

# Wearing a Badge, and a Video Camera

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## Police Videos

Future of Police Transparency



# Intro

- This is not a new issue to Police
- Multiple Departments Wearing cameras
- Estimated 80% of all cops will be wired for video in the next 3 years.
- Information being discussed every day across the Country.
- Why do I like the use of cameras?
- [DOJ/ PERF Report](#) – September 12, 2014
- IACP Model Policy/ Concept Paper – 9/14

## Areas of Concern

- Starting with strict policy in place
- Law enforcement limiting its own actions
- Benefits v. Burdens
  - Use, storage, benefits, discipline
- Maintaining proper perspective
  - Not a “solve all problems” solution
- Awareness of Limitations
  - Force Science Article #265
  - Point of view recording

# Implementing a Body-Worn Camera Program

Recommendations and Lessons Learned



## Benefits are Clear

- Body cameras can help to de-escalate encounters between officers and members of the public, because most people tend to behave better if they know they are being recorded.
- So police chiefs who have deployed cameras tell us that confrontational incidents and complaints against officers decline.
- Cameras sometimes uncover problems with officers' training that can be remedied. Cameras can provide officers with protection against false complaints, or they can provide important evidence if an officer's actions are improper.
- Cameras can give the community a sense that their police are accountable for their actions.

# Implementation

- When presenting officers with any new technology, program, or strategy, the best approach includes efforts by agency leaders to engage officers on the topic, explain the goals and benefits of the initiative, and address any concerns officers may have.
- PERF's recommendations call for a careful, thoughtful approach to body cameras, in which the community, your officers, and other stakeholders are consulted.
- Departments should consider piloting the program and evaluating the results before implementing it department-wide.

# History

- The British police agencies were among the first to experiment with and test officer body-worn camera technology.
- Evidence from the UK studies indicates that the technology reduces officers' paperwork, enhances their ability to determine whether a crime occurred, and increases the likelihood that cases will end in a guilty plea rather than criminal trial.

# History

- Police Chief, William Farrar, of the Rialto California Police Department investigated whether officers' use of video cameras can bring measurable benefits to relations between the police and civilians. The study was a yearlong process in which patrol officers were assigned body cameras.

## Southern California City of Rialto

- The results from the first 12 months [were] striking. Even with only half of the 54 uniformed police officers wearing cameras on any given day, the department overall had an 88 percent decline in the number of complaints filed against officers, compared with the 12 months before the study.
- Officers with cameras used force 60% less often.
- In some instances citizens decided not to file complaints after they were shown the video of their incident.

# Mesa PD

- Mesa Arizona Police Department did a one-year pilot study on the usage of body cameras.
- During the study, 50 Mesa police officers wore the cameras for a year. Their data and opinions were compared to a group that did not wear them.
- Citizens' complaints declined by 50 percent among the officers wearing the cameras.
- Researchers found they were more likely to go by the book; they wrote about 20 percent more tickets and became more cautious when making stop and frisk arrests and using force.

# ACLU

- The American Civil Liberties Union said last year that the cameras have the "potential to be a win-win, helping protect the public against police misconduct, and at the same time helping protect police against false accusations of abuse."

# Quotes

- Chief William Farrar “When you put a camera on a police officer, they tend to behave a little better, follow the rules a little better and if a citizen knows the officer is wearing a camera, chances are the citizen will behave a little better.”
- “So much of what goes on in the field is ‘he-said-she-said,’ and the camera offers an objective perspective,” Mr. Bratton said. “Officers not familiar with the technology may see it as something harmful. But the irony is, officers actually tend to benefit. Very often, the officer’s version of events is the accurate version.”

## PERF/COPS Recommendation

- Officers should be required to activate their body-worn cameras when responding to all calls for service and during all law enforcement-related encounters and activities that occur while the officer is on duty. In order to protect relationships between the police and the community, officers have discretion whether to record informal, non-law enforcement-related interactions with the public.

## PERF/COPS Recommendation

- Officers should be required to inform subjects when they are being recorded unless doing so would be unsafe, impractical, or impossible.
- Many police executives have found that officers can avoid adversarial situations if they inform people that they are being recorded.

## PERF/COPS Recommendation

- Officers should be required to obtain consent prior to recording interviews with crime victims. Requiring officers to obtain consent prior to recording interviews with victims is the best way to balance privacy concerns with the need to accurately document events.

## PERF/COPS Recommendation

- Officers should have the discretion to keep their cameras turned off during conversations with crime witnesses and members of the community who wish to report or discuss criminal activity in their neighborhood. If an officer turns the camera off prior to obtaining information, the officer should document on camera the reason for doing so.

## PERF/COPS Recommendation

- Policies should provide clear guidance regarding the circumstances under which officers will be allowed to exercise discretion to record.
- Policies should include specific measures to prevent data tampering, deleting, and copying. Agencies should make retention times public by posting them on their websites.

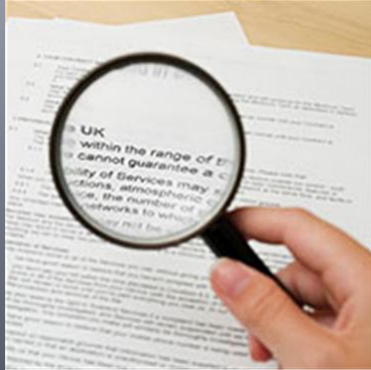
## PERF/COPS Recommendation

- Written policies should clearly describe the circumstances in which supervisors will be authorized to review an officer's body-worn camera footage.
- Agencies should have clear and consistent protocols for releasing recorded data externally to the public and the news media. Each agency's policy must be in compliance with the state's public disclosure laws. Policies should state who is allowed to authorize the release of videos.

## PERF/COPS Recommendation

- Body-worn camera training should be required for all agency personnel who may use or otherwise be involved with body-worn cameras. Before agency personnel are equipped with body-worn cameras, they must receive all mandated training.
- Agencies should require refresher courses on body-worn camera usage and protocols at least once per year.

# Start with the Policy....



## POLICIES AND TRAINING GENERALLY

- Policies and procedures shall reflect and express the Department's core values and priorities, and provide clear direction to ensure that officers lawfully, effectively, and ethically carry out their law enforcement responsibilities.

# Purpose

- The purpose of this policy is to establish guidelines and limitations for the use and management of body worn audio/video camera systems.
- Important and valuable tool for law enforcement
- The use of on-officer video is expected to result in greater transparency, more effective prosecution, and improved protection against false allegations of excessive use of force, misconduct or racial profiling.

# Administration

- Inspection to ensure charged and operational.
- Report problems obligation
- Not make repairs by officers
- Intentional disable or damage, fails to activate or deactivate leads to discipline.
- Lost, stolen or damaged equipment must be reported to supervisor.

# Use

- All Officers shall activate the camera as soon as practical once it has been determined in the officer's use of sound judgment that an incident is to be recorded in accordance with this order.
- This includes, but not limited to the following:
  - Any consensual encounter;
  - Any dispatched call where there is citizen contact;
  - Encounter initiated by a private person (flag down);
  - Any investigative encounter to confirm or dispel a suspicion that the person may be involved criminal activity. This includes detentions, vehicle stops, walking stops and consensual encounters (contacts);
  - Service of a search or arrest warrant; and
  - As deemed necessary.

# Use

- Officers who don't activate their camera in situations where they were required to may be subject to discipline.
- If a citizen complaint is made and the officer did not activate his camera as required that will be a factor examined when determining final resolution of the investigation.

# Examples

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nj.com  
New Jersey  
State Police

## Watch the Videos



Watch  
videos

# Video Review

- The question of the day is do you allow Officers to review a video before being Interviewed of providing a force report
- Two strong positions on the subject:
  - Yes- not allowing officers to review videos is a “Gottcha moment”
  - No- recollection of officer as to facts and circumstances
- Concern if video shows different- for who?

# View Video

- “Officers should not view video of an incident prior to being interviewed. Allowing officers to view video prior to an interview allows them to either subconsciously fill in the blanks where there are no memories of the incident or preplan for alibis for substandard conduct. Either way, allowing officers to view video of the event prior to the interview erodes the public’s faith in the process and unnecessarily impacts the investigation.”
- *Review of BART PD Policies, Practices and Procedures re: New Year’s Day 2009, page 5.*
- Report posted at [http://www.bart.gov/docs/Meyers\\_Nave\\_Public\\_Report.pdf](http://www.bart.gov/docs/Meyers_Nave_Public_Report.pdf)

# Watch the Video

- In incidents involving an officers use of force (defined in Use of Force Order) from resisted handcuffing to Officer Involved shootings officers shall not review their video of the incident until such time as the officer has completed his force investigation report.
- Once the officer has completed his use of force report he/she may view the video with the Supervisor conducting the force investigation.
- Any discrepancies or additional information determined by the review of the video will be documented and explained by the Supervisor in his evaluation of force report.

**The End....**



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