

Atlanta Citizen Review Board
Study on
Body-Worn Cameras (BWCs)
&
Discussion of Concerns and
Recommendations on BWCs
for Atlanta Police Officers

2014 Report



Executive Summary

The Atlanta Citizen Review Board (“ACRB”) conducted this study on body-worn cameras (“BWCs”) to gain an understanding of the law enforcement’s and public’s perspectives on the use of BWCs by Atlanta police officers. BWCs could be a valuable tool that can aid the accountability systems, which currently provide checks and balances on officer behavior and actions.

The ACRB has been watching the development of BWCs over the past two years. As the calls for BWCs intensified after the officer-involved shooting of Michael Brown¹ in Ferguson, Missouri, the ACRB initiated this study.

Extensive research and communication with other police departments across the country produced over 40 sources, which included agency reports, media articles, and conversations with law enforcement agencies, particularly the Las Vegas Metropolitan Police Department (“LVMPD”) and the Bay Area Rapid Transit Police Department.²

The ACRB identified several concerns that should be thoroughly examined during the early stages of the discussions on BWCs. The concerns addressed in this study include:

- privacy,
- access to recordings,
- retention period,
- BWC operation,
- redaction,
- training,
- and other issues that may affect the success of a BWC program within the Atlanta Police Department (“APD”).

The study also provides ACRB policy recommendations for the BWC program and discussion on how the program will affect the ACRB. Most importantly, the study highlights the need for strong policies and enforcement to build and maintain trust with the communities that have experienced a history of alleged officer misconduct.

While BWCs are tools to help reduce officer misconduct and liability, it cannot be stressed enough that BWCs alone will not yield the anticipated results unless there is strong policy, effective management and enforcement, and a general change in policing culture.

¹ Eighteen-year old black male killed by a Ferguson, Missouri police officer.

² The ACRB obtained model BWC policies and a BWC policy recently adopted by the LVMPD. The agency also obtained a BWC from the Bay Area Rapid Transit (BART) Police Department.

Study written and prepared by the Atlanta Citizen Review Board (ACRB)
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Table of Contents

Executive Summary	3
Section I	8
Background	8
Section II	8
Perceived Benefits, Challenges, and Policy Considerations associated with BWCs	8
Section III	10
ACRB Discussion of BWC Considerations	10
Privacy	11
Access to Recordings	12
Auditing of BWC Program	13
Notice of Recording	14
Consent	14
Retention Period	15
Officer Discretion to Record	15
Discrimination in Recordings	17
Redaction	17
Training	17
Enforcement	18
Officer Review of Recordings	18
Supervisor Reviews	20
Extra Job Employment	21
Policy Changes associated with BWCs	21
Duplicating Recordings	21
Chain of Custody	22
False Sense of Citizen Confidence and Trust	22
Section IV	24
Effect of BWCs on ACRB Operations	24
Section V	26
Policy Example	26
Section VI	27
Citizen Trust and BWCs	27
Section VII	28
Implementation Recommendations	28
Section VIII	29
BWC Devices	29
BWC Costs	29
Conclusion	31
Appendix	33

Introduction

The ACRB³ presents this study of body-worn cameras⁴ (“BWCs”) to participate in the public discussion on BWCs.⁵ The purpose of this study on BWCs is to advance the examination of the issues involved in the use of BWCs by Atlanta police officers. An early robust discussion of all issues associated with BWCs will ensure the successful implementation of a BWC program. This report is an objective and independent contribution to the consideration of BWCs and presented to aid in the making of informed decisions.

This report is not intended to be a comprehensive in-depth analysis of every contention that is brought forth from the reviewed materials. The ACRB conducted this study by examining various reports, media articles, and government materials. In addition, the ACRB contacted the Las Vegas Metropolitan Police Department and the Bay Area Rapid Transit Police Department to discuss their experiences with implementing a BWC program. From the study and the experiences of ACRB civilian oversight professionals, the ACRB identified perceived benefits, challenges, policy and implementation recommendations that should be considered by the citizens, police department, officers, and elected officials before the investment and full implementation of BWCs.

It is hoped that the implementation of a BWC program will lead to improved policing where police actions are reviewed and evaluated fairly and where officers who violate police policy and/or the law receive fair and swift correction under the Atlanta Police Department’s (APD) disciplinary policy. The BWC along with strong support systems may usher in changes in policing culture that will benefit citizens, officers, and the police department.

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It should be noted that the available empirical research and data on BWCs is limited; therefore, many of the expected benefits and concerns raised by supporters and critics lack the necessary data to support them.⁶

³ The Atlanta Citizen Review Board (“ACRB”) is authorized to conduct this study, pursuant to Atlanta Code of Ordinances, Part II, Chapter 2, Division 11, Section 2-2211 (d).

⁴ Body-worn cameras are small video cameras – typically attached to an officer’s clothing, helmet, or sunglasses – that can capture, from an officer’s point of view, video and audio recordings of activities, including traffic stops, arrests, searches, interrogations, and critical incidents such as officer-involved shootings. – Community of Oriented Policing Services (COPS), Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned, U.S. Department of Justice and Police Executive Research Forum (2014), 1, <http://www.justice.gov/iso/opa/resources/472014912134715246869.pdf>.

⁵ On August 18, 2014, the Atlanta City Council passed a resolution requiring the Atlanta Police Department to submit a feasibility study on BWCs for APD officers to the Atlanta City Council.

⁶ Michael D. White, PhD, “Police Body-Worn Cameras: Assessing the Evidence,” (2014), 6, <https://ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf>.

This report is divided into eight sections.

- Section I provides the background of this report.
- Section II provides the perceived benefits, challenges, and policy considerations of BWCs.
- Section III provides ACRB's discussion of the BWC considerations.
- Section IV provides a discussion on the effect of the BWCs on the ACRB operation.
- Section V provides a discussion of several BWC policies.
- Section VI provides a discussion on community trust with regard to BWCs.
- Section VII provides ACRB's implementation recommendations.
- Section VIII provides discussion on the potential costs of a BWC program.

Section I

Background

As with every new technological tool, a thorough analysis of the benefits and concerns must be conducted to ensure that the technology yields the anticipated results. The thought behind the use of BWCs is that these devices will provide an objective view of the interaction between officers and citizens.

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Since the officer-involved shooting death of Michael Brown, police departments, elected officials, and many citizen groups and organizations have called for increased recordings of officer and citizen interactions. The APD and many other law enforcement agencies have increased their interests in acquiring and implementing BWCs. Many police departments have started testing BWCs and operating pilot programs, including the APD. A few departments have fully implemented BWC programs.

Section II

Perceived Benefits, Challenges, and Policy Considerations associated with BWCs

This section provides a table of the considerations associated with BWCs: (1) Perceived Benefits, (2) Challenges, and (3) Policy Considerations. As used in this report, perceived benefits are outcomes that may be achieved with a BWC program. The challenges are the issues that have been identified that could affect the success of a BWC program. Policy considerations are the concerns that policy should address that will guide the officers' use of the BWCs.

These considerations were identified from the literature sources that were reviewed for the study. It is hoped that the information presented in a table format will be easily digestible for the reader.

A detailed description of the perceived benefits, challenges, policy considerations is in Appendix A. There the perceived benefits, challenges, and policy considerations are presented in three tables. Each table has the consideration and a corresponding explanation of why the consideration should be examined or the general thought behind it. The tables also provide which stakeholders may be affected by the consideration. Several of the considerations mentioned in this section will be discussed in greater detail in Section III.

Perceived Benefits	Challenges	Policy Considerations
Visual documentation of officer's and citizen's activities	Privacy of citizen/ Consent to record Privacy of officers	Obstruction of Cameras
Prevent and Reduce False Arrest and False Imprisonment	May inhibit citizen cooperation	Ongoing recording of Cameras
Reduce False Police Reports	Will not stop intentional acts of officer misconduct	Stopping/Starting Cameras (Control of Cameras)
Criminal Convictions/ evidence documentation	Point of view of camera	Redaction of recordings
Diffuses Situations	Citizen/Officer access to recordings	Privacy
Reinforce policy and increase officer professionalism	Computer infrastructure/technology	Enforcement
Used for training	Retention (time limit of storage of recordings)	Retention (Storage of Video)
Prevent false misconduct claims	Costs	Criteria for storage
Protect against false property damage claims	False Sense of Confidence and Trust	Review of video
Improve citizen behavior	Positioning of camera and body to avoid recording actions	Camera placement
More even distribution of power	Coercion, threats, or embarrassment to prevent misconduct complaint filings	Policy considerations
Reduce Use of Force incidents	Georgia Open Records	Camera malfunction and compromise of camera operation
Encourage misconduct complaint filings	Officers Less Proactive/ Hesitancy to Act	Chain of custody
Faster resolution of citizen complaints	Notice of recording	All recordings on a scene maintained not just the recording of the officer who is writing the incident report

Perceived Benefits	Challenges	Policy Considerations
Encourage officer cooperation with administrative investigations	Redaction and Exclusion	Notices
Officer point of view of an incident	Prosecutorial	Extra job use
	Officer acceptance and compliance	Auditing
	Data Storage	
	Improper use of recordings	
	Over-reliance on recording	

Section III

ACRB Discussion of BWC Considerations

The ACRB supports BWCs for Atlanta police officers; however, as stated in various materials and based on our experience, the purchase and implementation of BWCs must be carefully and deliberately considered to achieve expected results.⁷ The success of the BWC program will depend on the department's full consideration of all aspects of the use of the cameras to ensure that the citizens, officers, and taxpayers receive maximum benefits of the cameras. Adherence to strong policy will be the backbone of the success of a BWC program.

Adherence to strong policy will be the backbone of the success of a BWC program.

The ACRB has identified several policy considerations that require further examination, such as:

- privacy;
- access to recording;
- auditing of BWC program;
- notice of recording;
- consent;
- retention period;
- officer discretion to record;
- discrimination in recordings;
- redaction;
- training;
- enforcement;
- officer review of recording;
- supervisors;

⁷ White, 6.

- extra job performance;
- duplicating recordings;
- policy changes associated with BWCs; and
- false sense of citizen confidence.

Privacy

Fourth Amendment considerations should not be easily dismissed during discussions about the BWCs.⁸ Because BWCs would be considered a public record, privacy concerns should be thoroughly and openly discussed with input from citizens and officers.

Georgia has a broad open records law that could potentially make many recordings subject to public viewing, including those recordings that do not involve crimes. Safeguards should be established to ensure that the public is not placed in the position of having to worry about their identities being revealed when they choose to assist police but want to remain anonymous.⁹ Moreover, citizens should not have to worry about recordings being used to embarrass or harass.¹⁰ Citizens who are not the subject of police action should have the ability to refuse to be recorded.¹¹ Recordings should only be used for internal and external misconduct investigations, civil misconduct litigation, criminal litigation, and training. To the extent possible, non-subject citizens captured on recordings should be given the opportunity to provide consent to any viewing or duplication of them on the recording or have their images redacted.¹² Citizens should also be able to review recordings when wanting to file a complaint against officers.¹³

Fourth Amendment considerations should not be easily dismissed during discussions about the BWCs.

To the extent possible, non-subject citizens captured on recordings should be given the opportunity to provide consent to any viewing or duplication of them on the recording or have their images redacted.

Policies should forbid officers from accessing records for personal use and from uploading to social media.¹⁴ Violations of privacy have proven to be costly.¹⁵

⁸ See Jared Blair, Law Enforcement's Unfettered Use of Video Technology Is Strangling the Fourth Amendment's Right to Privacy, *Kentucky Law Journal*, (2012), <http://law-apache.uky.edu/wordpress/wp-content/uploads/2012/11/Blair-BVD-Note.pdf>.

⁹ White, 24; Recommendations and Lessons Learned, 13.

¹⁰ Jay Stanley, "Police Body-Mounted Cameras: With Right Policies in Place, a Win for All," *ACLU*, https://www.aclu.org/files/assets/police_body-mounted_cameras.pdf, October 2013, p. 6; Ronald Bailey, "Watched Cops are Polite Cops," *Reason.com*, December 2013, <http://reason.com/archives/2013/11/26/watched-cops-are-polite-cops>.

¹¹ Recommendations and Lessons Learned, 14.

¹² Stanley, 5.

¹³ Ibid.

¹⁴ Recommendations and Lessons Learned, 46.

¹⁵ Rick Rojas, "CHP Settles Over Leaked Photos of Woman Killed in Crash," *Los Angeles Times*, January 31, 2012, <http://articles.latimes.com/2012/jan/31/local/la-me-chp-photos-20120131>.

The Atlanta Law Department and APD may need to research issues concerning recording inside citizen's homes to ensure that citizens' privacy is not placed in jeopardy by interacting with police at their homes. While the Georgia wiretapping law is a "one-party consent" ¹⁶ law in public spaces, the law places restrictions on recording in any private place and out of the public view unless the person making the recording obtains consent from all persons observed.¹⁷ Recordings in citizens' home should be limited to high-risk entry and certain calls or with the use of an investigation warrant.¹⁸ In non-emergency situations occurring in a citizen's home, the citizen should be able to request not to be recorded and receive acknowledgment from the officer that BWC is not recording.¹⁹ The request and acknowledgement should be captured on the recording. The police department may want to consider a more strict policy of no recording in a citizen's home unless under certain circumstances and even then no random recording of the inside of a residence.

Recordings in citizens' home should be limited to high-risk entry and certain calls or with the use of an investigation warrant.

Limitations should be placed on the amount of recording that officers should be subjected to when not performing an active policing function – personal needs, breaks, lunch, and appropriate citizen requests. Officers should also not have to fear reprisals for recordings depicting normal workday activities, whistleblowers, and union activities that do not interfere with their policing functions.²⁰

The APD should only consider BWC systems that have redaction capabilities and recording indicator light.

Access to Recordings

One of the basic premises for BWCs is the transparency that the recordings may provide to citizens.²¹ The release of BWC critical incident recordings may provide the answers that citizens seek when questionable police action occurs. This need for the public to know will have to be balanced with the law enforcement needs and law that allows the police department to keep some information from the public.

The release of BWC critical incident recordings may provide the answers that citizens seek when questionable police action occurs.

Georgia law provides an exemption for the pending investigative records and records that will disclose the identity of a confidential source,

¹⁶ O.C.G.A. §16-11-66 (2014).

¹⁷ O.C.G.A. §16-11-62 (2) (2014).

¹⁸ O.C.G.A §§16-11-64 (c) and 16-11-64.3 (2014).

¹⁹ Recommendations and Lessons Learned, 15.

²⁰ Tim Donovan, "Make Cops Wear Cameras: A Simple Way to Hold Police Accountable," *Salon*, August 22, 2014, http://www.salon.com/2014/08/22/make_cops_wear_cameras_a_simple_way_to_hold_the_police_accountable/.

²¹ Recommendations and Lessons Learned, 32-33.

confidential investigation or prosecutorial material that may endanger the safety of a person.²² The law also allows the police department to deny the existence of a record classified as confidential surveillance or investigation.²³

The challenge for the police department will be to resist using the law surreptitiously by slowly releasing recordings or failing to release recordings, without any justification other than that the recording may show officers in a negative light. Slow release of recordings or failing to release recordings to the public will certainly erode citizens' trust of the system and may lead to increased lawsuits.²⁴ There is no easily accessible mechanism to compel the release of recordings.

APD should maintain strict records of access to recordings. The records should contain the name of the authorized officer/civilian employee accessing the record, date and time, and purpose for the access. Logs of access should be routinely audited, internally and externally.

APD policy should affirmatively provide that access to recordings will be granted to the full extent that the law allows without interruption.

The city may want to consider seeking a state legislative action to limit the access and use of recordings containing private data.

Auditing of BWC Program

The BWC program should undergo an internal and external audit to ensure the public that the program is meeting the citizens' and department's expectations. These audits should be provided to the Mayor and City Council.²⁵

The auditing report should include dates, times, access names, purpose of access, duplication, random reviewing of selected recorded footage, and deletions. The report should also include equipment malfunctions and repairs.

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²² O.C.G.A. §50-18-72 (a) (3) and (4) (2014).

²³ O.C.G.A. §50-18-72 (a) (3).

²⁴ Christopher Moraff, "Why We Shouldn't Leave Police Departments to Work Out Body camera Rules," *PublicCEO.com*, August 22, 2014, <http://www.publicceo.com/2014/08/commentary-why-we-shouldnt-leave-police-departments-to-work-out-body-camera-rules/>.

²⁵ Recommendations and Lessons Learned, 25.

Notice of Recording

The ACRB believes that citizens should be made aware that an officer is recording when possible so that a citizen who is not under police control may elect to terminate contact and leave the area in order to preserve their right of privacy.²⁶ The notice of recording may assist in diffusing tense situations,²⁷ depending on how the notice is announced to the citizen. If the announcement is made in a threatening manner, it may cause an opposite reaction.

Citizens should be made aware that an officer is recording when possible so that a citizen who is not under police control may elect to terminate contact and leave the area in order to preserve their right of privacy.

Officers should state verbal starts and stops on the recordings.²⁸ In cases where a non-subject citizen is requesting not to be recorded, the officer should be required to capture the request on the recording prior to stopping the recording, when possible.

As previously stated, cameras should be equipped with a light indicator that shows that the device is recording.²⁹

In addition to the above, APD policy should require officers to note the existence of a camera on the scene in their report.³⁰ The policy should also require officers to articulate on camera or in writing their reasoning if they fail to record an activity that is required to be recorded.³¹

Policy should require officers to articulate on camera or in writing their reasoning if they fail to record an activity that is required to be recorded.

Consent

If officers have discretion to record, a policy providing for citizen consent for recording is important to ensure that those citizens who are not the subject of a police action and choose not to be recorded are protected from arbitrary decisions that would turn a consensual stop into an investigative stop merely because the person wished not to be recorded. Certainly, consent would not be an option during police action with the subject of the encounter.

Policy should require consent to record citizen who are not the subject of a police encounter.

²⁶ White, 47.

²⁷ Recommendations and Lessons Learned, 14.

²⁸ White, 47.

²⁹ http://www.wolfcomusa.com/wolfcom_vision_police_body_worn.html.

³⁰ Recommendations and Lessons Learned, 39.

³¹ Ibid.

Retention Period

Retention periods are important to privacy concerns.³² The ACRB believes that the retention period of recordings should be well publicized and citizens should be informed of the retention period during their contact with a police officer that is operating a BWC.³³ The announcement of the retention period should be made on the recording. Retention period should be openly and proactively communicated to the public. Publication and notification of the retention period would inform citizens that they have limited time to file a complaint. The retention period should be conspicuously placed on the police department and ACRB websites and social media pages.

Retention period of recordings should be well publicized and citizens should be informed of the retention period during their contact with a police officer that is operating a BWC.

A common concern among police departments is the cost associated with maintaining recordings, especially for larger departments.³⁴ One of the advantages of a short retention period (30-60 days) is that it limits requests for release of recordings that are not connected to misconduct; however, the retention period should be long enough to demonstrate transparency and allow footage to be available for when a complaint is received.³⁵

Retention period should be long enough to demonstrate transparency and allow footage to be available for when a complaint is received.

Officer Discretion to Record

Many departments do not require continuous recording and allow their officers the discretion to start and stop recordings with guidelines for what must be recorded. This is important to ensure even and appropriate application and usage of the BWC.³⁶ The most common approach to recording is requiring officers to record all calls for service and law enforcement related encounters and to deactivate the camera only at the conclusion of the event or with supervisor approval.³⁷

Discretion to operate the cameras must be balanced with the need for the community to know that officers will not abuse their discretion.

Control of recording is a difficult concern to resolve because the discretion to operate the cameras must be balanced with the need for the community to know that officers will not

³² Recommendations and Lessons Learned, 16.

³³ Recommendations and Lessons Learned, 19.

³⁴ Global Banking and Finance, "Police Face 'Admin Nightmare' in Dealing with Footage From Body-Worn Cameras," *Global Banking and Finance Review*, January 31, 2014, <http://www.globalbankingandfinance.com/police-face-admin-nightmare-in-dealing-with-footage-from-body-worn-cameras/>.

³⁵ Recommendations and Lessons Learned, 17.

³⁶ U.S. Department of Justice, Officer of Justice Programs, National Institute of Justice and Mantech Advances Systems International, Inc., A Primer on Body-Worn Cameras for Law Enforcement, <https://www.justnet.org/pdf/00-Body-Worn-Cameras-508.pdf> (September 2012), 8.

³⁷ Recommendations and Lessons Learned, 18.

abuse their discretion. While continuous recording would be preferable, officer morale could suffer, citizens may be exposed to needless recording with no law enforcement need, and the expense to retain recordings could be too costly. In addition, the more recording, the more reviewing of recordings that would need to occur, which could open the door to other unintended issues, such as misuse of recordings of officers' private conversations and exposure of recordings of citizens who are not subjects of police encounters.³⁸

Some departments have taken advantage of the continuous streaming capabilities that only retains the streaming footage when the camera has been activated to record.³⁹ This approach allows the officer to have discretion over when to record and when to stop recording. Strict guidelines for what must be recorded would need to be in the policy and compliance with guidelines would need to be strictly monitored and enforced.⁴⁰ In addition, an officer's decision not to record would need to be based on reasonable articulation and provided in the officer's written report.⁴¹ The failure to provide a reasonable articulation to not record would be held as a presumption against an officer should a complaint arise from an encounter.⁴² The APD should only use a BWC system that has a pre-event buffer mechanism (pre-event recording) that allows the streaming to capture a certain period before the activation of the recording. Officers should not be allowed to edit footage under any circumstances.⁴³

Officers should not be allowed to edit footage under any circumstances.

Additionally, officers who are experiencing proven misconduct violations involving citizens should be required to have continuous recordings for a certain period as a part of their discipline or a last chance agreement.⁴⁴

If the APD considers continuous recording, the officers' should have strict guidelines that allow for personal needs, breaks, lunch, and appropriate citizen requests not to record. This policy would avoid officers abusing their discretion regarding what needs to be recorded and when recording should stop. Officers should be required to provide a verbal statement on the recording when they have to stop the camera.

³⁸ Donovan.

³⁹ C. W. Nevius, S.F. Seek Cameras to Capture Whole Picture, SF Gate, January 23, 2014, <http://www.sfgate.com/bayarea/nevius/article/S-F-police-seek-cameras-to-capture-whole-picture-4997404.php>.

⁴⁰ Recommendations and Lessons Learned, 18.

⁴¹ Ibid.

⁴² Martin Kaste, "As More Police Wear Cameras, Policy Questions Arise," NPR, November 7, 2011, <http://www.npr.org/2011/11/07/142016109/smile-youre-on-cop-camera>.

⁴³ Recommendations and Lessons Learned, 11.

⁴⁴ The Beat Podcasts Series, Community of Oriented Policing Services, U.S. Department of Justice, Interview of Daytona Beach, FL, Chief of Police Mike Chitwood, (January 2014) http://www.cops.usdoj.gov/html/podcasts/the_beat/01-2014/TheBeat-012014_Chitwood.txt, 05:43.

Discrimination in Recordings

If the APD should adopt a policy allowing officer discretion as it relates to the stopping and starting of BWC recordings, the policy should be very clear on what the criteria is for recording an event and what is prohibited.⁴⁵ The policy should explicitly state that protective class status should not be a deciding factor in whether to record or not.

If officer discretion is allowed for BWC recordings, policy should explicitly state that protective class status should not be a deciding factor.

Redaction

It is understandable that the police department may need to establish safeguards to protect confidential informant development, on scene officer side bar conversations, on scene tactical planning and decision-making, victim identity, in-home privacy concerns, and personal identification information.⁴⁶ The APD should have a policy that explicitly states what must be redacted before the release of a video to the public.⁴⁷ Administratively, redaction requests could be resource intensive.⁴⁸

Citizens who are not involved in an enforcement action should be able to request that their image be removed from the recording and public viewing.

Training

Many police departments that have tested or implemented BWC programs have used the recordings for officer training. Because of the ability of the camera systems to provide relatively quick review, supervisors and trainers are able to provide feedback much closer to the actual incident, which is an optimal time for the recruits and officers to learn from the recordings.⁴⁹

Training should be one of the major goals of the police department. Proactive will need to be established to review recordings for training opportunities.

Training should be one of the major goals of the police department. The police department will need to establish proactive measures to review recordings for training opportunities. This will allow the APD to catch some issues before a citizen complaint can occur.⁵⁰ Unfortunately, in order to maximize the training potential of the recordings, the APD may experience a resource

⁴⁵ Mantech, 8.

⁴⁶ Joe Fiumara, "The Future is Near: Getting Ahead of the Challenges of Body-Worn," Technology Talk, *The Police Chief* 79 (September 2012) 00:54, http://www.policchiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2753&issue_id=92012.

⁴⁷ White, 33.

⁴⁸ White, 34.

⁴⁹ White, 25.

⁵⁰ Recommendations and Lessons Learned, 35.

allocation issue because reviewing recordings and providing feedback will be time intensive.

As training relates to camera operation, the APD should provide extensive initial and refresher training on rotation. The training should include the legal aspects and the enforcement of policies for non-compliance.

Enforcement

As stated earlier, BWCs are tools that will only yield the expected results that come from appropriate enforcement of policies.⁵¹ As the literature and our experience shows, a violation on a recording does not necessarily result in discipline. In order for the best results to occur with BWCs, enforcement of policies will be important to meet the taxpayers and departments' expectations of perceived benefits.

Enforcement of policies will be important to meet the taxpayers and departments' expectations of perceived benefits.

Recordings of misconduct should make it more difficult to avoid disciplining officers and make it easier to remove officers from the department when needed.

Officer Review of Recordings

Officers should not be allowed to review BWC recordings before writing official reports or providing a statement during a critical incident.⁵² Samuel Walker, emeritus professor of criminal justice at the University of Nebraska, opined that "in order for transparency (with BWCs) to mean something, the BWCs cannot appear to be for the sole benefit of officers."⁵³ Some departments believe that officers should not be able to review their recordings before writing reports or providing a statement to a critical incident.

"In order for transparency (with BWCs) to mean something, the BWCs cannot appear to be for the sole benefit of officers." – Samuel Walker

Allowing officers to view recordings prior to writing their reports or providing statements may bring into question the credibility of the officers' statements or reports. It may also raise questions as to whether the reports or statements were provided to fit the

Allowing officers to view recordings prior to writing their reports or providing statements may bring into question the credibility of the officers' statements or reports.

⁵¹ Candice Bernd, "Watching the Watchmen: Are Police Officers' Body-Worn Cameras a Win for Accountability," *TruthOut.Org* (April 12, 2014), <http://truth-out.org/news/item/23045-watching-the-watchmen-are-police-officers-body-worn-cameras-a-win-for-accountability>.

⁵² Martin Kaste, "Can Cop-Worn Cameras Restore Faith in New Orleans Police?" *NPR*, May 22, 2014, <http://www.npr.org/blogs/alltechconsidered/2014/05/22/314912840/can-cop-worn-cameras-restore-faith-in-new-orleans-police>.

⁵³ Ibid.

recordings. This may also cause courts to rely on the video more than the officers' report or testimony, which may cause the absence of a recording to weigh against an officer and the criminal case.⁵⁴

BWCs are to document what has happened. Since the officer was present on the scene and the law provides that the totality of the circumstances must be considered and reasonable mistakes are allowed, officers are not placed at disadvantage of not viewing the recording. The law requires that during an examination of an officer's actions, the actions must be viewed from the time of the action taking in consideration of the facts on the scene.⁵⁵

Some departments believe that viewing the recordings will aid the officer's memory of what occurred during an incident, thereby improving the accuracy and consistency of reports.⁵⁶ These departments assert that not allowing the officers to view recordings may create inconsistencies between officers' reports/statements and the recordings, which may damage a case or unfairly undermine an officer's credibility. According to some police executives, the fear is that by not allowing officers to review the recordings the perception may be created that the department is trying to catch officers in a lie.⁵⁷

Inconsistencies in officers' statements and recordings have always been present, especially in situations involving multiple officers. This is more of an indication of officers needing to be better trained to articulate the basis for their actions, than not remembering why they took an action or potentially looking for additional justification that was not originally considered when the officer took the action.

In the event that the APD should choose to allow officers to view recordings for reports and statements, officers should be required to provide within their reports or statements that they have viewed the recordings to prepare to write the reports or give the statements. Officer reviews of recordings should not occur until the recording has been uploaded or saved to the data system. This will allow the transparency needed for citizens to consider the weight of the statements or reports. The department should also consider requiring supervisor approvals for viewing recordings prior to the officers writing report or statements.

If officers are allowed to review recordings during report writing or before providing critical incident statements, officers should be required to provide within their reports or statements that they have viewed the recordings to prepare to write the reports or give the statements.

Another possibility is for officers to write their reports without viewing the camera and later provide a supplemental report after they have reviewed the recording. The reports should indicate whether the recording had been reviewed.

⁵⁴ Recommendations and Lessons Learned, 29.

⁵⁵ *Graham v. Connor*, 490 U.S. 386 (1989).

⁵⁶ Recommendations and Lessons Learned, 29.

⁵⁷ *Ibid.*

Supervisor Reviews

Some of the study literature raised concerns about supervisor and internal affairs reviews of recordings. Much of the concern was about supervisors participating in “headhunting”⁵⁸ and internal affairs conducting “fishing expeditions.”⁵⁹ The ACRB recommends that internal affairs and training supervisors should jointly review all recordings randomly. This would allow compliance with policy (internal affairs) and training of policy (training) to efficiently review and discuss officers’ actions.

Another option for supervisor reviews could be to have first line supervisors randomly review officers’ recordings. Since first line supervisors are responsible for maintaining discipline and professionalism, supervisor reviews of recordings will promote supervisor accountability. A supervisor other than an officer’s direct supervisor should randomly conduct the review. Any issues uncovered should be directed to the direct supervisor for further action. The APD could require supervisors to conduct a certain number of random reviews every week with sign-off documentation to support adherence to policy. This would promote supervisory accountability, which is important to reducing liability and improving organizational image.

Since first line supervisors are responsible for maintaining discipline and professionalism, supervisor reviews of recordings will promote supervisor accountability.

Supervisors will need time to review recordings and follow the department’s disciplinary policy. Department policy should provide guidelines for when a supervisor review shall occur and the next steps following the review of the recording. Records should be maintained to ensure that supervisor reviews are occurring.

Authorized civilian personnel with access to the BWC system should make the random selections for the supervisory reviews.

Another benefit of supervisor reviews is the ability to spot actions or behaviors that may qualify for early warning intervention.

A balance would need to be achieved because officers may reject cameras if they believe the cameras are merely a tool to monitor their actions.⁶⁰

⁵⁸ “Headhunting” in this context is when a supervisor is targeting particular officers for violations; Eugene P. Ramirez, A Report on Body Worn Cameras, Manning & Kass, Ellrod, Ramirez, Trester LLP, 14, http://www.parsac.org/parsac-www/pdf/Bulletins/14-005_Report_BODY_WORN_CAMERAS.pdf.

⁵⁹ “Fishing expedition” in this context is when management/supervisor is looking for any infraction to use against an officer even when there is no citizen complaint. Zusha Elinson, More Officers Wearing Body Cameras, Wall Street Journal, August 15, 2014, <http://online.wsj.com/articles/body-cameras-on-police-can-reduce-use-of-force-citizen-complaints-1408134549>; German Lopez, How Body Cameras Could Change Police, VOX Media, September 18, 2014, <http://www.vox.com/2014/9/17/6113045/police-worn-body-cameras-explained>.

⁶⁰ Mantech, 9.

Extra Job Employment

The APD should consider a requirement that officers use BWCs during extra job assignments.⁶¹ This will be valuable to ensure that officers are upholding the law and operating within APD policy as opposed to carrying out private business interests that may violate citizens' rights. Officers will be able to enforce laws and perform their duties by the APD policies with less concern about pleasing the extra job contract.

It should be noted, however, that this policy may raise concerns about government cameras operating in a private business or establishment.

Policy should require officers to wear BWCs on extra job assignments to ensure that officers are operating within APD policy as opposed to carrying out private business interests that may violate citizens' rights.

Policy Changes associated with BWCs

Policy changes within policing usually occur within an insular environment. Police departments usually discuss policy changes among the department and its legal representative within the city. Because of the potential of the BWCs to violate the privacy expectations of many citizens and contribute to distrust through misuse (inappropriate releasing of recordings) and abuse (inappropriately shielding recordings), policies related to BWCs should not be able to change surreptitiously or without the involvement of external input. The requirement of external input will not weaken the police department's ability to make policy changes, slow down the process, or micro manage the department.⁶² The benefit of the external input is to ensure the public that these costly tools are managed and controlled in a way that benefits the public, while assisting the police department to carry out its functions.⁶³

Because of the potential of the BWCs to violate the privacy expectations of many citizens and contribute to distrust through misuse and abuse, policies related to BWCs should not be able to change surreptitiously or without the involvement of external input.

Duplicating Recordings

Duplication of video recordings should be centralized and recorded. Access for recordings should be restricted to a limited number of authorized personnel and safeguards should be in place to ensure that proper authorization is provided for duplication.

⁶¹ Extra job employment is an officer's employment outside of their normal APD duties.

⁶² Tristin Hallman, "Dallas Police Chief David Brown Quietly Changes Shooting Investigations Policy," *Dallas News*, <http://www.dallasnews.com/news/metro/20131127-chief-david-brown-quietly-changes-a-police-shooting-investigations-policy.ece>.

⁶³ Bernd; Vivian Ho, "Hard Questions Raised by Officers Wearing Cameras," *SF Gate*, (August 23, 2014) <http://www.sfgate.com/crime/article/Hard-questions-raised-by-officers-wearing-cameras-5708345.php>.

Chain of Custody

The chain of custody of recordings is an issue that will need to be specifically addressed in the BWC policy. The policy should ensure that recordings would not be tampered with or deleted by officers.⁶⁴ A record of all actions related to the recordings should be strictly maintained on audit trail and chain of custody reports.⁶⁵

False Sense of Citizen Confidence and Trust

Many proponents and manufactures of BWCs have touted that BWCs will provide an objective image of what occurred on the scene and therefore protect the officer and city from false claims and provide citizens with confidence that if officers engage in misconduct the camera will record it. However, the reality is that this narrative on BWCs may create a false sense of confidence in BWCs and in the APD, if citizens' expectations are not met.

BWCs may create a false sense of confidence and trust in BWCs and in the APD, if citizens' expectations are not met.

The APD will need to shape citizens expectations with regard to BWCs and officer accountability.

Below are several messages that the citizens need to receive during the discussion of BWCs.

- Citizens will need to understand that recordings may not be public if the recording involves a criminal or internal investigation.⁶⁶
- Unless a policy prohibits officer from reviewing recordings prior to giving statements and writing reports, citizens need to understand that officers may review the recordings before writing a report or providing a critical incident statement. This is important because citizens may question the credibility of the interview and written report because of the ability to provide answers to fit the recording.
- Citizens need to know that no camera captures everything that occurs at an incident due to situations on the scene – dislodged camera, fighting, running, etc. Officers will still be able to use the totality of the circumstances that would include actions and words not necessarily capture on the video.⁶⁷

Citizens need to know that no camera captures everything.

⁶⁴ Stanley, 5; Craig E. Ferrell, Jr., "The Future is Here: How Police Officer's Video Protect Officers and Departments," *The Police Chief* 80, October 2013, 16-18, http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=3139&issue_id=102013.

⁶⁵ Ferrell.

⁶⁶ Recommendations and Lessons Learned, 18.

- Citizens need to know that different impressions of recordings may happen between what the citizens see and what reviewing officers see.⁶⁸
- Citizens need to know whether officers will be allowed to start and stop the video or if the video will be constantly operating.

Discussions involving these messages early in the consideration of BWCs will help citizens understand the limitations and shape expectations that will benefit all stakeholders should a critical incident occur that involves a BWC recording.

To shape the expectations of law enforcement, the Force Science Institute⁶⁹ released two reports related to BWCs. These reports are worth considering as the City of Atlanta and the APD discuss BWCs. Dr. William Lewinski, founder and director of The Force Science Institute, wrote a report providing ten limitations of BWCs that officers should know for their protection.⁷⁰

1. A camera does not follow your eyes or see as they see.
2. Some important danger cues cannot be recorded.
3. Camera speed differs from the speed of real life.
4. A camera may see better than you do in low light.
5. Your body may block the view.
6. A camera only records in 2-D.
7. The absence of sophisticated time-stamping may prove critical.
8. One camera may not be enough.
9. A camera encourages second-guessing.
10. A camera can never replace a thorough investigation.

While these limitations are for officers, citizens also need to understand Dr. Lewinski's ten limitations of BWCs. These limitations may be used as legitimate reasons that the recording that shows images of a use of force incident may not result in the discipline or conviction of an officer that the some citizens will demand.

As Dr. Lewinski points out, a camera can never replace a thorough investigation and is only one piece of evidence. This should caution citizens and officers that, even with a BWC recording, witness statements, forensics, officer statements, witness officer statements, and all other evidence that would normally go into a complete investigation must still be considered before a making a judgment on an officer's actions.⁷¹ BWCs

⁶⁷ Recommendations and Lessons Learned, 28; Justin T. Ready and Jacob T.N. Young, "Three Myths About Police Body Cams," *Slate*, September 2, 2014, http://www.slate.com/articles/technology/future_tense/2014/09/ferguson_body_cams_myths_about_police_body_worn_recorders.html; Ho.

⁶⁸ Ready and Young.

⁶⁹ The Force Science Institute brings together experts from a wide variety of academic and research disciplines to study officer behavior in force encounters.

⁷⁰ William Lewinski, "10 Limitations of Body Cams You Need to Know for Your Protection," Force Science Institute, Special Report.

⁷¹ Ramirez, 14.

recordings should not result in quick judgments or short cuts on administrative or criminal investigations.

Dr. Lewinski's second report poses the question whether head cameras always see what an officer sees in a force encounter.⁷² In this article, Dr. Lewinski stated, "... there is no camera in existence that can record an event exactly as it was perceived by an officer who experienced it." He states further that, an officer's actions may be the result of focusing on a certain aspect within the context of the encounter, which the recording would not be able to interpret. Dr. Lewinski recommends that officers receive an advisory that stresses limitations of field of view, focus of attention, interpretation, before reviewing any recording of an incident that the officer was involved in or before persons responsible for judging the officer's actions sees it.

"...there is no camera in existence that can record an event exactly as it was perceived by an officer who experienced it." – Dr. William Lewinski.

Dr. Lewinski's comments, while stated to bring better understanding of BWC limitations from a police officer defense perspective, citizens' understanding of this position is important to shaping citizens' expectations with regard to BWC recordings and officer accountability. In the end, the totality of the circumstances and the objective reasonableness of the officer on the scene will determine whether the officer actions were justified.⁷³

Section IV

Effect of BWCs on ACRB Operations

A constant criticism of civilian oversight is that the agencies have "no teeth" to make meaningful action against police misconduct.⁷⁴ Much of that criticism is related to the fact that many police departments believe that civilians do not understand policing and refuse to acknowledge the work that the agencies do because of fears that any acknowledgement of civilian oversight will bring legitimacy and confirm the need for oversight. It is hoped that full access to BWCs recordings for investigations, studies, and audits, will provide some of the "teeth" that so many oversight agencies and their supporters have called for over the years. BWC recordings should make it easier for the civilian oversight agencies to make

It is hoped that full access to BWCs recordings for investigations, studies, and audits, will provide some of the "teeth" that so many oversight agencies and their supporters have called for over the years.

⁷² William Lewinski, "Do Head Cameras Always See What you see in a force encounter?," Force Science Institute News #145, Force Science Institute.

⁷³ *Beshers v. Harrison*, 495 F.3d 1260, 1266 (11th Cir. 2007).

⁷⁴ Jamelle Bouie, "Keeping the Police Honest: America's Police Departments Need Greater Accountability—and It Must Come From Outside the Forces," *Slate*, August 29, 2014, http://www.slate.com/articles/news_and_politics/politics/2014/08/policing_the_police_america_sLaw_enforcement_needs_greater_accountability.html.

decisions with stronger evidence which will be more difficult for police departments to ignore.

APD policy should reaffirm the ACRB's access to recordings for investigations and studies. The ACRB ordinance and APD policy currently includes the ACRB's access to APD records and files.⁷⁵ It is reasonable to conclude that this access should continue with the implementation of a BWC program.

Quick access to recordings will enable the ACRB to make decisions on complaints sooner. The recordings would be used to enhance the questions that investigators ask during complainant and officer interviews.⁷⁶ The ACRB agrees with the District of Columbia's Office of Police Complaints that the more objective evidence combined with enhanced interview questions will allow the ACRB to resolve allegations more quickly and efficiently.⁷⁷ These recordings will be most helpful with abusive language, false arrests, false imprisonment, and excessive force allegations.

The ACRB agrees with the District of Columbia's Office of Police Complaints that the more objective evidence combined with enhanced interview questions will allow the ACRB to resolve allegations more quickly and efficiently.

BWC recordings with actual wrongdoing and subsequent police department actions based on oversight investigations will be a true measuring stick for agency/police department alignment, transparency, and accountability.

As the table shows below, BWCs will allow the ACRB to reach faster conclusions on complaints, provide clearer facts, enhanced questioning, and more studies and policy recommendations with visual aids; however, as with civilian oversight, BWCs will not be effective without the proper investments in support mechanisms and political encouragements to police departments to enforce policies.

ACRB Investigative Benefits	Explanation	Affected Stakeholder
Quicker Resolutions	BWC recordings may assist the agency in resolving allegations faster.	Citizens, Officers, and Police Department
More thorough questioning	BWC recordings will aid investigators in preparing for citizen and officer interviews.	Citizens, Officers, and Police Department

⁷⁵ C.O.A. § 2-2211 (h) (2014) and A.P.D. S.O.P 2300 (September 15, 2013).

⁷⁶ District of Columbia, "Enhancing Police Accountability Through an Effective On-Body Camera Program for MPD Officers," District of Columbia, Office of Police Complaints, (May 8, 2014), 3-4, <http://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Final%20policy%20rec%20body%20camera.pdf>.

⁷⁷ Ibid.

ACRB Investigative Benefits	Explanation	Affected Stakeholder
Clearer facts	BWC recordings may assist the agency in developing stronger facts for sustained complaints, which will allow the agency to make arguments that are more effective when discipline is not imposed on officers. In complaint incidents where the officer failed to record the incident, APD policy should create an evidentiary presumption against the officer. ⁷⁸	Citizens, Officers, and Police Department
More studies and policy recommendations	BWC recordings will provide additional documentation to support studies and recommendations – dog shooting policy, search and seizure, racial profiling, disorderly conduct, and obstruction of justice.	Citizens and Police Department

The retention period of recordings will affect the ACRB operation, if the retention period is shorter than 180 days. The ACRB has a filing limited of 180 days from the date of an incident, which would mean that any retention period shorter than that could mean that a timely filed complaint filed after the retention period would not have any available recordings.

At the very least, the APD should maintain recordings for six months (180 days) which would correspond to ACRB's complaint filing limitation.

The ACRB recommends that the APD should implement a retention period of one year for general recordings (those other than evidence). At the very least, the APD should maintain recordings for six months (180 days) which would correspond to ACRB's complaint filing limitation.

Section V

Policy Example

During the course of this study, the ACRB received BWC policies from Bay Area Rapid Transit (BART) Police Department and the Las Vegas Metropolitan Police Department (LVMPD). Both of these policies addressed many of the concerns that were raised in the literature and this study, e.g. privacy, access to recordings, supervisory roles, retention periods, control of the cameras, critical incidents, when to use the cameras, etc.⁷⁹ However, the ACRB does not recommend allowing officers to review the recordings before writing their statements or providing a statement in a critical incident investigation.

⁷⁸ Stanley, 3.

⁷⁹ BART and LVMPD BWC policies are available upon requests.

The ACRB would like to thank Sergeant Tanzanika Carter of BART for providing the BART BWC policy. Sergeant Carter explained that after the implementation of the BWC policy, one of the challenges was getting the officers used to turning on the cameras. With two years into the program, officers are no longer having a problem with operating the cameras.

The ACRB would like to thank Lieutenant Daniel Zehnder of the LVMPD for providing the LVMPD BWC policy. Lieutenant Zehnder explained that a challenging aspect of implementing the BWCs in LVMPD was ensuring the community that the BWCs were not just for the benefit of police officers.

The ACRB also reviewed an International Association of Chiefs of Police⁸⁰ (IACP) model BWC policy. Three key provisions of the IACP model policy are:

1. Monthly random supervisor reviews of recordings to check for compliance with departmental BWC policies and training opportunities.
2. If an officer is a suspect of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from reviewing the recording.
3. It explicitly provides that the recording is not a replacement for written reports.

The model appears to be silent on whether officers should be able to review recordings prior to writing reports or providing a critical incident statement.

Section VI

Citizen Trust and BWCs

Failures of police departments to effectively address officer misconduct have resulted in loss of life, low-levels of citizen trust and confidence in law enforcement, and costly payouts from public treasuries. There are areas in Atlanta where the trust between the police department and the community is fragile because of a history of alleged police misconduct that was not timely addressed. Through civilian oversight and the APD's commitment to community policing, much hard work has been done to improve the community's trust of police officers. While there is still much work to do, BWCs may provide an extra boost to the level of trust between citizens and the police department.

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⁸⁰ The International Association of Chiefs of Police serves as the professional voice of law enforcement by addressing issues confronting law enforcement through advocacy, programs and research, and training. International Association of Chiefs of Police, <http://www.theiacp.org/About-US>.

Many supporters of BWCs hope that a BWC program will provide increased transparency and accountability. Police departments across the country are touting that BWCs will have a direct and immediate impact on officer and citizen behavior. The ultimate test for the police department will be the handling of public requests for recordings, availability of recordings, and the handling of officers who are recorded engaged in policy

violations.⁸¹ With the implementation of BWCs, citizens will expect more openness and truth concerning incidents.⁸² Citizens' hopes of trust could be established with the use of BWCs; however, those hopes of trust will diminish sharply if the police department mishandles an event that is captured with the use of a BWC.⁸³ The APD and other police departments have an opportunity to mend the circle of trust that has been broken over the years.

Section VII

Implementation Recommendations

The ACRB makes the following implementation recommendations for a BWC program.

1. The formation of an advisory group of stakeholders, such as citizens, ACRB, officers, to discuss the issues related to body worn cameras.⁸⁴ The advisory group should present a slate of recommendations for the APD to consider.⁸⁵
2. The APD should implement the BWCs on a limited basis to zones that have the most complaints and the highest potential of citizen engagements and include those officers who are experiencing trouble interacting with the public or who choose to volunteer to wear cameras.⁸⁶
3. The APD should review the progress of the BWC program one year from the date of implementation.
4. The APD should consider engaging officers early in the process to address their questions and concerns.⁸⁷

The ultimate test for the police department will be the handling of public requests for recordings, availability of recordings, and the handling of officers who are recorded engaged in policy violations.

Citizens' hopes of trust could be established with the use of BWCs; however, those hopes of trust will diminish sharply if the police department mishandles an event that is captured with the use of a BWC.

⁸¹ Kaste, "Restore Faith in New Orleans Police?"

⁸² Ibid.

⁸³ Stanley, 5.

⁸⁴ Andrea Noble, "D.C. Cops Making Big Investment in Body Cameras for Patrol," *The Washington Times*, Wednesday, September 3, 2014, <http://www.washingtontimes.com/news/2014/sep/3/dc-police-to-test-costly-body-mounted-cameras-in-p/?page=all#!>

⁸⁵ District of Columbia, 10.

⁸⁶ Recommendations and Lessons Learned, 27.

⁸⁷ White, 28; Ken Miller, 00:42.

5. Because of the serious privacy issue concerns, the ACRB should be required to audit and report the APD's use of BWCs. This will provide an external review of the BWC system to ensure that the integrity of the system is maintained.

Section VIII

BWC Devices

BWC systems typically include a camera, microphone, battery pack, and video storage. As stated in the Office of Police Complaints, Washington, DC report, the audio component of the video recording is critical to complaint resolution and training. The literature shows that placement

Placement of the camera is another consideration that will need to be considered.

of the camera is another consideration that will need to be considered. Cameras may be attached to helmet, hat, lapel, pocket, badge, and other places. Most police departments that have experimented with BWCs have required officers to place cameras on the chest or head. Some departments prefer the head placement because it provides a better viewpoint of the officers' sightlines. Other departments prefer the chest placement because of the stability it offers.

Recordings can be stored within the camera device and downloaded at a location to a local server or stored in a cloud. Officers can upload, label, flag, and review) Data storage is a critical aspect of the BWC system.⁸⁸ Security, data space storage, ease of use (uploading and retrieving), and back up capabilities are important considerations that will affect costs.⁸⁹ Market research, surveys, and trials are available online. Several of these reports rank BWCs.

BWC Costs

The costs of the BWC program will most likely include equipment, training, storage, equipment replacements. The additional costs will be in staff time to review recordings and transfer data. The Atlanta Police Department has an operational strength of 2000 officers. According to the TASER and VIEVU websites, the typical video recording device could cost approximately \$400.00 – \$900.00, depending on the model.⁹⁰

⁸⁸ Mantech, 12.

⁸⁹ Ibid.

⁹⁰ TASER AXON Flex, TASER International (September 24, 2014) available at <http://www.taser.com/products/on-officer-video/axon-flex-on-officer-video>; TASER AXON Body, TASER International (September 24, 2014), available at <http://www.taser.com/products/on-officer-video/axon-body-on-officer-video>; VIEVU², VIEVU (September 24, 2014), available at <http://www.vievu.com/vievu-store/vievu-store-vievu%c2%b2/>; VIEVU LE3, VIEVU (September 24, 2014) available at <http://www.vievu.com/vievu-store/vievu-store-le3/>.

Product	Number of Units	Cost per unit	Costs ⁹¹
Cameras	2000	\$600	\$1.2 million
Video Storage (TASER)⁹²	2000	\$25/mo.	\$50,000/month
On-Site Storage⁹³			Determined by DIT ⁹⁴

The APD could reduce the cost by rolling out a pilot program that only includes BWCs for patrol officers in two zones, initially.⁹⁵ This would reduce initial costs and allow the department to experiment with the cameras and develop effective policies on a large scale. As mentioned earlier, some police departments have started their BWC programs on a limited roll out. In addition to the above, the

APD could consider using the cameras as a part of their disciplinary policy. Officers who receive a certain number of complaints within a period would be required to wear a camera for a period, while other officers could wear the cameras on a voluntary basis.⁹⁶ The costs for cameras for 25% of the officer would cost approximately \$300,000.00.

The APD could reduce the cost by rolling out a pilot program that only includes BWCs for patrol officers in two zones, initially.

Product	Number of Units	Cost per unit	Costs
Cameras	500	\$600	\$300,000
Video Storage (TASER)	500	\$25/mo.	\$12,500/month
On-Site Storage			Determined by DIT

There appears to be a consensus of the BWC material that storage costs are the most expensive aspect of a BWC program.⁹⁷ The costs will either include cloud storage costs to a vendor or an in-house server that will require additional equipment purchases and staff to maintain security.⁹⁸ There is debate as to whether cloud storage or on-site storage best meets the needs of law enforcement. Wolfcom, a body-worn camera device and software storage management manufacture, asserts that on-site storage offers the best protection because of the control and security that the police departments will have over the recordings as opposed to a third-party manager.⁹⁹ Proponents of cloud storage believe that the security offered by cloud storage ensures that the once the recordings are

⁹¹ Costs do not include replacement cameras and parts. Many of the cameras manufactures include a one-year warranty.

⁹² Evidence.com, TASER International Could Storage, <http://www.taser.com/products/digital-evidence-management/evidence>.

⁹³ Recordings stored on City of Atlanta equipment and maintained by City of Atlanta.

⁹⁴ DIT – City of Atlanta Department of Information Technology

⁹⁵ Ken Miller, 08:24.

⁹⁶ Chitwood, 05:43.

⁹⁷ Recommendations and Lessons Learned, 32-33.

⁹⁸ Ibid; Vern Sallee, "Outsourcing the Evidence Room: Moving Digital Evidence to the Cloud," The Police Chief 81 (April 2014): 42–46, http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=3319&issue_id=42014.

⁹⁹ Wolfcom, Police Body Worn Video Management: Cloud-Hosted Storage v. On-Site Storage, http://www.wolfcomusa.com/cloudhosted_storage_vs_on.html.

uploaded they cannot be altered, tampered, or erased and the police departments can have the benefit of technical assistance and forensic auditing.¹⁰⁰

Some departments have waited for the new technology to be thoroughly tested by other departments before making the investment,¹⁰¹ while other departments have sought funding from various sources. To secure funding for the cameras, the APD could consider aggressively pursuing federal grants, private funding,¹⁰² and funds from forfeiture and seizures¹⁰³ to get the program started.¹⁰⁴

Administrative costs associated with BWCs will increase with the number of cameras and the number of public requests for recordings.¹⁰⁵

Conclusion

BWCs are another tool that can provide benefits for the department and citizens. The use of BWCs will test police departments to be more transparent than they have ever been because citizens will demand access to the recordings, which may at times prove to be disconcerting to the department. The investment of resources for a BWC program is a substantial commitment that requires corresponding investments in training, supervision, and oversight in order to maximize the returns to the taxpayers. Strong policies and consistent enforcement are essential to the integrity of the program. Avoidance of proper supervision, management, or leadership may result in officers and citizens losing invaluable privacy rights and a downward spiraling of the very trust that the use of the cameras can provide. **Human nature always finds a way to adjust to technology; however, the tried and true concepts of effective management, strong policies, consistent application and enforcement of policies, and respect are more important than technology; otherwise, the only beneficiaries of the BWCs are the companies that make them.**

¹⁰⁰ Recommendations and Lessons Learned, 32.

¹⁰¹ Nate A. Miller, "Body-Mounted Cameras Offers Benefits, Questions for Police, Residents," *Greeley Tribune*, September 2, 2014, <http://www.greeleytribune.com/news/12776688-113/cameras-officers-police-body>.

¹⁰² Los Angeles Police Department Officers Begin Wearing Body Cameras, KABC-TV/DT, January 15, 2014, http://abclocal.go.com/story?section=news/local/los_angeles&id=9395264

¹⁰³ Evan Schreiber, "Mayor: Criminals to Pay for Police Label Cameras," *KRCR News*, August 20, 2014, <http://www.krcrtv.com/mayor-criminals-paying-for-police-label-cameras/27654926>

¹⁰⁴ PoliceHelpsGrant.Com, Police Grants Announcement, PoliceOne.com, accessed September 29, 2014, <http://www.policegrantshelp.com/official-announcements/>.

¹⁰⁵ Recommendations and Lessons Learned, 32-33.

Appendix

(1) Perceived Benefits

Perceived Benefits	Explanations	Affected Stakeholder
Visual documentation of departments' questionable patterns and practices ¹⁰⁶	<p>BWC recordings may be valuable for discovering patterns of search and seizure violations and claims of racial profiling and may assist those in communities that are concerned about those issues. The BWCs may also reduce inappropriate charges of disorderly conduct and obstruction of justice.</p> <p>In addition, these recordings may help with determining the extent of violations to civil liberties involving enforcement of livability crimes that affect the homeless and others who are frequently living in the public.</p>	Citizens
Documented proof of officers and citizens' actions ¹⁰⁷	BWCs may provide visual proof of officers' actions during interactions with citizens and vice versa.	Citizens and Officers
Prevent and reduce False Arrest and False Imprisonment ¹⁰⁸	BWCs may cause officers to provide better legal justifications for arrests and detainments, which should reduce false arrests and false imprisonment claims. Considering the detrimental impacts of wrongful arrests – family and social embarrassment, loss of economic opportunity, loss of housing, etc. – this opportunity will provide a direct benefit to the citizens.	Citizens
Reduce false police reports ¹⁰⁹	As mentioned above, BWCs may provide visual documentation of what occurred during an encounter, which may reduce false statements in police reports thus providing reports that are more accurate.	Citizens

¹⁰⁶ Marc Santora, "Order That Officers Wear Cameras Stirs Unexpected Reaction," *New York Times*, August 13, 2013; http://www.nytimes.com/2013/08/14/nyregion/order-that-police-wear-cameras-stirs-unexpected-reactions.html?_r=0; Azi Paybarah, "What's so Hard about Police Video," *Capital*, August 26, 2014, <http://www.capitalnewyork.com/article/city-hall/2014/08/8551249/whats-so-hard-about-police-video>; Recommendations and Lessons Learned, 8.

¹⁰⁷ Ibid.

¹⁰⁸ Tony Farrar, Self-Awareness to Being Watched and Socially-Desirable Behavior: A Field Experiment on the Effect of Body-Worn Cameras on Police Force Use-of-Force, (March 2013), <http://www.policefoundation.org/sites/g/files/g798246/f/201303/The%20Effect%20of%20Body-Worn%20Cameras%20on%20Police%20Use-of-Force.pdf>

¹⁰⁹ Santora.

Perceived Benefits	Explanations	Affected Stakeholders
Criminal convictions/evidence documentation ¹¹⁰	The use of BWCs would allow in-field interviews of witnesses and victims that may be used to prosecute even when the witness or victim is no longer available. BWCs may aid in criminal prosecutions by accelerating convictions with earlier guilty pleas – confessions, victim, and witness statements.	Citizens, Officers, and Criminal Justice System
Diffuse situations ¹¹¹	BWCs may cause citizens to be more compliant with officers on the scene in tense situations.	Officers
Reinforce policy and increase officer professionalism ¹¹²	BWCs may aid in reinforcing adherence to departmental policy. The presence of the BWC may cause officers to put a little more thought into their actions before they violate department policy, resulting in fewer complaints.	Citizens, Officers, and Police Department
Used for training ¹¹³	BWCs may be used to improve training during the academy and in the field, provided feedback is timely. ¹¹⁴ Timely supervisor feedback is critical to the success of the program.	Officers and Police Department
Prevent false misconduct claims ¹¹⁵	BWCs may discourage citizens from making false misconduct claims against officers. Citizens may be more reluctant to file complaints against officers to help their criminal case or to get back at the officer.	Officers and Police Department
Protect against false property damage claims ¹¹⁶	BWCs may provide proof against false claims of property damage during police interactions.	Officers and City Liability

¹¹⁰ Recommendations and Lessons Learned, 9. U.S. Department of Justice, Office of Justice Programs, National Institute of Justice and Mantech Advances Systems International, Inc., A Primer on Body-Worn Cameras for Law Enforcement, <https://www.justnet.org/pdf/00-Body-Worn-Cameras-508.pdf> (September 2012) 3.

¹¹¹ Sky Chadde, "Dallas Cops Should All Wear Body Cameras, Pretty Much Everyone Agrees," *Dallas Observer*, August 26, 2014; http://blogs.dallasobserver.com/unfairpark/2014/08/dallas_police_body_cameras.php; Recommendations and Lessons Learned, 9.

¹¹² Recommendations and Lessons Learned, 9; Ronald Bailey, "Watched Cops are Polite Cops," *Reason*, August 30, 2014, <http://reason.com/archives/2013/08/30/watched-cops-are-polite-cops>.

¹¹³ Daniel Bear and Johannes Rieken, "Those Cheering for Police Body-Worn Cameras Must Think A Little Deeper," *The Guardian*, August 15, 2014, <http://www.theguardian.com/commentisfree/2014/aug/15/police-body-worn-cameras-liberal-democrats-proposals-policies>; Jay Stanley, "Police Body-Mounted Cameras: With Right Policies in Place, a Win for All," *ACLU*, October 2013, 3-6, https://www.aclu.org/files/assets/police_body-mounted_cameras.pdf.

¹¹⁴ ¹¹⁵ The Beat Podcasts Series, Community of Oriented Policing Services, U.S. Department of Justice, Interview of Daytona Beach, FL, Chief of Police Mike Chitwood, (January 2014) http://www.cops.usdoj.gov/html/podcasts/the_beat/01-2014/TheBeat-012014_Chitwood.txt, 00:42; Doug Wylie, "Case Study: Lake Havasu PD Cuts Complaints, Cost with TASER AXON," *Police One.com*, October 23, 2012, <http://www.policeone.com/police-products/body-cameras/articles/6017758-Case-Study-Lake-Havasu-PD-cuts-complaints-costs-with-TASER-AXON/>.

Perceived Benefits	Explanations	Affected Stakeholders
Improve citizen behavior ¹¹⁷	BWCs may cause citizens to modify their behavior as use of BWCs become more widespread.	Citizens and Officers
More evenly distribution of power	BWCs may alleviate citizens' feelings of helplessness during an encounter with officers.	Citizens
Reduce use of force incidents ¹¹⁸	BWCs may reduce the number of use of force incidents when supervision and discipline are effective.	Citizens, Officers, Police Department, and City Liability
Encourage misconduct complaint filings	BWCs may cause citizens to feel more certain about filing legitimate complaints against police officers. Citizens may feel that with the BWCs they will have the support needed to hold officers accountable.	Citizens, Officers, Police Department
Faster resolution of citizen complaints ¹¹⁹	BWCs may provide reassurance that the police accountability systems are working properly.	Citizens, Officers, Police Department
Provides officer point of view of an incident ¹²⁰	BWCs may provide a more complete account of the officers' actions.	Citizens and Officers
Encourage officer cooperation with administrative investigations	Officers are in the best position to encourage policy compliance. BWCs may make it easier for witness officers to participate in administrative investigations because they will be able to provide a more accurate account because of the recordings.	Citizens, Officers, Police Department, and ACRB

¹¹⁶ Cody Winchester and Juan Perez, Jr., "Law Officers' Body-Worn Cameras Can Diffuse Conflict," *Omaha World Herald*, April 5, 2014, http://www.omaha.com/news/law-officers-body-worn-cameras-can-defuse-conflicts/article_ff6842cc-14f4-5872-a558-5b32040f0096.html.

¹¹⁷ White, 22.

¹¹⁸ Tony Farrar, "Self-Awareness to Being Watched and Socially-Desirable Behavior: A Field Experiment on the Effect of Body-Worn Cameras on Police Force Use-of-Force," (), <http://www.policefoundation.org/sites/g/files/g798246/f/201303/The%20Effect%20of%20Body-Worn%20Cameras%20on%20Police%20Use-of-Force.pdf>; Chitwood, 01:27

¹¹⁹ White, 23.

¹²⁰ The Beat Podcasts Series, Community of Oriented Policing Services, U.S. Department of Justice, Interview of Greensboro, NC, Chief of Police Ken Miller, (January 2014) http://www.cops.usdoj.gov/html/podcasts/the_beat/01-2014/TheBeat-012014_Miller.txt, 02:45.

(2) Challenges

Challenges	Explanations	Affected Stakeholder
Privacy of citizen ¹²¹	Privacy concerns for citizens are especially critical for innocents, victims, juveniles, and witnesses who may be collaterally damage due to public display of recordings. Also, there could be privacy concerns related to situations involving nudity, injury, criminal sex, cleanliness of home. ¹²²	Citizens
Privacy of officers ¹²³	Privacy concerns for officers may involve recording of officers' private conversations, breaks and lunchtime. It may also prevent officers from showing the "human side" of officers. ¹²⁴	Officers
May inhibit citizen cooperation ¹²⁵	Video recordings may hinder witnesses who want to remain anonymous or not get involved to the extent that they need to be recorded from volunteering to come forward on the scene. This is a special concern in areas with high crime and high distrust of police.	Citizens and Officers
Will not stop intentional acts of officer misconduct ¹²⁶	Recordings will not stop citizens and officers from doing intentional acts.	Police Department
Point of view of camera ¹²⁷	BWCs will not replace officers perceptions or capture all actions that occur on a scene, especially as it relates to possible limitations of view and situational lighting.	Citizens and Officers

¹²¹ Anna Almendrala, "As LA Campaigns for Cameras, Privacy Questions Emerge," *Huffington Post*, September 25, 2013, http://www.huffingtonpost.com/2013/09/25/lapd-body-cameras_n_3985430.html; White, 27.

¹²²

¹²³ Recommendations and Lessons Learned, 41; White, 28.

¹²⁴ Recommendations and Lessons Learned, 12.

¹²⁵ Recommendations and Lessons Learned, 18 and 41; White, 27.

¹²⁶ David Fitzpatrick and Drew Griffin, "Video Shows Albuquerque Police Killing Homeless Man," *CNN*, June 22, 2014, <http://www.cnn.com/2014/06/20/us/albuquerque-police-investigation/>.

¹²⁷ Recommendations and Lessons Learned, 28.

Challenges	Explanations	Affected Stakeholder
Citizen access to recordings ¹²⁸	<p>In general, recordings should be fully available to the public; however, Georgia law provides exemptions.¹²⁹</p> <p>The misuse of exemptions to hold recordings from the public under the guise of an ongoing investigation may cause distrust.¹³⁰</p> <p>Releasing partial recordings may cause distrust.</p> <p>There is no easily accessible mechanism to compel the release of video recordings.</p>	Citizens
Officer access to recordings ¹³¹	<p>Possible tampering with recordings.</p> <p>Officer access to recordings before writing reports and providing statements during critical incidents may cause distrust.¹³²</p> <p>Access to recordings should be limited to only personnel who have a special clearance and responsibility</p>	Officers
Computer infrastructure ¹³³	Technology infrastructure may need to be improved to allow easy and efficient loading, storing, retrieving, duplicating of recordings.	Police Department
Retention (time limit of storage of recordings) ¹³⁴	Adequate retention of recordings will be critical to public access to recordings especially with regard to complaint filings and evidentiary purposes; however, there should be strict guidelines on the length of time that a recording will remain in the system.	Citizens and Police Department
Costs ¹³⁵	Costs of BWCs must include purchase, maintenance, upgrades, and data storage.	Police Department and City Budget

¹²⁸ Martin Kaste, “Policy Questions Arise,”; Jay Stanley, “Police Body-Mounted Cameras: With Right Policies in Place, a Win for All,” *ACLU*, https://www.aclu.org/files/assets/police_body-mounted_cameras.pdf, , October 2013, p. 3-6.

¹²⁹ Georgia Code 50-18-72 (a)(4) and (26) (2012).

¹³⁰ Christopher Moraff, “Why We Shouldn’t Leave Police Departments to Work Out Body Camera Rules,” *Next City*, August 22, 2014, <http://nextcity.org/daily/entry/police-wear-cameras-new-york-philadelphia-ferguson-reaction>.

¹³¹ Recommendations and Lessons Learned, 28 and 43.

¹³² Recommendations and Lessons Learned, 16; White, 12.

¹³³ Recommendations and Lessons Learned, 32.

¹³⁴ Recommendations and Lessons Learned, 16.

¹³⁵ Recommendations and Lessons Learned, 33.

Challenges	Explanations	Affected Stakeholder
False sense of confidence and trust ¹³⁶	Citizens will need to know that there are limitations to citizen access to recordings and that the recordings are just one piece of evidence that will should be considered when evaluating the actions of an officer.	Citizens
Positioning of camera and body to avoid recording actions ¹³⁷	Views of recording may be manipulated through intentional obstruction or repositioning. Random panning during recordings should be discouraged.	Citizens and Police Department
Coercion, threats, or embarrassment to prevent misconduct complaint filings ¹³⁸	Citizens will need to be assured that the use of recordings will not be used to threatened or coerce a citizen to withdraw a complaint or prevent a citizen from filing a complaint.	Citizens and Police Department
Open Records ¹³⁹	Legal restrictions to public access to records. The city could face liability if the police department fails to release recording footage when required. ¹⁴⁰	Citizens, Police Department, and City Liability
Officers less proactive/ hesitancy to act ¹⁴¹	Hesitancy to act may become an issue if an officer is unsure of a certain action because his/her mistake will be recorded and potentially discovered.	Officers and Police Department
Notice of recording ¹⁴²	Citizens should be aware that officers are recording during an encounter.	Citizens and Police Department
Redaction and exclusion ¹⁴³	Privacy and certain police operations concerns may require redactions.	Citizens and Police Department

¹³⁶ Kaste, “Restore Faith in New Orleans Police”; Candice Bernd, “Watching the Watchmen: Are Police Officers’ Body-Worn Cameras a Win for Accountability,” *TruthOut.Org* (April 12, 2014), <http://truth-out.org/news/item/23045-watching-the-watchmen-are-police-officers-body-worn-cameras-a-win-for-accountability>; Vivian Ho, “Hard Questions Raised by Officers Wearing Cameras,” *SF Gate*, (August 23, 2014) <http://www.sfgate.com/crime/article/Hard-questions-raised-by-officers-wearing-cameras-5708345.php>

¹³⁷ Bear and Rieken.

¹³⁸ Stanley, page 3.

¹³⁹ Georgia Code 50-18-72.

¹⁴⁰ Kaste, “Policy Questions Arise”

¹⁴¹ Chadde; Chitwood, 01:27.

¹⁴² Stanley, p. 3 – 4; Recommendations and Lessons Learned, 40.

¹⁴³ Kaste, “Policy Questions Arise.”

Challenges	Explanations	Affected Stakeholder
Prosecutorial ¹⁴⁴	Additional time may be required to review recordings for court and to comply with disclosure associated with the criminal complaint. There may be additional opportunities for impeachment and the need to explain nonactivation and missing segments. ¹⁴⁵	Criminal Justice System
Officer acceptance and compliance ¹⁴⁶	Officer acceptance is critical to reduce accidental or intentional nonactivation and accidental or intentional deactivation. ¹⁴⁷	Officers
Technology ¹⁴⁸	Departments will need to establish safeguards to handle related but nonsequential or nonconsecutive event identification and merging of recordings and equipment failures. ¹⁴⁹	Police Department
Data storage ¹⁵⁰	Purchase, acquisition, duplication and storage of recorded media will require personnel time commitment, sources, and resources. Maintaining and guarding the integrity of the recorded media. ¹⁵¹ Policy should require what recordings must be captioned and categorized for easy retrieval from the system. ¹⁵²	Police Department
Improper use of recordings ¹⁵³	Officers will need to be assured that recordings would not be used by supervisors for “head hunting” and harassment. ¹⁵⁴ Officers cannot upload videos for personal use or social media. ¹⁵⁵ Citizens will need to be assured that recordings would not be used to threaten action or public embarrassment.	Citizens and Officers

¹⁴⁴ Kaste, “Policy Questions Arise”; Joe Fiumara, “The Future is Near: Getting Ahead of the Challenges of Body-Worn,” Technology Talk, *The Police Chief* 79 (September 2012) 00:54, http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2753&issue_id=92012.

¹⁴⁵ Fimura. Ramirez, 20.

¹⁴⁶ Fiumara; Recommendations and Lessons Learned, 24-26.

¹⁴⁷ Fimura

¹⁴⁸ Fiumara; White, 23; White, 32-34.

¹⁴⁹ Fimura

¹⁵⁰ Fiumara; Recommendations and Lessons Learned, 42-45; White, 36; Stanley, 5.

¹⁵¹ Fimura.

¹⁵² Recommendations and Lessons Learned, 43.

¹⁵³ Eugene P. Ramirez, A Report on Body Worn Cameras, Manning & Kass, Ellrod, Ramirez, Trester LLP, 14, http://www.parsac.org/parsac-www/pdf/Bulletins/14-005_Report_BODY_WORN_CAMERAS.pdf.

¹⁵⁴ Ibid.

¹⁵⁵ Recommendations and Lessons Learned, 46.

Challenges	Explanations	Affected Stakeholder
Over-reliance on recording ¹⁵⁶	The recording may become the total evidence at the exclusion of officer and eyewitness testimony.	Administrative Investigations and Criminal Justice System
Consent to record ¹⁵⁷	Citizens should have to give consent to recordings when they are not the subject of the police encounter or in places where there is an expectation of privacy.	Citizens, Officers, Police Department

(3) Policy Considerations

Policy Considerations	Explanations	Affected Stakeholder
Obstruction of cameras ¹⁵⁸	Policies should clearly indicate that intentional obstruction of camera is prohibited. Cameras should be located in a place where obstruction of cameras would have to be clearly intentional.	Citizens, Officers, and Police Departments
Ongoing recording of cameras ¹⁵⁹	Policy should require BWCs to be off when not engaged in enforcement action to calm fears about constant surveillance. ¹⁶⁰	Citizens, Officers, and Police Departments
Stopping and starting cameras (control of cameras) ¹⁶¹	Policy will need to establish clear rules for starting and stopping recordings and strong consequences and enforcement to deter inappropriate action. ¹⁶² Policy should have a two-step process to stop recording to prevent unintentional stops. ¹⁶³ Policy should provide safeguards to ensure that officers are operating the cameras within policy.	Citizens, Officers, and Police Departments

¹⁵⁶ Recommendations and Lessons Learned, 28.

¹⁵⁷ Recommendations and Lessons Learned, 41.

¹⁵⁸ Farad Manjoo, Police Cameras Can Shed Light, But Raise Privacy Concerns, August 20, New York Times, <http://www.nytimes.com/2014/08/21/technology/personaltech/police-cameras-can-shed-light-but-raise-privacy-concerns.html?smid=pl-share&r=12014>; The Beat Podcasts Series, Community of Oriented Policing Services, U.S. Department of Justice, Interview of Greenville, NC, Chief of Police Hasan Aden, (January 2014), http://www.cops.usdoj.gov/html/podcasts/the_beat/01-2014/TheBeat-012014_Aden.txt, 03:42

¹⁵⁹ Matt Brian, "London Police Testing Body-Worn Cameras for 'Speedier Justice,'" Engadget, May 8, 2014, <http://www.engadget.com/2014/05/08/met-police-body-cameras-taser/>.

¹⁶⁰ Ibid.

¹⁶¹ Stanley, 2-3; Recommendations and Lessons Learned, 39.

¹⁶² Ho.

¹⁶³ Martin Goodall, Guidance for the Police Use of Body-Worn Video Devices, Police and Crime Standards Directorate, July 2007, 39, <https://www.cctvusergroup.com/downloads/file/Home%20Office%20guidance-body-worn-devices.pdf>

Policy Considerations	Explanations	Affected Stakeholder
Redaction of recordings ¹⁶⁴	Citizens who are not a party to the criminal activity should be able to have their images redacted from the recording, if the recording is released to the public.	Citizens and Police Department
Privacy ¹⁶⁵	Officer privacy concerns should be addressed	Officers and Police Department
Enforcement ¹⁶⁶	Policies should be clear and enforced to maintain consistency.	Citizens, Officers, Police Department
Retention (storage of video) ¹⁶⁷	Recordings should be maintained long enough to ensure that citizens have an opportunity to file a complaint; however, policy should ensure that recordings are purged from the system automatically once the use of the recording has been completed and the retention period has expired.	Police Department
Criteria for storage ¹⁶⁸	Policy should address what should be stored and communicated to the public.	Police Department
Review of video ¹⁶⁹	Some departments allow officers to review their recordings before the officers write reports or provide statements. Other departments do not believe the practice is a good idea.	Officers and Police Department
Camera placement ¹⁷⁰	Placement of cameras should be standard.	Officers/ Police Department
Camera malfunction and compromise of camera operation ¹⁷¹	Officers should have to verify operation of equipment prior to start of shift and at the conclusion of shift. If the camera stops working or becomes damaged during shift the officer should include the faulty equipment on a report that is logged with the camera. ¹⁷² Forensic examinations should be performed on faulty cameras that failed to record during an incident. ¹⁷³	Citizens, Officers, and Police Department

¹⁶⁴ Stanley, 5.

¹⁶⁵ Recommendations and Lessons Learned, 24-27.

¹⁶⁶ Stanley, 3.

¹⁶⁷ Recommendations and Lessons Learned, 16 -17.

¹⁶⁸ Recommendations and Lessons Learned, 16-17 and 42-45.

¹⁶⁹ Recommendations and Lessons Learned, 29-30.

¹⁷⁰ Recommendations and Lessons Learned, 39.

¹⁷¹ Tim Donovan, "Make Cops Wear Cameras: A Simple Way to Hold Police Accountable," *Salon*, August 22, 2014,

http://www.salon.com/2014/08/22/make_cops_wear_cameras_a_simple_way_to_hold_the_police_accountable/; Recommendations and Lessons Learned, 30.

¹⁷² Recommendations and Lessons Learned, 48.

¹⁷³ Recommendations and Lessons Learned, 43.

Policy Considerations	Explanations	Affected Stakeholder
Camera malfunction and compromise of camera operation (cont.)	Records of inoperable cameras and missing footage should be collected and audited. Reviews of faulty cameras should be routinely reviewed for patterns. Policy should be implemented that provides stiff discipline for manipulated, destroyed, or lost cameras. Supervisors should conduct random checks on cameras for operation compliance. ¹⁷⁴	Citizens, Officers, and Police Department
Chain of custody¹⁷⁵	Policy should address maintaining chain of custody of recordings and cameras (especially BWCs involved in critical incidents). ¹⁷⁶ The policy should require audit trail and chain of custody reports for recordings and cameras.	Criminal Justice System, Officers, and Police Officers
All recordings on a scene maintained not just the recording of the officer who is writing the incident report¹⁷⁷	All officers involved in an incident should be required to submit a report connected to the official report of the incident with their recordings attached. All BWCs at a critical incident should be collected while on the scene.	Citizens, Officers, and Police Department
Notices¹⁷⁸	Officers should be required to state when the BWC is recording. BWCs should have an indicator that alerts citizens that the BWC is recording.	Citizens and Police Department
Extra job use	Officers should be required to use BWCs during extra job assignments.	Citizens, Officers, and Police Department
Auditing¹⁷⁹	Policy should include auditing of the BWC program to include officer use, system access, malfunctions, and missing recordings. Auditing should be internal and external. Reports should be provided to the public for transparency.	Citizens

¹⁷⁴ Andy Cunningham, "Questions of Body-Worn Cameras Questioned in New Report," *WDSU News*, September 5, 2014, <http://www.wdsu.com/news/local-news/new-orleans/use-of-bodyworn-cameras-questioned-in-new-report/27903998>.

¹⁷⁵ Recommendations and Lessons Learned, 44.

¹⁷⁶ Craig E. Ferrell, Jr., "The Future is Here: How Police Officer's Video Protect Officers and Departments," *The Police Chief* 80, October 2013, 16-18, http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=3139&issue_id=102013.

¹⁷⁷ Steve Lovell, Body Worn (Video) Evidence, *Evidence Technology Magazine*, http://www.evidencemagazine.com/index.php?option=com_content&task=view&id=1585.

¹⁷⁸ Recommendations and Lessons Learned, 40.

¹⁷⁹ Goodall, 39; Recommendations and Lessons Learned, 49.



The Atlanta Citizen Review Board is a proud agency of the City of Atlanta.

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