

Police Body-Worn Cameras

Following the August 2014 police shooting of Michael Brown and subsequent nationwide protests around police-citizen violence towards men and women of color, body-worn cameras (hereafter BWCs) are being adopted by police departments, including 16 of the country's 20 largest departments as well as a range of other departments that have received funding from the Department of Justice's Office of Justice Programs. Public outrage from the wide circulation of citizen-captured footage of police shootings helped shape the conversation around the need for accountability, sparking the hope that camera-equipped police forces would extend a greater degree of transparency. But while some prosecutions in police shooting cases have resulted from BWC footage, the public's access to footage varies, with some departments requiring a court order to obtain access, or other restrictions. Critics argue that some BWC policies undermine their potential to uphold civil rights.

- BWCs are typically mounted on an officer's uniform at chest level. Common features include continuous recording, evidentiary safeguards such as timestamps, and in many cases, camera deactivation at the officer's discretion. Little research existed as to their impact or efficacy prior to their widespread adoption.
- New sources of funding are facilitating the widespread adoption of BWCs; in a pilot Department of Justice program, the Obama administration is giving \$23.2 million in 50/50 matching funds to outfit police with BWCs over a 3-year period.
- There has been little public or government oversight in developing policies; opinions are divided over practices such as letting officers review footage before making reports, with some critics arguing that it enables officers to tailor their accounts to the footage, thus making their accounts doubly robust to the disadvantage of other witnesses' accounts. Moreover, some police departments do not lay out specific sanctions towards officers who deactivate or fail to activate their cameras during incidents such as use of deadly force.
- BWCs are being used as evidence in trials, both against officers accused of unjustified use of force, and in relation to criminal activity captured within view of the officer's camera. Video evidence can either bolster or contradict officer and citizen testimony. This is creating new questions about the evidentiary weight of video in the courtroom, and the extent to which video can provide a complete account of an incident. Another concern is that footage can be used to pressure individuals into accepting plea bargains, regardless of guilt in committing a crime.
- Some early studies had reported a "civilizing effect" of BWCs on police-community interactions, but more recent experiences have shown mixed results; in San Diego, complaints against officers declined, but police use of force has grown, while other departments have reported a decline in use of force incidents.
- BWC footage can also be used as a disciplinary force in the workplace. Officers who anticipate that their supervisors will penalize them for the actions they take that are visible on BWC footage may increase low-level ticketing for behavior that they may previously have dismissed with a warning. There has been limited research on the effects of BWCs on the workplace relations and practices of police officers.
- In many states, lawmakers are introducing bills to exempt footage from public records laws or otherwise restrict access, citing privacy concerns and high cost of redaction. Other barriers to access include departments charging exorbitant fees for copies of footage.
- Official stances on BWCs have fluctuated. Some public officials such as the Mayor of DC have retracted their initial positions supporting more open access to footage, opting for greater restrictions, and some departments have likewise altered their policies.
- Attempts to address privacy issues include proposed exemptions for video recorded inside private homes and schools, and the use of redaction techniques like blurring footage and muting audio. Most advocates want families of victims to be able to have access, yet this raises concerns about victims of domestic violence, highlighting different implications for different kinds of cases.
- BWCs can potentially be combined with biometric technologies, such as facial recognition, which may raise future concerns for privacy if implemented.
- Proposals for crowdsourcing technical solutions for releasing BWC data are being developed; one possibility is to mine and share analyzable data, rather than raw footage, in order to avoid compromising citizens' privacy.

- BWCs are often discussed in relationship to citizen video, even though these types of video are treated differently under the law. States are proposing laws to restrict filming of police and wiretapping laws are being used to limit recording by citizens; advocates are pushing for the “right to record.”
- Although proponents have argued that costs of BWCs will be offset by video footage protecting officers against fraudulent lawsuits, little is known about the economic costs of storing footage or the personnel costs of responding to requests. Department policies vary over the amount of time that footage should be retained, which has raised some concerns over privacy.

Critical Questions

- How will the use of BWCs alter policing practices? How can we assess how police officers’ practices change when using BWCs?
- How can we assess the effects of BWCs on police-community relations? How do we look out for unintended consequences?
- How should departments best balance legitimate privacy and transparency interests?
- How much discretion should police departments have in releasing footage? Should the families of police shooting victims be guaranteed access? What about journalists?
- How might BWC footage be used during everyday policing work? What privacy safeguards are in place to protect the public from BWCs?
- Should officers be permitted to view footage before writing initial incident reports?
- How can police officers, judges, and lawyers train to use video footage in productive, non-discriminatory ways?
- What public policies and policing policies should be put into place to balance different interests? How can communities participate in this policy-making?
- What are the economic considerations of implementing BWCs? Who should bear the burden of the costs? How might the costs of BWCs affect policing activities?
- As more is learned about the efficacy, costs, and social implications of BWCs, how might we put protections in place to reassess implementation and policy decisions?