POLICE BODY WORN CAMERAS: INGREDIENTS FOR A SUCCESSFUL PROGRAM
TODAY WE WILL COVER

❖ Pros and cons of Body Worn Cameras
❖ The importance of a strong policy
❖ When to activate and deactivate cameras
❖ How long to retain footage
❖ How to respond to Public Records Act requests
❖ Elements of a successful written program
OVERVIEW: PROS

• Maintain officer controlled record of the event
• Enhance accuracy of police reports
• Increase public transparency
OVERVIEW: PROS

Weed out bad apples within the department
OVERVIEW: PROS

Limit liability exposure

• Prevents initiation of claims/litigation

• Tool to pre-litigation discovery and resolution

• Used during litigation to defend actions
OVERVIEW: CONS

- Start up costs
- Management and data storage costs
- Misuse of cameras by officers
OVERVIEW: CONS

- Liability exposure
- Complications with privacy laws and public record requests
- Officer’s reluctance/failure to act
PROS OUTWEIGH THE CONS

• Strong preventative purpose

• Study in Mesa, Arizona
  • 100 officers: 50 with cameras and 50 without
  • Group without camera had nearly 3 times more complaints

• Study in Rialto, California
  • 60% reduction in officer use of force
  • 88% reduction in number of citizen complaints
STRONG WRITTEN POLICY

• Identifies when to activate/deactivate camera

• Recoding system for checking out camera

• Requirement officer inform suspect of camera

• Identifies how long to maintain footage activation
STRONG WRITTEN POLICY

• Disclosure limitations per exemptions of the PRA

• Training program

• Appointment of Data Coordinator(s)

• Officer and citizen safety does not override activation
CONTENTS OF POLICY

• When to activate
  • All enforcement and investigative contacts
  • Traffic stops
  • Self-initiated activity
  • Any other contact that becomes adversarial
• Documenting reasons not activated
• When to deactivate
CONTENTS OF POLICY

• Prohibitions
  • Personal use
  • Uploading to social media

• Sanctions for violating prohibitions
DATA COLLECTION AND STORAGE

• Penal Code section 832.18 requirements
  • Appointment of Data Coordinator
  • Establish system for downloading, storing and securing footage
  • Establish system for tagging and categorizing data of the type of incidents captured
DATA COLLECTION AND STORAGE

- Penal Code section 832.18 requirements (continued)
  - Maintain logs of access to data
  - Maintain logs of deletion of data
  - Overall BWC management, including ensuring cameras in good working order
DATA COLLECTION AND STORAGE

Third party vendors? Ok, but make sure...

- Written contract
- Built in audit trail in storage system
- Complies with minimum requirements of Penal Code section 832.18
- Complies with additional requirements set by department policy
DATA COLLECTION AND STORAGE

How long do you maintain footage?

Penal Code section 832.18

- 60 days: Non-Evidentiary
- 2 years: Evidentiary
DATA COLLECTION AND STORAGE

California State Master Police Department
- 180 days: Non-Evidentiary
- 2 years: Evidentiary

Police Executive Research Forum
- 60-90 days for traffic citations
- Indefinitely for footage involving homicides
PUBLIC RECORDS ACT REQUESTS

❖ Privacy issues

❖ Exemptions:
  • On-going investigations
  • Litigation
  • Personal and private information
LEGISLATION: ASSEMBLY BILL 748

Seeks to require disclosure of video or audio recording within 120 days if

• Matter of public concern
• Use of force
• Reasonably believed to involve violation of law or agency policy

• Exemption: Disclosure would substantially impede and ongoing investigation
QUESTIONS?

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