documents/Report%20on%20Body-Worn%20Cameras%20in%20Texas%20Police%20Departments%20-%20Utilization%20and%20Policies%20in%202020.pdf>

Rockwell, A.R., & Ingram, J.R. (2019). *Post critical incident seminar FY2019 evaluation report*. Final report submitted to The Office of the Texas Governor: Criminal Justice Division. Submitted October 11.
http://www.lemitonline.org/research/documents/PCIS_Brief.pdf

CONFERENCE PRESENTATIONS

Rockwell, A. R. (2021, November). Beyond the device: Examining body worn camera programs and policies in Texas. Paper accepted for presentation at the American Society of Criminology annual conference, Chicago, IL.

Rockwell, A.R., Ingram, J.R., & Paoline III, E.A. (2021, April). Police chief views on the occupational culture of police. Paper accepted for presentation at the Academy of Criminal Justice Sciences annual conference, Orlando, FL. *Cancelled due to COVID-19.*

Rockwell, A.R., Ingram, J.R., & Paoline III, E.A. (2020, November). Police chief views on the occupational culture of police. Paper accepted for presentation at the American Society of Criminology annual conference, Washington, D.C. *Cancelled due to COVID-19.*

Rockwell, A.R., Orrick, E.A., & Bishopp, S. (2019, October). Police use of force prevalence and severity: An interrupted time series analysis. Paper presentation at the Southwestern Association of Criminal Justice annual conference, Houston, TX.

Rockwell, A.R., Guerra, C., Ingram, J.R., & Paoline III, E.A. (2019, November). An examination of satisfaction among cultural “misfits” in police departments. Paper presentation at the American Society of Criminology annual conference, San Francisco, CA.

Rockwell, A.R., & Orvis, G. (2017, September). Changing legal definitions and deadly force in a technological age. Paper presentation at the Southern Criminal Justice Association annual conference, New Orleans, LA.

Rockwell, A.R., Lee, J., & Chavez, J.S. (2016, September). CJ academia: The evolving nature of the job. Paper presentation at the Southern Criminal Justice Association annual conference, Savannah, GA.

TEACHING EXPERIENCE

Summer 2019

CJ 3375 Research Methods

Adjunct Lecturer, Troy University

- 9-week online summer course

RESEARCH EXPERIENCE

June 2020 – Present

Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT)

- Co-PI for the LEMIT and Texas senator partnered Body-Worn Camera Policy and Program Evaluation Survey and Project
 - Aid in creation, distribution, and coding of survey
 - Facilitate data management for all responses and collection of BWC policies
 - Coding BWC policies into a scorecard for qualitative analyses
 - Manage and train research assistants on coding BWC policies
- Project Manager for The Texas Chiefs of Police Panel Project (TCPPP) and the New Chiefs' Development Project (NCDP)
 - TCPPP – Administer surveys; enter data and catalogue surveys; conduct data management and create technical report(s) for the 5th wave of data
 - NCDP – Keep data secured; work with the PI to maintain the dataset and conduct data management

May 2019 – October 2019

Post Critical Incident Seminar (PCIS) Evaluation

- Grant funded through the Texas Governor's Office
- Survey entry and data management
- Worked with Dr. Jason Ingram to write the final report, which was submitted to the Governor's Office on October 11, 2020
- Wrote the shortened technical report for LEMIT with Dr. Jason Ingram and published online on February 20, 2020

PROFESSIONAL EXPERIENCE

June 2020 – Present

Graduate Research Assistant: Dr. William Wells
*Bill Blackwood Law Enforcement Management
Institute of Texas*

- Co-PI and Project Manager for BWC Policy and Program Evaluation
- New Chiefs' Development Project (NCDP)
- Texas Chiefs of Police Panel Project (TCPPP)
 - Data Entry and Research Aid for TCPPP

August 2018 – Present

Graduate Research Assistant: Dr. Jason Ingram
*Sam Houston State University, Department of
Criminal Justice and Criminology*

- Teaching Assistant
- Data Entry and Research Aid for the TCPPP and multiple police culture projects, using both TCPPP data and data collected through an NIJ funded project
- Post Critical Incident Seminar (PCIS) Evaluation data entry, final report writing, and technical report writing

August 2018 – May 2019

Graduate Research Assistant: Dr. William R. King
*Sam Houston State University, Department of
Criminal Justice and Criminology*

- Census data entry to include population variables for each city in Texas with a police agency to merge with the TCPPP data

August 2017 – May 2018

Graduate Teaching Assistant: Dr. Jeffrey P. Rush
Troy University, Department of Criminal Justice

- Grading
- Assisting with Canvas Online Learning Management Systems for the department
- Guest lecturing
- Creating and proctoring exams

August 2016 – July 2017

Graduate Teaching Assistant: Dr. Jacqueline S. Chavez
Troy University, Department of Criminal Justice

- Grading
- Assisting with Blackboard Online Learning Management Systems for the department
- Guest lecturing

- Creating and proctoring exams

TEACHING ASSISTANT

Undergraduate

Police Systems and Practices, CRIJ 2367, Sam Houston State University
Introduction to Criminal Justice, CJ 1101, Troy University
Criminology, CJ 3345, Troy University
Deviant Behavior, CJ 3348, Troy University
Punishment, CJ 3349, Troy University
Survey of Law Enforcement, CJ 2221, Troy University
Emergency Management, CJ 3305, Troy University
CJ Issues in Homeland Security, CJ 4470, Troy University
Constitutional Law in Criminal Justice, CJ 3352, Troy University

Graduate

Seminar in the Administration of Justice, CJ 6622, Troy University
Current Trends in Criminal Law, CJ 6620, Troy University

PROFESSIONAL DEVELOPMENT

“Classroom Management.” Teaching Assistant Certification Series. Sam Houston State University, taught by A. Fujimoto-Strait, L. Rose, & H. Adair. January 15, 2019.

“Grading & Giving Criticism.” Teaching Assistant Certification Series. Sam Houston State University, taught by G. Sanford. January 15, 2019.

“Teaching with Technology.” Teaching Assistant Certification Series. Sam Houston State University, taught by T. Sosebee. January 15, 2019.

“Graduate Research Fellowships (GRF).” NIJ Webinar, presented by M. Garcia, G. Dutton, & M. J. Giovacchini, Online. October 4, 2016.

AWARDS AND SCHOLARSHIPS

2021-2022	Criminal Justice and Criminology Doctoral Scholarship, Sam Houston State University.
2020-2021	Rolando V. del Carmen Students' Endowed Criminal Justice Scholarship.

2020-2021	Criminal Justice and Criminology Doctoral Scholarship, Sam Houston State University.
2019-2020	Criminal Justice and Criminology Doctoral Scholarship, Sam Houston State University.
2018-2019	Criminal Justice and Criminology Doctoral Scholarship, Sam Houston State University.
Fall 2017	Who's Who among Students in American Universities and Colleges.
Spring 2016 – Fall 2017	Chancellor's List, Troy University.
2016	Alpha Phi Sigma Distinguished Honors Award, Troy University.
Fall 2015	Chancellor's List, Troy University.
2012 – 2016	Chancellor's Award Scholarship, Troy University.

SERVICE

Departmental

2021-2022	Social Media Specialist , Sam Houston State University, <i>Criminal Justice Graduate Student Organization</i>
2020-2021	Fundraising Committee Member , Sam Houston State University, <i>Criminal Justice Graduate Student Organization</i>
2019-2020	Service Committee Member , Sam Houston State University, <i>Criminal Justice Graduate Student Organization</i> <ul style="list-style-type: none"> Coordinated GSO's family sponsorship with Houston Children's Charity's Adopt-A-Family
2018-2019	Fundraising Committee Member , Sam Houston State University, <i>Criminal Justice Graduate Student Organization</i>

- 2019 **Committee Member**, *Walk-A-Mile in Her Shoes*, Sam Houston State University
- 2018-2019 **Student Representative**, *Faculty Search Committee*, Department of Criminal Justice and Criminology, Sam Houston State University
- 2018 – Present **Member**, *Criminal Justice Graduate Student Organization*, Sam Houston State University.
- University
- 2017 – 2018 **Tutor**, *Troy University Women's Basketball team*, Troy University
- 2016 – 2018 **Member**, *Lambda Alpha Epsilon Criminal Justice Club*, Troy University.
- 2015 – 2018 **Member**, *Omicron Delta Kappa Leadership Honor Society*, Troy University.
- 2014 – 2018 **Member**, *Alpha Phi Sigma, Criminal Justice Honor Society*, Troy University.
- 2015 – 2016 **President**, *Alpha Phi Sigma, Criminal Justice Honor Society*, Troy University.
- 2014 – 2015 **Secretary**, *Alpha Phi Sigma, Criminal Justice Honor Society*, Troy University.

Professional

- 2021-2022 **Student Representative**, *Division of Policing*, American Society of Criminology

PROFESSIONAL AFFILIATIONS

Academy of Criminal Justice Science
Police Section
Teaching, Scholarship, and Leadership Section

American Society of Criminology
Division of Policing

FIELD EXPERIENCE

July 2016

Unarmed Security Officer*G4S Security Company at BASF Chemical Plant,
McIntosh, AL.*

Summer 2015 & 2016

Summer Intern*First Judicial Circuit District Attorney Spencer
Walker's Office, Grove Hill, AL.*

Summer 2013

Summer Intern*William F. McCorquodale, II, LLC, Jackson, AL.*