

Bureau of Justice Assistance
Dr. Mike White Body-worn Camera Interview
04/27/2015

MR: Mike Roosa

MW: Mike White

MR: Hello, I'm Mike Roosa, a Senior Policy Advisor at the Bureau of Justice Assistance and today I am speaking with Dr. Mike White as part of BJA's Body-Worn Camera Podcast series. Dr. White is a professor in the School of Criminology and Criminal Justice at Arizona State University and is the Associate Director of their center for violence prevention and community safety. He is also a subject matter expert for the Bureau Justice of Assistance, Smart Policing Initiative and a Senior Diagnostic Specialist for the Office of Justice Programs Diagnostic Center. Dr. White is author of *Police Officer Body-Worn Cameras Assessing the Evidence*, a resource that offers a review of available evidence of officer body-worn cameras. Dr. White thank you for speaking with me today. To start can you share with me a few key points from your recent report on body-worn cameras?

MW: Sure thing Mike, I think there are two points that I would like to highlight in regard to the report that I wrote. That report came out well over a year ago and the first point I would like to raise about the report is I really was shocked at the virtual absence of solid research on body-worn cameras. The report describes three or four studies that had done a nice job in looking at some of the key issues surrounding the technology and were methodically rigorous, but the bottom line is that our entire knowledge base on the impact and consequences of this technology really boils down to these three or four research studies and that means core

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questions about planning, about implementation, about the impact to expect and the unintended consequences, most of those questions remain unanswered and given that literally thousands of police departments across the country are planning to adopt this technology or have already done so, the weak body of empirical evidence is very worrisome.

The second point that comes out of that report is that even though there are only three or four studies there are a couple of consistent themes that have emerged from those few studies and those themes have also been seen in some of the media reports and the professional dialogue among law enforcement leaders but I think there are some directions that this small body of research provides and I'll highlight three of those real quickly.

The first, there seems to be following adoption of body-worn cameras reduction in citizen complaints against police and in some cases that reduction is on the order of 90% which is really astounding. I think some of this reduction in citizen complaints can be tied to reporting that citizens might be less likely to file frivolous complaints, for example, but I think there is something more to it and related to that at least one of the studies documented a sizeable reduction in use of force and the combination of those two themes, the reduction in force and the reductions in citizens complaints have suggested that there may be behavior change that occurs as a result of body-worn cameras and some people would refer to this as a civilizing effect that is because of police officers wearing a camera the citizen behaves better, and the officer behaves better.

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The last point from the report that I would like to raise is that we need to be realistic about the impact of body-worn cameras. They may produce a civilizing effect, they may have evidentiary value, they may represent a positive step in transparency but it is important to recognize this technology by itself is not going to repair relationships between police and minority communities that for decades have been tense and antagonistic. It is important to keep in mind that body-worn cameras are a tool and they can be part of a larger plan to engage with citizens, particularly citizens in minority communities, but it is not a silver bullet that is going to solve race relation problems that we've been having in this country for decades.

MR: Thank you Dr. White. You brought these issues up at an event you recently facilitated, the BJA Expert Panel on Body-worn cameras at the White House, what was your biggest take away from that event?

MW: Mike, the biggest take away for me from that two-day event was the sheer complexity of the issues that are involved. It is exceptionally easy for a Chief of Police to go out and to buy cameras and to have his or her officers begin to wear those cameras that's the easy part, but then it gets really, really complicated fast. To do this well, to manage a body-worn camera program and to make sure things don't go very wrong is extraordinarily difficult and it represents an enormous commitment by a Chief and by a police department. To just take a second to think about some of the critically important issues that are involved in this

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technology, for one we are talking about at least the potential of changing the very nature of citizen and officer behavior during encounters, there are issues with citizen privacy and expectations of privacy, officer privacy for example. There's an enormous financial and man power cost that comes with this technology. This technology brings in concerns about public records laws and the requirement to gain consent or not of people who are being recorded. It also requires the police engage with and coordinate with the rest of the criminal justice system from prosecutors and defense councils to judges so the take away for me from the two-day meeting was just the huge commitment and this really extraordinarily complex process that follows the decision to start having officers wear cameras.

MR: Yea that does seem like a lot. So considering so many issues what is the first thing an agency should consider prior to implementing body-worn cameras?

MW: I would tell a Chief that the first thing he or she needs to think about is the why question. Why is the Chief thinking about the adoption of body-worn cameras, what is the goal, what does he or she hope to achieve with this technology? Is it more transparency with the community, is it better accountability with his or her officers, is it to achieve better evidence for criminal cases so I think a clear understanding of that why question has to come first and once the Chief has thought about why he or she wants to do this I think everything else will build off of that.

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MR: No that makes sense. So most Chief's are going to implement these complex issues usually through policy so what key issues would you advise the law enforcement agency to put into their body-worn camera policy?

MW: We could talk for several hours about the policy issues that need to be addressed and thankfully the toolkit that will be available spends a good deal of time going through the wide range of policy issues. I think there are three things I want to highlight here for the podcast and these are the three that I think are most critical and I think an administrative policy has to be crystal clear on these three issues.

The first issue has to do with activation and deactivation of the camera, when are officers suppose to turn it on and when are they suppose to turn it off and policies have varied on this in terms of the degree of discretion that they give officers, but I think the policy, whatever the Chief chooses in terms of the degree of discretion the policy has to be crystal clear. What are the mandatory type of encounters when an officer is required by policy to turn the camera on and are there types of encounters where activation is discretionary that is it is left up to the officer. I think the policy needs to be clear because officers need specific direction and guidance on that point, when to do it on and when to do it off.

The second policy issue that I think is really important is internally within the police department who is going to have access to the video and under what conditions. A special concern that has been raised by many officers and by unions in general is supervisory review, do sergeant and lieutenants have

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unfettered access to their officers video and there is a concern among many that supervisors would have the opportunity to go on the proverbially fishing expeditions to identify policy violations so I think the policy needs to be clear on that. Are there limits to supervisory review? Some police departments and their policies only allow for review of footage in response to a specific complaint that has been filed. Others allow for periodic review of officer's video as part of performance evaluation so I think again the policy has to be crystal clear on when supervisors are permitted to review video.

The last policy point that I would raise is that the administrative policy needs to be crystal clear on what will happen to officers who fail to record incidents in violation of policy and when I talk about policy violation, I'm not talking about policy violations that officers might engage in that are caught in the video, I'm talking about an actual violation of the body-worn camera policy. The chief, the leadership, must be very clear in the policy of what will happen to officers if they fail to activate and record an encounter that was supposed to be recorded. The evaluation of the Phoenix Police Department body-worn camera program, for example, showed that compliance rates with activation were very low, under 30% in fact. I think there are lots of perceived benefits and perhaps actual benefits of body-worn cameras, it's important to realize that none of those benefits can be realized if the camera is not consistently turned on so agency leaders need to be crystal clear on how they're going to respond to noncompliance with this new technology.

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MR: That makes great sense so there is really a relationship between policy and research and good policy is really driven by research and best practices so what are crucial areas of research that are still needed on body-worn cameras?

MW: Mike, I think there are three things that I would like to see researchers tackle first. The first area of critical need is this notion of a hypothesized civilizing effect that the cameras may actually change behavior, that you have a citizen who is being belligerent and resistive, he or she then recognizes that the incident is being recorded and then changes his or her behavior so I think the first thing we need to do is test and see if we can replicate this civilizing effect. The results from the (inaudible) study and from The Phoenix and Mesa study are compelling; they are particularly compelling because they are consistent with each other. We need to see if those interesting results in terms of reduced use of force and reduced complaints did they travel. When we conduct studies in other places and other jurisdictions are we going to see those same kinds of findings?

The second area of research I think, we need to explore the effect of this technology on downstream criminal justice actors, especially prosecutors. Are prosecutors prepared for this new form of evidence? Any time a police officer has a body-worn camera and records an encounter that results in an arrest that video is then evidence for the prosecution and for the defense so I think it's important that we investigate how prosecutors are adapting to this new form of evidence, does it affect their charging decisions? Is it affecting court outcomes? Are guilty pleas

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now more likely because we have video evidence? We don't know the answer to that question and I think we need to find that out.

The last area of research that I would like to highlight is the training potential for this technology. I think it's clear that there is a real utility for body-worn cameras in academy training. I can envision recruits who are going through training scenarios where they are wearing body-worn cameras that is capturing the training scenario and then afterwards the instructors sit down with the entire recruit class and review the footage, I think that's clear, but I think there are other training implications as well. If we think about the next step for recruits after they graduate typically they are assigned to a senior officer for field training, I can envision field training officers kind of doing a similar situation where they are at the end of a shift or at the end of the week they are sitting down with their rookie officer that is assigned to them and they are going over specific incidents and really using the video to teach and mentor the new officer.

The last part of the training is whether or not this video footage can be part of a sentinel events review process that is when critical incidents happen can the footage from that incident that's captured on a body-worn camera can that be used as a foundation for a non-punitive, blameless review of the encounter to determine from decision A to decision Z what happened and how can we analyze this incident and see if there are ways that we can change policy and training to make sure it happens again so I think there are multiple training opportunities that need to be explored.

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- MR: Thanks Dr. White so it's a really complex program. Body-worn cameras are going to be far ranging with policy and research and training all over and since we want to leave some space for future podcasts let me close out with this question, what is the most important advice you would give an agency that's considering implementation of a body-worn camera program?
- MW: Mike I think from our discussion over the last couple of minutes it's clear that this is a huge commitment for a police chief, for a police department so my advice would be to take your time, don't rush into this, be thoughtful, be deliberate and most importantly be collaborative. It is clear that this technology affects numerous stakeholders both inside the police department and outside of the police department, it is important for a police department to engage with all of those stakeholders upfront. I would recommend including them in the planning process that way the department can hear their concerns, gather their input, use that input to shape policy, practice, and training. It's clear that the long-term success of a body-worn camera program is going to hinge on the acceptance and approval of that program by those various stakeholders so a collaborative process from the very beginning, I think, will greatly increase the likelihood of a Chief achieving his or her goals with that program.
- MR: Right, thank you Dr. White. Excellent perspective. We're really grateful that you could speak with us today to share your knowledge on this important topic. We encourage law enforcement, justice, and public safety leaders who are interested

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in learning more about the implementation of body-worn camera programs to visit the body-worn camera toolkit at www.bja.gov/bwc. This toolkit offers a variety of resources that agencies can use to help with adoption, promote community engagement, policy development, data collection, officer training, and educational purposes. We also encourage listeners to share and promote these resources with your colleagues and staff. Lastly, all of these resources, especially the body-worn camera toolkit, have been designed as a national resource, your resource, please submit your ideas for new content through the BWC support link at the bottom of the homepage or e-mail askbwc@usdoj.gov. This is Mike Roosa at the Bureau of Justice Assistance signing off. Thank you to our listeners for joining us today.