

Bureau of Justice Assistance
Commander Horace Frank Body-Worn Camera Interview
8/7/2015

CARMEN FACCILOLO: Hello, I'm Carmen Facciolo, a policy advisor at the United States Department of Justice's Bureau of Justice Assistance and today I am speaking with Commander Horace Frank from the Los Angeles Police Department as part of BJA's body-worn camera podcast series.

Commander Frank began his career as a police officer in 1988 and he has the diverse experience overseeing numerous units including the bomb squad, hazardous materials unit, bomb detection canine section, and the archangel section.

As the central area commanding officer, Commander Frank successfully reduced crime while enhancing police-community relations. Currently, Commander Frank serves as the Assistant Commanding Officer of the LAPD's Counterterrorism and Special Operations Bureau and is a member of the National Organization of Black Law Enforcement Executives. Commander Frank, thank you for speaking with me today and to start off, can you tell me what are some of the most important items a police chief should consider when deciding whether to implement a body-worn camera program?

COMMANDER HORACE FRANK: I think first and foremost any chief would want to ensure that you as the chief know and that your organization knows why it is that you want your officers to wear these cameras. And then ensure that your message is clearly articulated to your partners in the community, to your elected officials and, last but not least, certainly union officials. I think it's also important that you want to define the scope and the use which we will probably go into later on, but certainly you want to make sure that the scope and use are clearly defined.

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CARMEN FACCIOLO: Oh, great Commander - thank you. Switching topics, what are police officers' biggest fears about body-worn cameras?

COMMANDER HORACE FRANK: I am quite sure you can come up with quite a few of those, but I think some of the bigger fears that I have heard - one, is this going to be used as a witch hunt against the officers and two, officers are certainly concerned about their own privacy.

For example, the fact that they are sitting in police cars, are they going to have those cameras on while they are just sitting, talking with their partners? So certainly the privacy issue and whether or not the use of the cameras are going to be used as a witch hunt against the officers.

CARMEN FACCIOLO: And how or what policy considerations could help alleviate some of the fears of these officers?

COMMANDER HORACE FRANK: Well, I think let's talk about the privacy issue. Clearly officers are human beings and they have a right to privacy. And two officers are sitting in a car and they want to have the ability, and they should have the ability to be able to sit in the car that they are patrolling and talk about personal issues, issues of personal interest to them without that being made public.

I think officers should have that right. And therefore if you're going to have that policy, then the policy should not be such where it's requiring the officers to have the cameras on from the minute they start their watch to the minute they end their watch. There's no reason why those cameras should be on for the entire shift.

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I mean, officers have to go to the bathroom - again, they have personal conversations with their friends. The cameras should not be on. So I think any policy should take those into consideration. With regard to the other issue about witch hunt, this is something else that the policy should take into consideration.

And if we back up, ask ourselves - well what is the reason for having our officers wear these cameras? Well, the reason for them wearing these cameras would be as evidentiary purposes, right? Also to document their interaction with the community.

So if that's the case, we should not have a situation where supervisors are just going and grab the tapes just to see, well, without having any reason or justification, going to pull tapes just to see - hey, I want to see the officer has said something wrong or while they were talking. They should have a reason to go pull these tapes.

Now clearly, should we be doing audits? Absolutely we should be doing audits. But if you are doing an audit to ensure that the officers are utilizing the cameras in accordance with the policy, I think we got to be very careful about yes, they are using it in accordance with policy, but then yeah, just happened to hear an officer use an expletive and we are going to do a complaint against that kind of stuff. I think we have got to be very careful about that.

CARMEN FACCILOLO: Thank you. You're a member of the National Organization of Black Law Enforcement Executives. Does this organization have any specific concerns involving body-worn cameras?

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COMMANDER HORACE FRANK: I think the concerns about NOBLE, would be consistent with anyone's concerns, and that is that the policies in place, whatever policies are put in place, that those policies are adhered to and that they are enforced equally across the board.

CARMEN FACCIOLO: Okay. And you recently attend BJA's expert panel back in February, specifically on body-worn cameras where you led a group discussion on unions and labor organizations, including a discussion about black, Hispanic, tribal and local and national unions. What would you say was your biggest take away from that discussion and have you had any other similar discussions?

COMMANDER HORACE FRANK: I think one of the biggest takeaways that I had dealt with this issue of transparency. I think we have got to be very careful about that issue because obviously that seems to be the buzzword that we all want to be transparent.

Well, the reality is that we're never going to be 100 percent transparent. And by nature of police work, we cannot be 100 percent transparent because there are rules and laws that govern what we can and cannot release. So we want to be very careful about using this word 'transparency'.

That is certainly not saying that we want to be dishonest or hide the facts, but there are things in law enforcement that we just cannot release to the public. I mean, we got to accept that. So yes, we want to be fair and we want to act in accordance with the law, but we clearly should not be in a situation where every time an officer turns on that body camera and records an interaction or

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records a portion of some sort of investigative activity, that all of a sudden you want - quote/unquote “transparency,” you have to release it to the public.

No. There are things that we need to protect. There are times when an officer is going to come in contact with kids and we want to protect issues having to do with minors. There are times when officers are going to be coming in contact with women, or someone, women or male, who may have been sexually abused and we want to protect that. So we have to be very careful in treading that line. But I think that one of the biggest takeaways that I had was this whole issue of transparency and what should and should not be released to the public.

CARMEN FACCIOLO: And finally, what is the most important advice you would give an agency considering implementation of a body-worn camera program?

COMMANDER HORACE FRANK: In summary, I would think that you want to have a clearly defined policy covering the use of those cameras. And it's as simple as those five Ws that we always talk about in investigation - the who, what, when, where, why, right? Who will be using these cameras, what is the intended purpose for using these cameras, when will officers be required to turn these cameras and turn them off, where will the officer be when they are required to turn these cameras off and why are we doing this. Why is it that we want to implement a policy for body-worn cameras? I think we need to have those questions clearly defined, clearly answered before we move forward with any implementation of cameras.

CARMEN FACCIOLO: Thank you Commander Frank, we really appreciate you taking the time today. We are grateful that you could speak with us and to share your knowledge on this

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important topic. We encourage law enforcement, justice and public safety leaders whose agencies are interested in learning more about the implementation of body-worn cameras 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 the adoption and use of community engagement, policy development, data collection, officer training, and educational purposes. We also encourage listeners to share and promote these resources with their colleagues and staff. Lastly, all of these resources, and especially the body-worn camera toolkit, have been designed as a national resource which is your resource. Please submit your ideas for new content through the BWC support link at the bottom of the home page. This is Carmen Facciolo with the Bureau of Justice Assistance, signing off. Thank you to our listeners for joining us today.

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