

**The Bill Blackwood
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**The Utilization of Body Worn Cameras by
Law Enforcement Agencies Throughout the Country**

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ABSTRACT

Community groups are calling for police reform and transparency from the law enforcement community. Police officers are coming under fire for officer involved shootings and use of force encounters across the country. Police officers are no longer considered credible on their word alone. This presents a true problem for the law enforcement community. Public trust is paramount for the law enforcement officers to perform their duties and protect their communities. Body worn cameras are small compact cameras that officers can wear on their uniforms. These small devices can capture encounters from law enforcement with the community they serve. Law enforcement should use body worn cameras to help reduce the use of force encounters, document crimes accurately, to protect officers from false accusations, and cut time spent in court. With the implementation of body worn cameras, law enforcement will be transparent and rebuild the trust of the people they serve.

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INTRODUCTION

Black lives matter, community activists, and many community groups across the country are calling for police reform. They question how police officers do their jobs on a daily basis and accuse them of misconduct. As a profession, law enforcement is facing changes at a record pace. Changes can be seen in their personal lives as well as their professional lives. Law enforcement officers are facing new challenges as the media and the public attacks the credibility of officers across the country. Body worn cameras will help law enforcement officers' document crimes and events as they actually occur, leading to transparency and accountability of frontline policing.

The problem examined by this research considers the adversity that law enforcement officers are facing with the public today and the best way to address the distrust the public has with law enforcement. Many people today do not trust law enforcement officers when it comes to officer-involved shootings and other police related issues. No event may have emphasized this more than the officer involved shooting in Ferguson, Missouri. The shooting of Michael Brown by Officer Darren Wilson sparked protest across the country. Although Officer Darren Wilson was cleared of any wrong doing, this event set off a firestorm of criticism towards law enforcement across the country. If a body worn camera had captured this event, it may have changed history and saved millions of tax dollars. Instead an element of distrust fell on the community and the public's outcry for change and police reform began.

The lack of trust has shaken law enforcement to the core. Law enforcement as a whole is built upon public trust and faith that the men and women of law are ethical, honest people. Without this trust, law enforcement officers will be unable to perform

their duties to serve and protect their communities. This paper will show that body worn cameras will protect officers against false accusations, reduce the number of complaints ("Study says body-worn cameras," 2016), reduce the number of use of force encounters (Ziv, 2014), cut down on time spent testifying in court (IACP, 2005), document crimes accurately, and provide an excellent teaching tool for law enforcement across the country (White, 2014). All law enforcement agencies should use body worn cameras. With the implementation of body worn cameras, law enforcement will have transparency in their profession and can rebuild the trust of the public. Once again, law enforcement officers will show they are men and women of honor and integrity.

POSITION

So often, people turn on the TV, You Tube, or Facebook to find videos of what appears to be a police officer engaging in misconduct. The beginning of the event may not be captured on the cell phone camera or stationary camera. Often times there is no audio and information is lost without audio of the confrontation. These contacts can lead to complaints by citizens against the officers. Body worn cameras capture the entire event both visually and audibly. One can see what the officer sees and hear what the officer hears.

A research study at the University of Cambridge's Institute of Criminology showed that the use of body worn cameras by law enforcement officers was associated with a 93% reduction in citizen complaints against the officers. The experiment took place in seven sites in 2014 and 2015, in the UK Midlands and the Californian coast. The research included 1,429,868 officer hours across 4,264 shifts covering a wide setting of officers and times. The researchers found the use of body worn cameras were

a “profound sea change in modern policing” (“Study says body-worn cameras”, 2016, para. 3). Due to the body worn cameras, complaints against officer misconduct virtually disappeared when the offender knew the body worn cameras were present. The article stated, “The cameras create an equilibrium between the account of the officers and the account of the suspect about the same event-increasing accountability of both sides” (“Study says body-worn cameras”, 2016, para. 4). This means that both the officer and citizen are on their best behavior when the body worn camera is present.

While studies have shown body worn camera will reduce the number of complaints against officers, they cannot completely make them go away. Body worn cameras will often help officers when complaints are filed. A study conducted by the International Association of Chiefs of Police (IACP) (2003) stated there were a number of reports in which the use of video cleared the officer of wrong doing. According to the study, “Five percent were sustained, due to the recording video” (International association of chiefs of police [IACP], 2003, p. 22). Officers were cleared on complaints at a much larger number than sustained complaints. When citizens filed complaints on the officers, the video often cleared the officer and showed the citizen was in the wrong. The body worn camera actually acts as a protection device for the officer. This is becoming more important as the officer’s character and word are under attack by community groups across America. This window of transparency will help confirm the officer’s word and integrity.

Another study showed that 48% of people reported that when a camera was present they would be less likely to file a complaint (IACP, 2003). The same people also reported that if they knew they were being recorded, 51% would have modified their

behavior (IACP, 2003). Just the body worn camera being present will cut down on citizen complaints and save time and money on internal affair investigations.

The second position of this paper is body worn cameras will decrease the use of force encounters by officers. With the increasing tensions between officers and the public derived from officer involved shootings, it is imperative for the law enforcement community to cut the number of use of force encounters. The University of Cambridge's Institute of Criminology performed a study over a twelve-month period and discovered with body worn cameras present, the use of force encounters dropped by 50% (Ziv, 2014). According to some, body worn cameras are a game changer for law enforcement everywhere. Many see this as a way to build police-public relations and improve transparency throughout law enforcement in this country. Policeone.com conducted a survey and determined that out of 785 officers surveyed, 85% favored the use of body-worn cameras ("Survey: police," 2012). Another survey by the Major Cities Chiefs Association and Major County Sheriffs' Association found 95% of large police departments nationwide plans to use body worn cameras (Maciag, 2016). Officers, in fact, support body cameras and transparency with the public. Departments spend between 2 billion to \$2.5 billion a year in settlements from police brutality complaints (Hardy, 2012). Agencies and officers alike must make changes to bring that number down. The money being spent to litigate these settlements is not the biggest problem these use of force encounters create, but the tensions and mistrusts of the communities these officers protect are being destroyed.

Another important aspect of body worn cameras is it will cut down on time spent in court for officers. The use of the body cameras, while on-duty, provides hard video

evidence of decisions made by officers in high intense situations. Law enforcement officers spend a great deal of time in traffic court and criminal court. With the use of body worn cameras, this time will be cut and money will be saved. Many prosecutors, approximately 96%, rated that their use of video evidence has improved their ability to prosecute cases (IACP, 2005). The use of videos allows the prosecutors and defense attorneys to watch and review the event and see what transpired, between the officer and offender. The body worn camera records what actually occurred in an event (Bogosian, 2012). Prosecutors and defense attorneys can review the video and many times will not want to take the case to court because of the video evidence. This cuts court times for the prosecutor and officer. Approximately 64.3% of prosecutors reported that cases involving video evidence were usually less successful for the defendants in appellate courts (IACP, 2005).

Another issue to consider when court is involved is the costs paid to the officer, prosecutor, defense attorney, bailiffs, and jury. Officers are often paid straight time and sometimes time and a half to appear in court. Salaries vary among officers depending on department and rank. According to a survey by the International City-County Management Association, in 2008, police officers' average salaries ranged from \$49,421 per year for a police corporal to \$113,930 for a police chief (Lindblad, n.d.). Court costs can become staggering for the taxpayer. Cutting court time and costs will be an asset in tough economic times.

The final position on why body cameras should be implemented is training. It is vital that officers train and become aware of their deficiencies. These cameras have caught several of the deadly encounters where officers have lost their lives. Officers today need

to be better trained and equipped to face the new threats on the streets. The body worn cameras film an officers every move. Body worn cameras are great opportunities for training (White, 2014). The video from the body worn cameras see what the officer sees and hears. This video can be watched and listened to at a later time and date. The officer will see and hear things he missed in the initial contact and will learn to be more observant and aware of his surroundings because of what he sees and hears on the video. Also, field training officers and supervisors can pull videos from the body cameras and use them to show officers when they are not keeping the gun side away from suspects or using poor officer safety tactics when dealing with suspects. These videos cannot only reinforce good behavior and tactics, but can correct poor behavior and tactics. Officer safety is paramount in the profession of all law enforcement officers. These videos can save officers lives.

COUNTER POSITION

There are a few concerns when it comes to body worn cameras. One of the major concerns is the cost. Many departments across the country are being asked to cut back on budgets due to economic hard times. Departments are being asked to do more with less. At the same time, community groups across the country are asking for more regulation and transparency from law enforcement. Many departments are caught in a situation where they are balancing costs versus the needs and wants of the public they serve. Body worn cameras costs anywhere from \$350 to \$700 per unit (Edwards & Athavaley, 2015).

Although this cost might be manageable for some departments, others may struggle to fit such costs into their budgets. There are ways departments can get relief

on the costs of body worn cameras. The Justice Department is spending twenty million dollars on police body-worn cameras nationwide (Berman, 2015). This money will help departments on the purchase of the body worn cameras and implementing a body worn camera program.

The storage of all the videos can also become massive for some departments. The City of Baltimore estimated costs up to \$2.6 million a year for storage and extra staff needed to manage video data from its officers (Bakst & Foley, 2015). This cost can be off-set by money saved on lawsuits and investigating complaints. The City of Baltimore reached a \$6.4 million dollar settlement with the family of Freddie Gray in a wrongful death settlement from injuries suffered while in police custody (Alexander, 2015). This one event cost the City of Baltimore millions on the lawsuit alone. This does not take into account the money spent on damages to the city from the riots and money paid out to the officers and other public officials working the demonstrations. Body cameras on the Baltimore police officers could have changed the way Freddie Gray acted or altered the way the Baltimore police officers acted in this event.

A second issue to consider with body cameras is privacy concerns. There are times in police investigations when complainants or witnesses do not want to be recorded or want to remain anonymous. Officers must consider many people they deal with are victims of crime and have not done anything wrong. Some are victims of sexual assaults and are traumatized by the event. Officers can turn the video off when dealing with victims to protect their privacy. Police officers must also consider they are venturing inside people's homes and other private areas. According to David Roberts, Senior Program Manager for IACP, departments that try to use a new technology like

body cameras before they have policies in place about the usage, cost, and security run into trouble (as cited in Newcombe, 2014). It is imperative that departments put policy in place on when and how to use the body camera to protect the officers and victims of crimes. With policies in place that give the officer discretion to turn the body camera off to protect victims and juveniles at their request will go a long way in solving this problem. Departments will have to work with advocacy groups like the American Civil Liberties Union to develop policies that balance citizens' Fourth Amendment rights with the public's desire for transparency with law enforcement (Erstad, 2016). This will not be easy, but it will be essential in the success of the body worn camera program.

RECOMMENDATION

With the rising tensions between law enforcement officers and the communities they serve, police departments should implement body worn camera programs across the country. Body worn cameras will begin to bridge the gap being created between law enforcement officers and the communities they have sworn to protect. Body worn cameras will help reduce the number of complaints on officers ("Study says body-worn cameras", 2016), reduce the number of use of force encounters (Ziv, 2014), document crimes, cut time spent in court (IACP, 2005) and provide an excellent teaching tool for officers everywhere (White, 2014).

Police departments will be able to reduce the number of complaints and use of force encounters saving money and time spent litigating these interactions (Ziv, 2014). When encounters occur, the body cameras will often clear the officer of wrong doing, protecting the officer and the city. This protection for the officer will encourage the officers to continue to work through these adverse times they are facing.

Departments can get funding for these cameras through federal grants from the Department of Justice and money saved on civil litigation from use of force complaints. Departments will save money from officers spending time in court litigating cases and internal affairs investigations. With the money saved, departments will be able to purchase and implement this very successful program. Gaub, Choate, Todak, Katz, and White (2016) has concluded that police officer body worn cameras have been advocated as a tool by which police-community relations can be strengthened while holding the accountability of police departments.

Departments will be able to use the videos from the body worn cameras as an excellent training tool. These videos will be invaluable to officers to improve their daily habits they form while performing their jobs. Officers will be able to go back and watch traffic stops, high risks situations, and evaluate how everyone reacted. Field training officers will be able to use the video to teach their probationary police officers better tactics and mannerisms. These training videos will save officers lives.

The privacy issues can be addressed by a good body worn camera policy. Giving the officers discretion of turning the video off when dealing with juveniles, complainants, and witness will help give people their privacy (Kelsh, 2016). Mandating a court subpoena for any and all video will limit who can get copies of the videos. Keeping the videos on a secured server and limit who has access to the server will protect the video's integrity.

Police officers are venturing into unseen times in the everyday job. Community groups are calling for police reform and transparency. Officers are asking for protection from false allegations and public attacks on their credibility. Body worn cameras will be

able to protect the officer and the citizen they serve. Body worn cameras will not answer every question, but they will make the profession of law enforcement a safer and better place.

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