BODY-WORN CAMERAS A DECADE LATER: WHAT WE KNOW

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POLICE EXECUTIVE RESEARCH FORUM

Body-Worn Cameras A Decade Later: What We Know

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Police Executive Research Forum

We are grateful for a generous gift from MacKenzie Scott, which made this publication possible. The points of view expressed herein are the authors' and do not necessarily represent the opinions of MacKenzie Scott or all Police Executive Research Forum members.

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A Message From PERF's Executive Director

Ten years ago, the U.S. Department of Justice's COPS Office approached PERF with an exciting opportunity—to develop guidelines for the police use of body-worn cameras. Body cameras were a brand-new technology at the time, and we quickly found that while many departments were interested in developing a body camera program, very few had done so. And the few agencies that had adopted body cameras often lacked a written policy governing their use.

Police leaders told us that a big reason why they were hesitant to adopt body cameras was that there was little guidance on how to navigate the many challenges that come with implementing a camera program.

So in September 2013, PERF brought together more than 200 police chiefs, sheriffs, and other experts for an in-depth discussion of the many complex issues body cameras raise. Participants shared their experiences with body cameras, their concerns with what this technology meant for the future of policing, and their questions about how to deploy body cameras in a way that strengthens police transparency and accountability—without infringing on people's privacy or damaging community policing efforts. We then used these discussions as the basis for the 2014 PERF/COPS Office report, "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned," which provided the first set of comprehensive guidelines for implementing a body camera program.[1]

Much has changed in the ten years since that first convening. For one thing, the police use of body cameras has skyrocketed. In 2020, almost 4 in 5 (79 percent) local police officers worked in departments that used BWCs, and all departments serving 1 million or more residents reported using them.[2] Sheriffs' offices had similar increases in their use of BWCs, with more than two-thirds (68 percent) of sheriffs' offices having BWCs in 2020.[3] Even federal law enforcement agencies, such as the FBI and the U.S. Customs and Border Protection, have adopted this technology. And with high-profile police use-of-force incidents and in-custody deaths leading to demands for greater police accountability, the public has come to want—and expect—police officers to wear cameras.

We also have more research now about the impacts of body cameras. For example, as discussed on page 57 of this report, studies have consistently found that body cameras are associated with re-

1 Lindsay Miller, Jessica Toliver, and Police Executive Research Forum, "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned," Office of Community Oriented Policing Services, September 2014, https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-p296-pub.pdf.

2 Sean E. Goodison and Connor Brooks, "Local Police Departments, Procedures, Policies, and Technology, 2020 – Statistical Tables," Bureau of Justice Statistics, November 2023, https://bjs.ojp.gov/document/lpdppt20st.pdf.

3 Connor Brooks, "Sheriffs' Offices, Procedures, Policies, and Technology, 2020 – Statistical Tables," November 2023, https://bjs.ojp.gov/document/soppt20st.pdf.

ductions in complaints against officers, though it is still not clear whether this is because officers with cameras behave better or because people file fewer frivolous complaints if they know there is video footage of an event. Research has also shown that the impact of body cameras on police use of force is promising, especially when the camera program is well-implemented.

However, even with ten years' worth of research and real-world experience, many questions about body cameras remain. That's why PERF decided to revisit this critical topic and hold a second meeting, "Body-Worn Cameras a Decade Later: What We Know," on June 29, 2023 in Washington, DC. Once again, we gathered roughly 200 police leaders, researchers, and other experts to talk about their experiences with body cameras. These fascinating discussions revealed both the benefits and challenges of body cameras, and how this technology is shaping policing.

For example, participants told us about innovative ways they are using body cameras to improve officer and agency performance. I often talk about the importance of "Monday-morning quarterbacking" and how after-action reviews of critical incidents should become part of the DNA of policing. At the conference, many police officials said body cameras can play a large role in these efforts by allowing departments to review footage of incidents to assess policies, procedures, and resources. In this way, body cameras can help build an organizational culture of constructive criticism, self-awareness, and ongoing learning and improvement.

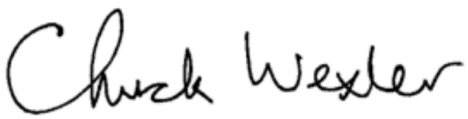
We also heard from researchers that strong implementation and fidelity to policy play a key part in the effectiveness of a body camera program. This is especially true when it comes to camera activation. If officers are not turning their body cameras on when they are supposed to, the cameras will be rendered useless. Participants discussed how advances in technology, such as automatic camera activation through sidearms, biometrics, dash cameras, lights and sirens, and computer-aided dispatch, can be used to promote compliance.

One hotly debated topic during the meeting was whether officers should be allowed to review body camera footage of critical incidents, such as officer-involved shootings and in-custody deaths, *before* making a statement about the incident. Many people wrestled with this issue a decade ago, and it remains a point of contention today. Section 3 of this report lays out the different approaches to this issue and presents our new recommendation that agencies require officers to provide a "perceptual" statement before viewing body camera footage but then provide a more detailed statement after viewing it, to offer clarifications they feel are appropriate.

All PERF projects are a team effort, and this one is no different. It was made possible by a generous gift from MacKenzie Scott. Tom Wilson, Director of the Center for Management and Technical Assistance, provided excellent project leadership and team guidance. Senior Principal Martin Bartness spearheaded the project team's efforts and report-writing. Consultant Lindsay Miller Goodison delivered critical meeting support and wrote several sections of this report. Director of Research Meagan Cahill contributed background research on current best practices. Senior Principal Nancy Demme and Senior Research Assistant Caleb Regen identified the meeting venue and coordinated event logistics. Deputy Director Jennifer Sommers; Senior Principal Dave McClure; and Senior Research Associates Rachel Apfelbaum, Kristen McGeeney, and Jason Cheney conducted pre-meeting interviews with attendees. Research Associate Ashley Richards; Senior Research Assistants Kevin Lucey, Zoe Mack, and Caleb Regen; and Research Assistants Adam Kass and Rachael Thompson reviewed and coded body camera policies.

Senior Communications Principal James McGinty helped organize the topics of discussion for the conference and provided invaluable assistance in making it run smoothly. Executive Editor John Springer edited this report. Communications Associate Dustin Waters photographed the conference and designed and laid out the report.

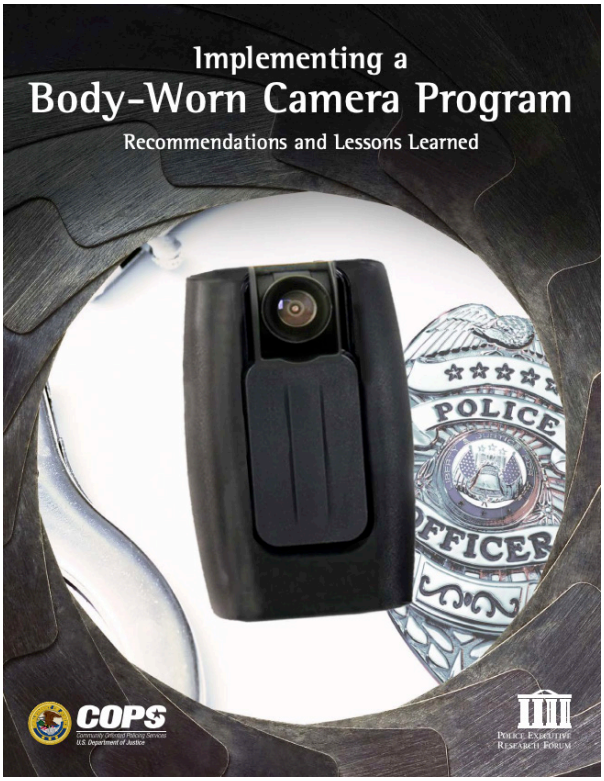
PERF is excited to use the knowledge shared during the June 29 conference, along with related research, to revisit our 2014 guidelines. Throughout the years, we have heard that many agencies have relied on our previous recommendations as they developed their own camera programs, and we hope that these updates can provide similar guidance. If implemented correctly, body cameras can be an important tool for police agencies looking to build trust, promote accountability and transparency, and strengthen their relationships with the community.



Chuck Wexler
Executive Director
Police Executive Research Forum
Washington, DC

Introduction

Ten years ago, body-worn cameras (BWCs) were still very much an emerging technology. With one notable exception, the **Oakland (CA) Police Department**, very few law enforcement agencies — and virtually none from large U.S. cities — deployed BWCs, and even fewer had strong written policies in place to govern the use of this potentially powerful tool. In 2013, PERF, with support from the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office), conducted an in-depth examination of the use of BWCs in police agencies across the country. The goal of this project was to understand where and how BWCs were being deployed and to develop much-needed guidance for agencies as they took on the enormous task of implementing BWC programs. The project resulted in the 2014 PERF/COPS Office report, "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned."[4]



This addendum to that report examines what the field has since learned about police body cameras and, consequently, how departments may want to revise their body camera policies:

- Section 1 briefly reviews the perceived benefits of body camera programs a decade ago, the primary policy recommendations of the 2014 report, and what subsequent research shows about the impacts of body cameras.
- Section 2 discusses several issues surrounding the use of body cameras as a performance management tool, including "Monday-morning quarterbacking," performance review boards, random audits, supervisory audits, external audits, and prosecutorial oversight.
- Section 3 delves into the question of whether to allow officers to view their BWC footage

4 Miller, Toliver, and Police Executive Research Forum.

before making a report after a critical incident. This issue was controversial when we wrote the 2014 report and, if anything, is even more so today, especially given the public outcry following highly publicized police-related deaths.

- Section 4 highlights three emerging issues related to BWCs: enforcing officers' compliance with requirements to activate their cameras, deciding whether and when to release body camera video pursuant to a critical incident, and using artificial intelligence to analyze the large amounts of BWC data they collect.

Information Gathered for This Report

To understand agencies' ongoing challenges with body cameras, as well as the efforts many agencies are undertaking to address them, PERF:

- Conducted extensive background research.
- Surveyed PERF members and analyzed the results from 156 respondents.
- Reviewed body camera policies of 127 police agencies.
- Conducted one-on-one interviews with more than 40 police leaders.
- Convened approximately 200 stakeholders in Washington, DC on June 29, 2023, for a discussion forum on the issue.
- Featured a conversation on body cameras as part of the day-long Town Hall during PERF's 2023 Annual Meeting in New York City on July 18, 2023.

Member Survey

In connection with a separate research project, PERF surveyed its nearly 700 members who are chief executives of their agencies (chiefs, sheriffs, commissioners, etc.) about issues related to critical incidents. We received 156 responses to a survey question asking whether officers are allowed to review the footage of a critical incident before they provide a statement to criminal and administrative investigators.

Review of BWC Policies

PERF also asked recipients of the above survey to forward their agency's current BWC policy; 127 members from 37 states responded. PERF analyzed their agencies' policies using the same methodology that the U.S. Department of Justice's Bureau of Justice Assistance (BJA) employed in a review it conducted of 304 BWC policies in 2019. That review examined 10 key policy issues:

1. Activation
2. Deactivation
3. Citizen Notification
4. Officer Authority to Review
5. Supervisor Authority to Review
6. Off-Duty Assignment
7. Activation During Demonstrations
8. Temporary Deactivation (and Muting)
9. Frequency of Supervisory Auditing
10. Mentions of Non-Patrol Units Wearing BWCs[5]

5 Michael D. White, Michaela Flippin, and Aili Malm, "Key Trends in Body-Worn Camera Policy and Practice: A Four-Year Policy Analysis of US Department of Justice-Funded Law Enforcement Agencies," CNA Corporation, Arizona State University, and Justice and Security Strategies, Inc., December 2019, https://bja.ojp.gov/library/publications/key-trends-body-worn-camera-policy-and-practice-four-year-policy-analysis-us.

The purpose was to determine if the 10 key issues remain the same and identify any notable trends across these issues. Although nearly 90 percent of the policies PERF reviewed have been updated since BJA's 2019 policy review, **the only significant policy change over the four years has been a decline in the percentage of agencies that allow officers to view video of a critical incident before making a statement, from 92 percent in the BJA review to 56 percent in PERF's review of 127 policies.** (See Section 3 for discussion.)

Interviews With Law Enforcement Officials

PERF invited its more than 3,000 members to attend its June 2023 discussion forum on body camera issues. PERF's membership includes police officials, academics, federal government officials, and others interested in policing and criminal justice. Prior to the meeting, individuals who registered were given the opportunity to participate in an in-depth interview so PERF could learn more about their agency's body camera policies, as well as implementation challenges and strategies to overcome them.

PERF conducted more than 40 one-on-one interviews with law enforcement executives, prosecutors, and personnel responsible for administering and auditing body camera programs. PERF used information from the interviews to develop themes and topics for the national meeting and this report.

National Meetings

On June 29, 2023, PERF held an all-day meeting titled, "Body-Worn Cameras a Decade Later: What We Know," in Washington, DC. Approximately 200 stakeholders from over 100 agencies attended. PERF set the agenda for the meeting, summarized recent research findings, presented previous policy recommendations, provided preliminary survey data, and showed BWC video and media clips to give voice to current issues. But PERF primarily relied on conference participants to share their first-hand knowledge of the policies and practices they are using to manage body camera programs.

An especially robust part of the conversation at the meeting surrounded the issue of when to view camera video and take officer statements following critical incidents. PERF Executive Director Chuck Wexler therefore decided to continue this discussion at PERF's 2023 Annual Meeting – with nearly 300 attendees – in New York City on July 18, 2023. PERF used information from the two meetings, along with findings from the survey and interviews, to develop this addendum.

PERF's June 2023 national meeting on BWCs held in Washington, DC

Section 1: PERF's 2014 Report and More Recent Developments

At the time of PERF's 2014 report, BWCs had not been around long enough to permit research into the technology's actual effects. However, police executives whose departments were already using BWCs generally regarded the cameras as useful. The reported benefits included strengthening police accountability, preventing confrontational situations by causing individuals on both sides of the camera to moderate their behavior, resolving officer-involved incidents and complaints, improving agency transparency, identifying and correcting internal agency problems, and strengthening officer performance.

PERF also found, however, that BWCs raised a number of issues for agencies considering or implementing a BWC program:

- **Privacy considerations**, including significant privacy concerns surrounding recording crime victims and witnesses, recording inside a private home, and releasing videos to the public.
- **The impact on police-community relationships**, particularly whether recording encounters with people might undermine community policing efforts and erode openness between the police and members of the community.
- **The impact on internal procedural justice and trust within the police agency**, including officers' concerns about how supervisors and command staff will use footage.
- **Managing the expectations** that BWCs might create. Some feared that the public, courts, and review boards would unrealistically expect that all officers will wear cameras and have them turned on whenever they are on duty, or that cameras will capture every single thing that occurs to an officer.
- **Financial considerations** of a body camera program, including the cost of the cameras, video storage, training, and responding to public disclosure requests.

PERF's 2014 Policy Recommendations

PERF's report recommended that, first and foremost, agencies should develop comprehensive written policies prior to implementing a BWC program. Policies should be specific enough to provide clear and consistent guidance yet allow room for flexibility as the program evolves. They must comply with all existing laws and regulations, including those governing evidence collection and retention,

public disclosure of information, and the need to obtain consent prior to recording. When developing policies, agencies should consult with supervisors and frontline officers, legal advisors, police unions, prosecutors, and members of the community. Agencies should post their BWC policies on the agency website or otherwise make them publicly available.

Below are highlights of a few of PERF's key recommendations (see Appendix A of the report for the complete list).

- **With limited exceptions, officers should be required to activate their BWCs when responding to all calls for service and during all law enforcement-related encounters and activities while the officer is on duty.** Policies should clearly define what this requirement includes (e.g., traffic stops, arrests, searches, interrogations, pursuits). When in doubt, officers should record. Many agencies provide exceptions for situations in which recording is unsafe, impossible, or impractical but require officers to articulate in writing or on camera their reasons for not recording.

- **Officers should be required to obtain consent prior to recording interviews with crime victims.** This addresses the significant privacy concerns associated with videotaping crime victims. **Officers should also have the option of keeping their cameras turned off during conversations with crime *witnesses* and community members who wish to discuss criminal activity in their neighborhood.** Due to the evidentiary value of these statements, officers should make every attempt to record unless the person is unwilling to speak on camera. In some cases, victims or witnesses may agree only to an audio recording, in which case an officer could point the camera away from the person and record audio only.

- **Policies should specify the length of time for which recorded data must be retained.** Retention times for evidentiary footage are typically governed by state evidentiary laws and regulations. For non-evidentiary footage, agencies should consider the need to preserve videos to investigate complaints, the state's public disclosure laws, the agency's data storage capacity, and agency policies governing other types of electronic records.

- **Written policies should clearly describe the circumstances in which supervisors are authorized to review an officer's BWC footage.** PERF recommended that supervisors review footage to investigate complaints and specific incidents, to identify material for training videos, and to review the activities of officers who are in a probationary period or have a pattern of abuse allegations. The agency's internal audit unit, rather than an officer's direct supervisor, should conduct random reviews of footage to monitor compliance and assess performance.

- **Agencies should have clear and consistent protocols for releasing videos to the news media and the public.** As PERF Executive Director Chuck Wexler wrote in the 2014 report:

  > *A police department that deploys body-worn cameras is making a statement that it believes the actions of its officers are a matter of public record. By facing the challenges and expense of purchasing and implementing a body-worn camera system, developing policies, and training its officers in how to use the cameras, a department creates a reasonable expectation that members of the public and the news media will want to review the actions of officers.*

  Each agency's policy on public release of videos must comply with the state's public disclosure laws. PERF generally recommends a broad disclosure policy to promote agency transparency and accountability. However, agencies must always take into account privacy considerations when determining whether to release footage. Policies should include specific measures for preventing unauthorized video access or release.

So much of whether a body-worn camera program is successful rests on policy and implementation, or what we call in the research world, 'implementation fidelity.' This is one reason why we see so much variation in the studies about whether body cameras are effective – in the places where they aren't, maybe the agency hasn't developed clear policies, or hasn't made sure that those policies are being implemented as intended. Technologies like body-worn cameras aren't like a light that you can just switch on and then, all of a sudden, you've got the desired outcome. There is so much nuance involved in the implementation.

Nancy La Vigne, Ph.D., Director, National Institute of Justice

At the time of its release, PERF's 2014 report was at the forefront of issues concerning a technology that many believed would revolutionize policing. Ten years later, the report remains a critical tool for police agencies. Police executives report that they continue to use the 2014 guidelines as they create and refine BWC programs, and the core of those recommendations remain the same today. However, PERF also recognizes that the recommendations are worth revisiting given a decade of academic research, technological and legal changes, and police agencies' experiences with BWCs.

Use of Body Cameras Increasing Rapidly

The use of BWCs by law enforcement agencies across the U.S. has rapidly increased since 2014. As early as 2016, 48 percent of local police departments (including about 80 percent of departments with 500 or more officers) and 46 percent of sheriffs' offices had acquired BWCs.[6] In 2020, 79 percent of local police officers worked in departments that used BWCs (including all departments serving 1 million or more residents), and 68 percent of deputies worked in sheriffs' offices that used BWCs.[7] Most recently, an investigation using data from October 2022 to May 2023 found that 82 percent of the 142 agencies responding to a survey had body cameras for at least one of their officers.[8]

Researchers cite several causes for the remarkable proliferation of BWCs, including:

- **Calls for increased police transparency and accountability** following several highly publicized incidents involving police, including the 2014 shooting of Michael Brown in Ferguson,

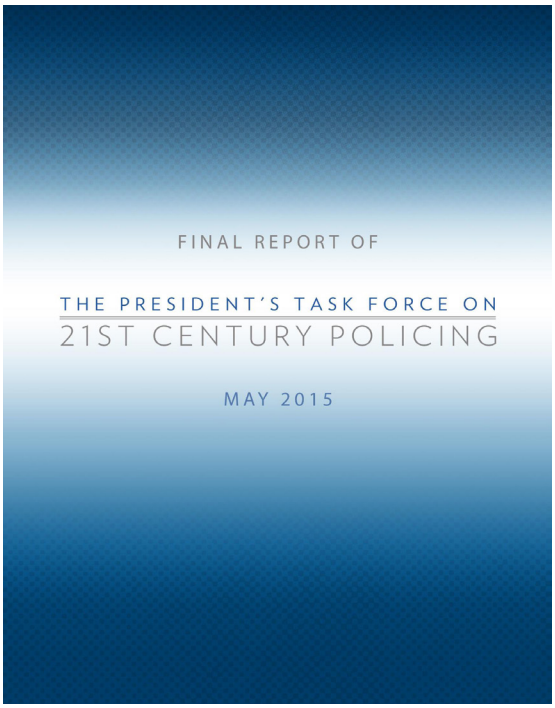
6 Shelley S. Hyland, "Body-Worn Cameras In Law Enforcement Agencies," Bureau of Justice Statistics, November 2018, https://bjs.ojp.gov/library/publications/body-worn-cameras-law-enforcement-agencies-2016.

7 Goodison and Brooks; Brooks.

8 Karen Robinson-Jacobs, "Camera Use by Local Police Departments Rises, but Are They Worth It? Experts Disagree," Type Investigations, June 14, 2023, https://www.typeinvestigations.org/investigation/2023/06/14/dash-cam-body-camera-use-police-accountability/.

Missouri and the 2015 death of Freddie Gray while in the custody of the Baltimore Police Department. In a 2015 nationally representative survey PERF conducted of 1,203 municipal police agencies, nearly 92 percent of respondents indicated that their primary reason for deploying BWCs was to promote accountability, transparency, and legitimacy.[9] (More recently, the murder of George Floyd in 2020 sparked widespread demands for increased police accountability.)

- **Development of portable video technology**, which made BWCs easier and more convenient to use.
- **President Obama's 21st Century Policing Task Force Report**, released in 2015, which highlighted BWCs' potential to improve police accountability and strengthen community trust in police.



- **Investments in BWCs by the U.S. Department of Justice (DOJ).** By the late 2010s, DOJ had awarded close to $70 million in grant funds to law enforcement agencies to purchase and implement BWCs.[10]

Impacts of BWCs: Areas of Research Focus

The rapid adoption of BWCs has far outpaced the research into their impacts, but several rigorous studies can inform how police leaders think about this tool.[11] Some of the most studied outcomes of BWCs over the past decade include their impacts on police use of force, complaints against officers, community perceptions of the police, and investigation and prosecution of crimes.

Police Use of Force

Several strong studies, including randomized controlled trials (considered the "gold standard" of research) and quasi-experimental trials, have examined the impact of BWCs on police use of force. The results have been mixed.[12] In around half of the studies, officers wearing cameras used force less than officers without cameras, but the rest of the studies found no difference in the incidence of force between officers who wore BWCs and those who did not. (See Appendix B.)

These mixed findings may reflect factors such as whether the officers in question had discretion in activating their cameras or how effectively the agency had implemented its BWC program.[13] An

9 Police Executive Research Forum, "Cost and Benefits of Body-Worn Camera Deployments," April 2018, http://www.policeforum.org/assets/BWCCostBenefit.pdf.
10 Cynthia Lum *et al.*, "Body-worn cameras' effects on police officers and citizen behavior: A systematic review," Campbell Systematic Reviews, September 2020, https://doi.org/10.1002/cl2.1112; Cynthia Lum *et al.*, "Research on body-worn cameras: What we know, what we need to know," *Criminology & Public Policy*, Vol. 18, Issue 1, February 2019.
11 Janne E. Gaub and Michael D. White, "Open to interpretation: Confronting the Challenges of Understanding the Current State of Body-Worn Camera Research," *American Journal of Criminal Justice*, Vol. 45, 2020, https://doi.org/10.1007/s12103-020-09518-4; Lum *et al.*, "Body-worn cameras' effects on police officers and citizen behavior."
12 Lum *et al.*, "Research on body-worn cameras."
13 Lum *et al.*, "Body-worn cameras' effects on police officers and citizen behavior"; Aili Malm, "Promise of police body-worn cameras," *Criminology & Public Policy*, 2019.

We know that police and citizens have very high expectations for what body-worn cameras are going to bring to the department and to the community. For example, people believe that cameras can improve police transparency and accountability, that they will reduce uses of force and change the behavior of officers and citizens, and that they will help to detect and prosecute crimes. And so the big question that we hope research will answer is this: are body-worn cameras meeting these expectations?

Meagan Cahill, Ph.D., Research Director, Police Executive Research Forum

agency's pre-BWC starting point can also have a big impact; for example, an agency with higher levels of use of force before implementing BWCs has more room for improvement, so the effects of the BWCs may be more pronounced.[14] Other organizational factors include whether the agency had enacted other reforms, whether officers and unions were receptive to BWCs, and the agency's reasons for implementing BWCs in the first place.[15]

Complaints Against Officers

Many rigorous studies have examined the impact of BWCs on citizen complaints against law enforcement officers. They have consistently found that **officers who wear BWCs have significantly fewer complaints filed against them than officers who do not wear BWCs.**[16] The results are clear enough that one study concluded, "If an agency wants to reduce complaints against officers, it should consider a BWC program."[17]

A key unanswered question, however, is whether complaints went down because officers behaved better in interacting with citizens or because citizens filed fewer unfounded complaints since they knew the interaction was recorded. Understanding this point would help clarify the role that BWCs can play in improving the standing of police agencies in the eyes of the public.

Community Perceptions of the Police

There is a great deal of evidence that citizens support BWCs for police agencies in general and for the specific officers with whom they interact. However, the extent of this support depends on a person's overall attitudes towards the police. Individuals who have prior negative feelings towards the police — who do not trust them or who feel targeted by them — are more likely to be skeptical about BWCs and their potential to effect change. Those who generally have a positive atti-

14 Gaub and White; Malm.
15 Malm.
16 Lum *et al.*, "Body-worn cameras' effects on police officers and citizen behavior."
17 Malm.

tude towards police tend to be more positive about BWCs as well.[18] As one study noted, "this reflects a consistent finding in research: There are disparities between the legitimacy afforded to the police by various groups, which [do] not seem to be remedied by BWCs."[19]

Studies examining whether a person's perception of the police is affected by whether the officer was wearing a BWC during their encounter with the officer have generally found that **how police treat people during an encounter is more important than whether the officer was wearing a BWC.** For example, a randomized controlled trial that PERF researchers conducted in Arlington, Texas found no significant differences in citizens' perceptions of police legitimacy, satisfaction with an interaction, or view of police professionalism between those who interacted with officers wearing BWCs and those interacting with officers who did not.[20] Another study found that many citizens who interact with police cannot even remember whether officers were wearing cameras. This study found that officers' use of procedural justice scripts during an encounter had a greater impact than the presence of BWCs.[21]

Investigation and Prosecution of Crimes and Internal Misconduct

The few studies examining the impact of BWCs on investigations and prosecutions have focused only on investigations and prosecutions of citizens who commit crimes. **Their findings suggest that BWCs can promote faster disposition of cases and make it easier to pursue cases where the victim does not cooperate, such as in interpersonal or domestic violence cases.** However, the impact of BWCs on the final outcome of the case — that is, whether the suspect is found guilty or not guilty — is still unclear.[22]

Fewer studies have examined the effects of body cameras on investigations of *officer misconduct*. However, multiple agencies with BWCs have reported that some complaints that might otherwise have escalated into civil lawsuits were withdrawn after the complainant learned that BWC footage of the incident existed.[23] And a 2019 study of the **Chicago Police**

18 Lum *et al.*, "Research on body-worn cameras"; Matthew S. Crow et al., "Community perceptions of police body-worn cameras: The impact of views on fairness, fear, performance, and privacy," *Criminal Justice and Behavior*, Vol. 44, Issue 4, April 2017; William H. Sousa, Terance D. Miethe, and Mari Sakiyama, "Inconsistencies in Public Opinion of Body-Worn Cameras on Police: Transparency, Trust, and Improved Police–Citizen Relationships," Policing, Vol. 12, Issue 1, March 2018, https://doi.org/10.1093/police/pax015.

19 Lum *et al.*, "Research on body-worn cameras."

20 Police Executive Research Forum, "Citizen perceptions of body worn cameras: A randomized controlled trial," April 2017.

21 Dave McClure *et al.*, "How Body Cameras Affect Community Members' Perceptions of Police," Urban Institute, updated August 2017, https://www.urban.org/sites/default/files/publication/91331/2001307-how-body-cameras-affect-community-members-perceptions-of-police_4.pdf. The script for officers in the study informed community members that an interaction was being recorded. It was based on the tenets of procedural justice, for which transparency is a critical component, but the script itself was not intended to increase views of trust toward the department. The script was, "I would like to inform you that our interaction is being recorded."

22 Lum *et al.*, "Research on body-worn cameras"; Catherine Owens, David Mann, and Rory McKenna, "The Essex body worn video trial," College of Policing, October 2014; Weston J. Morrow, Charles M. Katz, & David E. Choate, "Assessing the impact of police body-worn cameras on arresting, prosecuting, and convicting suspects of intimate partner violence," Police, Vol. 19, Issue 3, September 2016, 1-23; Tom Ellis, Craig Jenkins, and Paul Smith, "Evaluation of the introduction of personal issue body worn video cameras (Operation Hyperion) on the Isle of Wight: Final report to Hampshire Constabulary," Institute of Criminal Justice Studies, University of Portsmouth, 2015; Martin Goodall, "Guidance for the police use of body-worn video devices," UK Home Office, July 2007; ODS Consulting, "Body worn video projects in Paisley and Aberdeen: Self evaluation," July 2011.

23 Miller, Tolliver, and Police Executive Research Forum..

Department's staggered implementation of body cameras found that "BWCs led to a significant decrease in the dismissal of [administrative] investigations due to insufficient evidence . . . as well as a significant increase in disciplinary actions against police officers."[24] The study also discovered that disparities across racial groups in the number of complaints that are dismissed or not sustained[25] "fade away with the implementation of BWCs."[26] These are compelling metrics other departments would be wise to track and publicly report.

Impacts of BWCs: Research With Special Policy Implications

Studies have found that two key factors under an agency's control — camera activation policies and careful program implementation — can have a strong impact on a BWC program's effectiveness. These studies thus are of special value to police leaders as they make decisions about BWC policies, implementation, and use.

Camera Activation

Research shows that BWCs have a much smaller positive impact if officers do not activate their cameras when they are supposed to.[27] Studies have also found that **officers who are given more discretion over turning on their BWCs tend to activate them less frequently and to exhibit greater uses of force.**[28] This suggests that if agencies wish to see positive impacts from BWCs, they should enact strong activation policies limiting officer discretion and continuously reinforce these policies through training and supervision.[29]

Program Implementation

Studies suggest that another key to a BWC program's success is whether the implementation process included careful planning, the development of clear policies and practices, and the securing of buy-in from officers and other stakeholders.[30]

To assist agencies with this critical step, the U.S. Bureau of Justice Assistance (BJA) created a "Law Enforcement Implementation Checklist" for body-worn cameras, consisting of seven main steps:

- Learn the fundamentals of BWCs.
- Develop an implementation plan.
- Form a working group that includes representation from all levels of the agency, including patrol officers, and identify collaboration opportunities with other organizations.
- Develop BWC policies based on research, local and state laws, and best practices.

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24 Suat Çubukçu *et al.*, "Body-Worn Cameras and Adjudication of Citizen Complaints of Police Misconduct," National Bureau of Economic Research Working Paper 29019, July 2021, http://www.nber.org/papers/w29019.

25 Previous research of misconduct investigations in the Chicago Police Department found that "complaints by black and Latino citizens and against white officers are less likely to be sustained, . . . [and] incidents alleged by white citizens in high-crime and predominantly black neighborhoods are more likely to be sustained." Jason William Faber and Jessica Rose Kalbfeld, "Complaining While Black: Racial Disparities in the Adjudication of Complaints Against the Police," *City & Community*, May 23, 2019, https://doi.org/10.1111/cico.12388

26 Çubukçu *et al.*

27 Malm.

28 Ariel *et al.*

29 Lum *et al.*, "Research on body-worn cameras."

30 Malm; White, Gaub, and Todak; Lum *et al.*, "Body-worn cameras' effects on police officers and citizen behavior."

- Determine what technology needs to be procured.
- Communicate with and educate stakeholders, such as prosecutors, courts, and members of the community.
- Conduct a phased rollout and continuously monitor for problems and challenges.[31]

One study found that following this checklist was associated with a successful BWC rollout in Tempe, Arizona.[32]

It is PERF's hope that this addendum to our 2014 report can help agencies navigate these implementation steps and strengthen their BWC programs.

31 Bureau of Justice Assistance, "Body-Worn Camera Toolkit: Law Enforcement Implementation Checklist," https://bja.ojp.gov/sites/g/files/xyckuh186/files/bwc/pdfs/BWCImplementationChecklist.pdf.

32 Michael D. White, Natalie Todak, and Janne E. Gaub, "Examining Body-Worn Camera Integration and Acceptance Among Police Officers, Citizens, and External Stakeholders," *Criminology & Public Policy*, Vol. 17, Issue 3, August 2018, https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9133.12376.

BJA BODY-WORN CAMERA POLICY AND IMPLEMENTATION PROGRAM

The U.S. Department of Justice's Bureau of Justice Assistance (BJA) has long been at the forefront of shaping and supporting law enforcement's use of body cameras. A critical piece of this support is the Body-Worn Camera Policy and Implementation Program (BWCPIP), which BJA launched in 2015 in response to the President's Task Force on 21st Century Policing. BWCPIP has helped hundreds of police agencies purchase cameras and implement their BWC programs in a deliberate, thoughtful manner.

CORE PROGRAM ELEMENTS

BWCPIP is a competitive grant program that helps police agencies buy or lease BWCs, as well as with related equipment and program operations. It also helps agencies take a purposeful approach to implementing cameras, focusing on the following core areas:

- Engaging with internal and external partners.
- Developing comprehensive BWC policies in a deliberate manner and with broad stakeholder input.
- Promoting transparency, accountability, and constitutional policing.
- Ensuring a commitment to BWC training in operations, policy, and law.
- Addressing and optimizing the evidentiary value of BWCs.
- Managing digital media evidence.

FUNDING AND IMPACT

Since its creation in 2015, BWCPIP has:

- Provided direct funding to more than 800 agencies.

BODY-WORN CAMERA
POLICY AND IMPLEMENTATION PROGRAM

- Supported the deployment of approximately 120,000 BWCs.
- Developed a BWC Toolkit and hundreds of other products, including webinars, podcasts, issue briefs, and research briefs.
- Established the Small, Rural, and Tribal (SRT) Microgrant Program, with a streamlined grant application process tailored to agencies that might otherwise find it challenging to apply.

BWCPIP continues to evolve to meet the changing BWC ecosystem. For example, in 2022 the program was expanded to help agencies with existing BWC programs promote advances in digital data management and integration, to support the effective use of BWC digital evidence for prosecutorial decision-making and case management, and to showcase agencies that are using their own BWC footage to promote constitutional policing and improved practices.[33]

33 For more information about BJA and BWCPIP, see BJA's BWC Toolkit (https://bja.ojp.gov/program/bwc), BJA's BWC Training & Technical Assistance website (https://www.bwctta.com/), and the Small, Rural, and Tribal (SRT) Body Worn Camera Program (https://www.srtbwc.com/).

When BJA developed the Body-Worn Camera Policy and Implementation Program, we thought it was critical to look at existing research and how emerging policy, technological, and legal issues might impact BWC deployment. As a result, BWCPIP is not just about giving agencies money to buy cameras. Instead, it is a robust program that is dedicated to providing comprehensive support across all areas of implementation.

John Markovic, Senior Policy Advisor, Bureau of Justice Assistance

Section 2: BWCs as a Performance Management Tool

Police departments continue to use BWCs to investigate complaints of officer misconduct and use of force and to build community trust through acts of transparency and accountability. But over the past decade, they also have greatly expanded the use of BWCs to improve organizational performance. This section highlights some of these innovations to show agencies the many options they have and the potential benefits.

Monday-Morning Quarterbacking

In the wake of the 2020 shooting of Jacob Blake in Kenosha, Wisconsin,[34] PERF Executive Director Chuck Wexler called upon the nation's police leaders to use BWC footage as a vehicle to promote culture change.[35] "Monday-morning quarterbacking," Wexler wrote, isn't "about blaming individual police officers, but about having conversations to understand what happened in past incidents so we can prevent the next one." In a *Washington Post* op-ed in May 2021, he pointed out that "the explosion of video — both officers' body-worn cameras and bystanders' cellphone footage — presents a unique learning opportunity for police, but police have to be willing to take advantage of it."[36]

Wexler renewed this challenge in January 2023 when he offered to lead police agencies in discussions surrounding the in-custody death of Tyre Nichols in Memphis, Tennessee.[37] Eight police chiefs from California, Maryland, New Hampshire, and South Carolina accepted Wexler's invitation, so he traveled to their agencies, showed attendees BWC footage and other surveillance video of the incident, and talked them through a Monday-morning quarterbacking session,[38] asking questions like:

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34 Christina Morales, "What we know about the shooting of Jacob Blake," *New York Times*, November 16, 2021, https://www.nytimes.com/article/jacob-blake-shooting-kenosha.html.

35 Chuck Wexler, "Monday-morning quarterbacking the Memphis incident," Police Executive Research Forum, February 4, 2023, https://www.policeforum.org/trending4Feb23.

36 Chuck Wexler, "To change the culture of policing in America, have officers study the viral videos," *Washington Post*, May 19, 2021, https://www.washingtonpost.com/opinions/2021/05/19/how-can-we-improve-policing-america-get-police-talk-about-videos/.

37 Travis Caldwell, "A timeline of the investigations into Tyre Nichols' death after a traffic stop and arrest by Memphis police," CNN, January 27, 2023, https://edition.cnn.com/2023/01/26/us/tyre-nichols-timeline-investigation/index.html.

38 Chuck Wexler, "Lessons from 'Monday-morning quarterbacking' sessions across the country," Police Executive Research Forum, March 25, 2023, https://www.policeforum.org/trending25mar23.

- Is any of this consistent with how officers are trained?
- Should supervisors have been on scene, and should they have known how this specialized unit operated?
- These officers had body-worn cameras. Why might they have behaved this way when they knew they were being recorded?
- Why didn't initial reports accurately reflect what was seen on video? Could officers' statements have been aimed at fixing a narrative?
- What role do you think the culture of specialized units might have played in this incident?
- The agency has a "duty to intervene" policy. Why didn't anyone intervene when they saw Mr. Nichols being beaten?
- The agency also has a policy requiring officers to render first aid. Did officers promptly render first aid in accordance with their training?[39]

To follow up on these meetings, PERF held a panel discussion at its 2023 Annual Meeting in which chiefs from five of the participating departments described those sessions and their use of BWC footage to improve organizational performance.[40] Each of these chiefs endorsed Monday-morning quarterbacking as a strategy they intend to adopt throughout their agencies.

Since then, other agencies have made Monday-morning quarterbacking part of what **Rochester (MN) Police Chief Jim Franklin** calls "a culture of continuous improvement." Franklin introduced

PERF Executive Director Chuck Wexler leads a Monday-morning quarterbacking session with members of the Montgomery County (MD) Police Department.

39 Wexler, "Monday-morning quarterbacking the Memphis incident."
40 Chuck Wexler, "Highlights from the PERF Annual Meeting," Police Executive Research Forum, June 29, 2023, https://www.policeforum.org/trending29jul23.

Monday-morning quarterbacking to his department by using BWC video from other agencies. But after he began adopting the recommendations officers made during the roll call discussions, generating organizational buy-in, he took a leap of faith and introduced videos involving his own personnel, and "we are now learning from ourselves as well."

Chief Jim Franklin, Rochester (MN) Police Department

Performance Review Boards

Another means of fostering an organizational culture of continuous improvement is through the creation of a performance review board (PRB). Typically consisting of commanders and subject matter experts from various units throughout the department, PRBs scrutinize critical incidents such as serious uses of force, in-custody deaths, and vehicle pursuits involving injury. According to the **Baltimore Police Department**:

> *The overarching purpose of the Performance Review Board (PRB) is to learn from critical incidents and apply those lessons towards improving the Department. The scope of the PRB analysis shall include all areas of the Department, namely: departmental policy, training, tactics, equipment, supervision, and technology. The PRB shall critically review and candidly discuss incidents with the goal of identifying Action Items that would improve performance and/or safety.*[41]

BWC footage (in addition to incident reports, officer testimony, and other evidence) is critical evidence in a PRB session. In fact, BWC footage is some of the most compelling evidence for determining how events unfolded during a critical incident, discussing alternative responses that may have been available to involved personnel, and understanding the decisions personnel made during stressful incidents. Thoughtful consideration of all available evidence is critical to developing a comprehensive set of findings and recommendations related to departmental policy and procedure, training and tactics, equipment and technology, organizational structure, and investigative practices.[42]

The Baltimore Police Department installed a Performance Review Board in 2016 after the death of Freddie Gray (before it had implemented a BWC program) "to learn from critical incidents and apply those lessons towards improving the Department."[43] The department later enhanced its PRB process by integrating BWC footage.

Random Internal Audits

Routine audits of BWC footage are essential for obtaining officer compliance with agency policy regarding camera activation and tagging and titling incidents. Departments use a variety of auditing practices. Two of the most common, especially among larger agencies, are tasking internal affairs personnel with conducting random audits and creating an audit and inspections unit specifically to manage BWC data.

In the **Montgomery County (MD) Police Department**, for example, two sergeants are assigned to a unit that conducts random reviews of BWC footage to comply with local law. **Rebecca Gregory**,

41 Baltimore Police Department, "Policy 724: Performance Review Board," December 14, 2022, https://www.baltimorepolice.org/transparency/bpd-policies/724-performance-review-board-0.
42 *Ibid.*
43 *Ibid.*

Quality Assurance Program Manager for the department, says county law mandates review of a statistically valid sample of incidents to address: 1) compliance with BWC policy and law; 2) employee performance; and 3) consistency between BWC footage and the incident report. The department is required to report the results to the county council and notify the union of whom it audited and how many audits it conducted.

After the Department of Justice (DOJ) launched a civil rights investigation of the **Louisville (KY) Metro Police Department (LMPD)** in 2021, LMPD created the Audit Unit. Personnel assigned to this unit randomly audit patrol calls for service as well as specific issues of interest, such as compliance with BWC policy or officers' handling of domestic violence incidents. To dissuade officers from thinking that the random audits are conducted with a view toward disciplinary action, **Assistant Chief Emily McKinley says commanders routinely address roll calls to explain the audits are aimed at improving compliance with policy and training.**

Assistant Chief Emily McKinley, Louisville (KY) Metro Police Department

Supervisory Audits

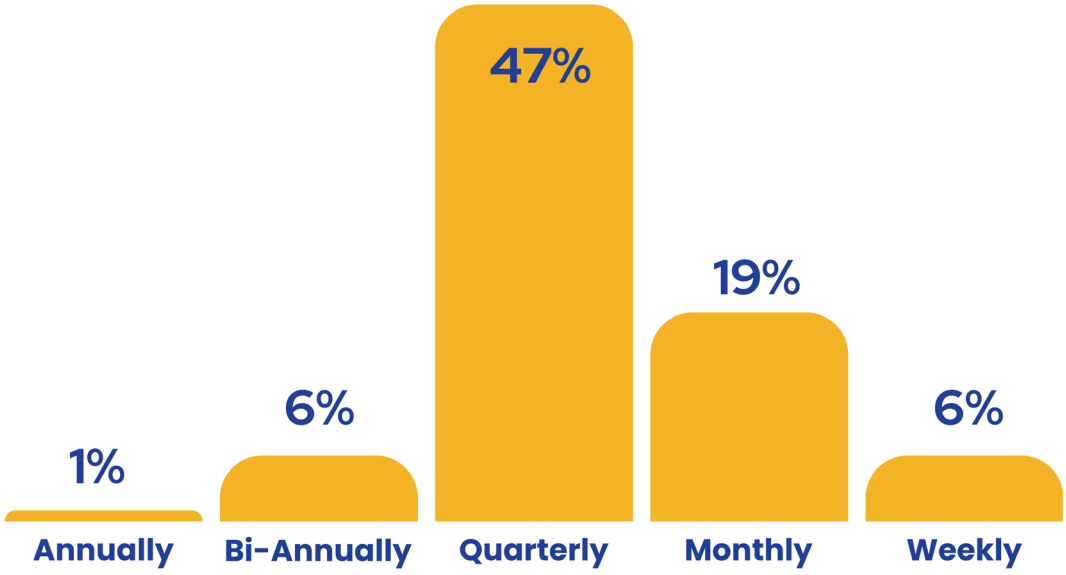
Not all agencies have the personnel and budgetary resources to dedicate staff exclusively to reviewing body camera footage; many assign BWC audits to frontline supervisors. In fact, PERF's 2023 review of 127 BWC policies found 57 percent of the departments specifically referenced how frequently supervisors are required to audit BWC recordings, with quarterly and monthly reviews the most common (see Figure 1).

With a view toward identifying and correcting policy violations before they lead to a complaint, supervisors in the **Anne Arundel County (MD) Police Department** are tasked with reviewing one BWC video per officer every 90 days.[44] **Captain Chad McFarlane** says this practice can reveal unreported misconduct, enabling supervisors to take corrective action at the lowest possible level. "It has helped tremendously in our conversations with the civilian review board, police accountability board, and our administrative charging committee," McFarlane said. "It is helping us overcome the national narrative about a lack of trust with the police."

While it makes good management sense for supervisors to conduct these reviews, some supervisors consider the added responsibility unduly burdensome and yet another impediment to effective field supervision. **Lieutenant Geoffrey Chadwick** of the **Los Angeles County Sheriff's Department** acknowledged the "significant added workload body cameras have brought to the profession because of the auditing requirement, use of force review, pursuit review, and complaint review." However, he also explained that routine audits enable agencies to provide employees with consistent performance feedback, some of which can be automated:

44 "Supervisors will review one (1) BWC recording from each officer/detective assigned to their platoon/unit every ninety (90) days utilizing the Random Video Review feature of Axon Performance. Axon Performance ensures a random recording from each person assigned to a platoon or unit is reviewed by a supervisor during the 90-day period. The supervisor will review the recording for compliance with department policies, officer safety tactics and appropriate categorization and title. The reviewing supervisor will provide feedback to the user whose recording was reviewed and will follow department guidelines for recognizing good work and for holding users accountable for violations of policy." Anne Arundel County Police Department, Body Worn Cameras, August 31, 2023, https://public.powerdms.com/AAC/documents/2272841.

Figure 1: How Often Supervisors Are Required to Audit BWC Recordings



Source: PERF Survey

We're a big agency and we generate a lot of data. We give this data to our personnel every day via email, letting them know if they activated their cameras and tagged their videos, which allows them to self-correct before supervision has to get involved. Compliance with camera activation went from 60 percent to over 90 percent within two months of providing officers with daily feedback.

Independent, External Audits

State and local statutes regarding BWCs have grown increasingly common in recent years. Minnesota is unique, however, in requiring all state and local law enforcement agencies to arrange an independent audit of BWC programs every two years to determine whether data are appropriately classified, how the data are used, and whether the data are destroyed as required. The audit's results are public, and a report summarizing the results is required.[45] If the governing body of the audited jurisdiction determines there is a pattern of substantial noncompliance, it must order the suspension of all portable recording systems until it determines an acceptable level of compliance has been achieved. [46]

Captain Jeremy Geiger of the **Minnesota State Patrol** says the independent auditors obtain a sample of CAD events and compare it to related BWC data. "The audit isn't about misconduct or policy

45 The following are examples of publicly available BWC program audit reports: Woodbury Public Safety Department, conducted by the Minnesota Security Consortium; Bemidji Police Department, conducted by Lynn Lembcke Consulting; and City of Duluth Police Department, conducted by FRSEcure, LLC.

46 Minnesota Department of Administration Data Practices, "Body Camera Data," https://mn.gov/admin/data-practices/data/types/body-camera/.

violations. It's about the activation of cameras and whether the incidents have been labeled and categorized correctly for retention schedules."

Captain Jeremy Geiger, Minnesota State Patrol

Opposition to Random Review

Some agencies have had a different perspective on random reviews of BWC footage. As an early adopter of a BWC program, the **Los Angeles Police Department (LAPD)** chose not to permit random audits of BWC footage. This likely averted protracted negotiations with representatives of the police union (the Los Angeles Protective League), which would have delayed program implementation. According to **Commander Steven Lurie**, union representatives were concerned about the impact of random audits on their membership, and the union's support was pivotal in adopting the BWC program. As a result, LAPD does not currently permit random reviews, and it has permitted audits only to ensure compliance with activation and deactivation requirements and to monitor employees identified as high-risk by LAPD's early-warning system. (See page 35 for LAPD's plan to use artificial intelligence to analyze BWC footage to improve the department's handling of traffic stops.)

However, pursuant to a 2023 audit that found officers were "routinely turning off their body-worn cameras in violation of department policy," **Chief Michel Moore** says he is "considering changing department policy to increase random review of body camera recordings that don't involve arrests or the use of force."[47]

Lieutenant Elliot Cohen, a state trustee with the Baltimore City Fraternal Order of Police (FOP), reported similar concerns with the random audits conducted by the **Baltimore Police Department**. The FOP opposes the use of BWCs to conduct "fishing expeditions" for policy violations, he said. "For example, disciplining an officer for cursing when no one from the public is around, or taking corrective action against an officer for a uniform/attire violation when the purpose of the audit was to check for properly searching and securing prisoners in a transport vehicle." Cohen notes this kind of audit is particularly objectionable when commanders aren't required to wear BWCs and thus aren't subject to the same scrutiny as frontline personnel.

Lieutenant Elliot Cohen, Baltimore Police Department

Chief Kevin Davis of the **Fairfax County (VA) Police Department** echoed Lt. Cohen's concern about audits turning up unrelated issues: "I wouldn't want to go down the rabbit hole of looking for minor infractions when reviewing footage for a use of force or other serious complaint." This suggests a potential area of common ground between management and labor. Clearly,

47 Libor Jany, "LAPD considering stronger body camera policy in light of recent scandals," *Los Angeles Times*, October 26, 2023, https://www.latimes.com/california/story/2023-10-26/lapd-considering-stronger-body-camera-policy.

reviews of BWC footage should never overlook an act of misconduct (e.g., theft, discourtesy, or negligence), but scrutinizing footage for minor policy violations would likely undermine the legitimacy of the process.

Chief Kevin Davis, Fairfax County (VA) Police Department

Prosecutorial Oversight

As prosecutors make charging decisions and prepare for trial, they may watch more BWC footage than anyone other than internal affairs detectives or police auditors. And if they see potential misconduct or find inconsistencies between the BWC footage and what officers have written in charging documents, they refer the case internally for further investigation. In the Office of the State's Attorney for Baltimore City (BCSAO),[48] for example, prosecutors refer the cases to the Police Integrity Unit; in the Frederick (MD) Office of the State's Attorney, prosecutors report their concerns to the Conviction Integrity Unit. Ultimately, according to Assistant State's Attorney Kristin King of Frederick, these investigations may lead to criminal charges or Brady disclosures (information favorable to the accused that the government must release to the defense), "even though we may see it as a training issue or negligence rather than intent."

Many prosecutors encourage police agencies that are developing a BWC program to bring prosecutors into the conversation early to identify potential legal pitfalls with how officers are exercising their legal authority. Police agencies also should consider holding regular check-ins with prosecutors and public defenders, who have important perspectives on officers' performance, preparedness for court, and training that could help police agencies improve service delivery. They may even be willing to share concerns about the conduct of specific personnel, which would enable inspections units and internal affairs to scrutinize more closely the BWC video of officers and squads who may be engaged in unconstitutional policing practices or other misconduct.

Assistant State's Attorney Kristin King, Frederick (MD) Office of the State's Attorney

48 Office of the State's Attorney for Baltimore City, "About the Office of the State's Attorney for Baltimore City," https://www.stattorney.org/office/about-us.

Section 3: When Should Officers Be Permitted to Review BWC Footage After Critical Incidents?

In its 2014 report on body cameras, PERF took the position that "officers should be permitted to review video footage of an incident in which they were involved, prior to making a statement about the incident."[49] PERF based this recommendation on the following factors:

1. *The majority of police executives consulted by PERF [were] in favor of allowing officers to review body-worn camera footage prior to making a statement about an incident in which they were involved;*
2. *Reviewing footage will help officers remember the incident more clearly, which leads to more accurate documentation of events;*
3. *Real-time recording of the event is considered best evidence [because] it often provides a more accurate record than an officer's recollection, which can be affected by stress and other factors; and*
4. *If a jury or administrative review body sees that the report says one thing and the video indicates another, this can create inconsistencies in the evidence that might damage a case or unfairly undermine the officer's credibility."*[50]

PERF believes this issue is now worth revisiting. In preparing for the 2023 body camera meeting in Washington, DC, PERF staff conducted more than 40 interviews with law enforcement executives, body camera administrators, and prosecutors, and many felt that officers should not be permitted to review BWC footage prior to making a statement in a critical incident.

In addition, surveys show a large decline in the share of agencies that permit this prior review. BJA's 2019 analysis of 304 BWC policies found that over the previous four years, an average of 92 percent of BWCPIP-funded agencies allowed officers to view body camera video before making a statement regarding a critical incident (see Figure 2).[51]

49 Miller, Toliver, and Police Executive Research Forum. See recommendation 20.
50 *Ibid.*
51 White, Flippin, and Malm.

Figure 2: Agencies Permitting Officers to Review BWC Video of a Critical Incident Before Giving a Statement

Source: BJA

In contrast, a 2023 PERF survey of 156 law enforcement agencies nationwide found that just 56 percent permit officers to review BWC and/or dashcam footage in all incidents before giving a statement (see Figure 3). Thus, the percentage of agencies that permit officers to review BWC footage before making a statement in a critical incident fell from 92 percent to 56 percent in just a few years.[52]

Three Approaches to the Issue

The shifting perspectives on this important and controversial issue caused PERF to feature it as a topic of discussion during the body camera meeting in June 2023 and, one month later, at the 2023 PERF Annual Meeting in New York City. One-on-one interviews and Town Hall conversations led to the identification of three approaches to viewing BWC video and taking statements in the investigation of critical incidents.

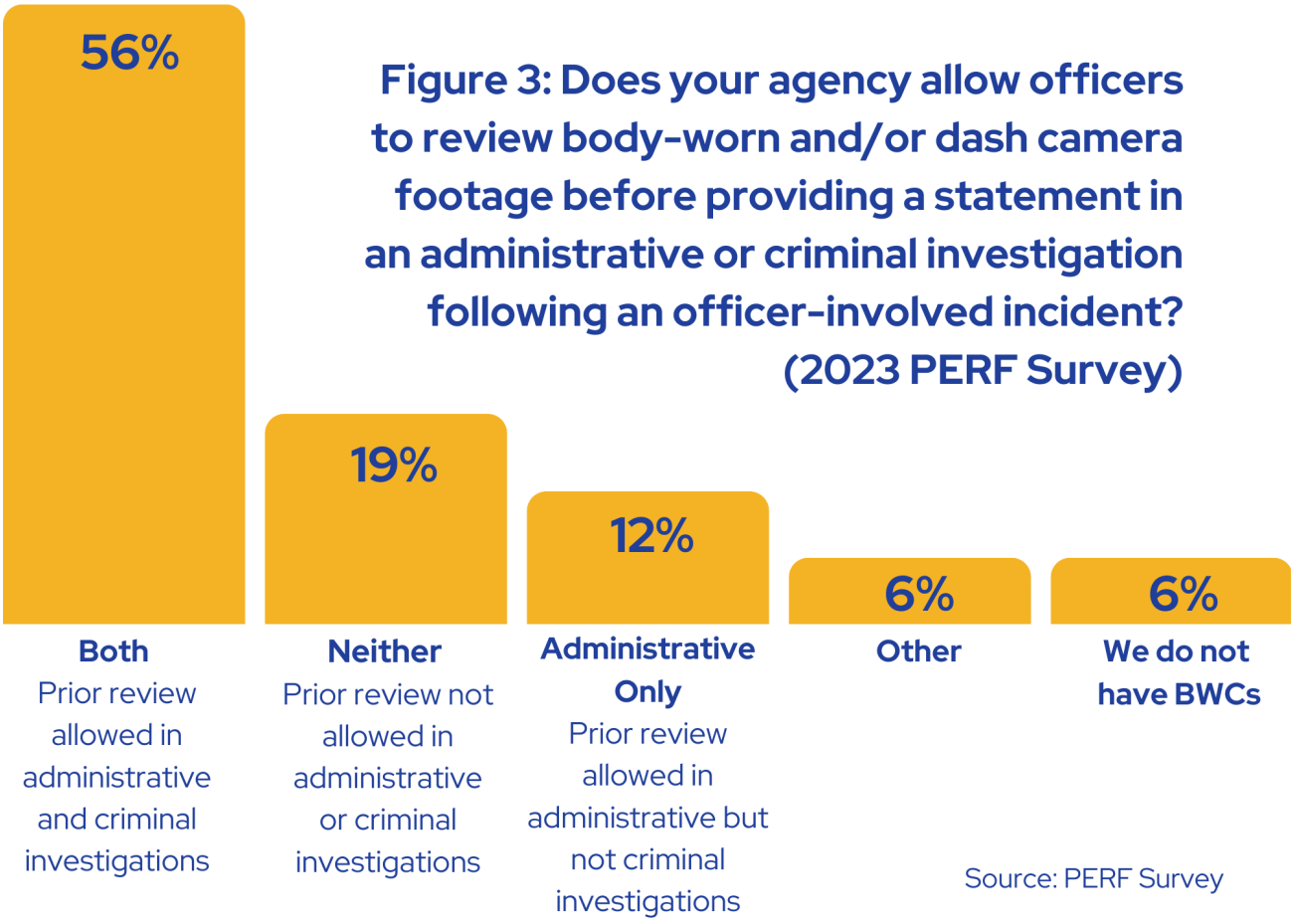
Permissive Approach: Allowing Officers to View Footage Before Giving a Statement

Many agencies continue to allow officers to view BWC video before giving a statement. **Chief John Mueller** of the **Metropolitan Transportation Authority (NY) Police Department**, for instance, explains:

> *When I was the commissioner in Yonkers, our policy allowed citizens to view body camera video before making a complaint. In fact, we took the position that both cops and citizens should be able to review the video for the same reason: Video will not change, and both civilians and police can get tunnel vision in intense, emotional incidents.*

52 While the results from the two surveys are not strictly comparable due to differences in the survey sizes and methodologies, the large (36 percentage point) decline exceeds what these factors alone could have caused.

Figure 3: Does your agency allow officers to review body-worn and/or dash camera footage before providing a statement in an administrative or criminal investigation following an officer-involved incident? (2023 PERF Survey)



Source: PERF Survey

Similarly, **LAPD Chief Michel Moore** contends that "what we want from our officers is a full and best account of what occurred and their actions. I believe officers generally should review the related video as they complete their written reports. LAPD will withhold officers from viewing related body worn video in instances where the Department has information of wrongdoing."

Chief Dawn Layman of the **Lenexa (KS) Police Department** agrees, noting the inevitable discrepancies between an officer's initial statement and what the video shows. "In today's world, if we don't allow officers to review the video before writing reports, and there's a discrepancy, how are you going to explain that? Defense attorneys or the jurors are not going to understand why the officer changed their statement from one interview to another."

Chief Dawn Layman,
Lenexa (KS) Police Department

In Florida, state policymakers took this issue out of the hands of law enforcement. According to **Pinellas County Sheriff Bob Gualtieri**, "The legislature totally eliminated this debate from policing, because state law says that any law enforcement officer in the state who uses any force, including deadly force, has a right to view the body-worn camera video before they make any statement."

Restrictive Approach: Prohibiting Officers From Viewing Footage Before Giving a Statement

Other agencies prohibit officers from viewing BWC video before giving a statement. In the **Washington, DC Metropolitan Police Department (MPD)**, for example, **Commander John Knutsen** says, "You would never be allowed to review your own footage or any other officer's footage from a shooting scene before giving a statement."[53]

There is evidence that some officers are embracing policies that prohibit officers from reviewing BWC footage before giving a statement. For example, **Commander Matt Clark of the Denver Police Department says that even though officers are permitted to review their BWC video before providing a statement in a critical incident, they "nearly always elect not to" after consulting with their attorney.**

Kristin King, Assistant State's Attorney in Frederick County, Maryland, sees the value of this approach while recognizing that challenges remain: "Having that initial subjective understanding of what the officer thought is important. However, some juries don't like discrepancies. So, there is no clear answer. But as a very basic matter, the reasonableness of the officer's subjective belief is what is determinative in these cases."

Commander John Knutsen, Washington, DC Metropolitan Police Department

Perceptual Interview Approach

As law enforcement executives attempt to balance the competing interests of officers and labor unions, prosecutors, and community members, there has been a growing realization that this issue need not be an either-or question. More and more agencies are now capturing officers' perceptions of an incident before they watch BWC video but also giving them the opportunity to discuss, later in the interview process, any differences between their perceptual statement and what they saw on camera.

Deputy Chief Michael Frome, Portland Police Bureau

A notable example of the perceptual interview approach is the policy recently adopted in Portland, Oregon. Contentious debates over when officers should be permitted to view BWC footage significantly delayed the Portland Police Bureau's (PPB) adoption of its BWC program, which PPB had been trying to implement since 2017. Labor and management were finally able to resolve the issue in April 2023 — after six years of contentious engagement. According to **Deputy Chief Michael Frome**, the police union (the Portland Police Association or PPA) wanted officers to be able to review footage in all cases before giving their statements. The mayor and the US Department of Justice[54] were opposed, siding with many community members who feared officers would "skew their statements to their advantage." With

53 Note: Like many other agencies, MPD permits officers to review body camera video before giving a statement with any level of force other than the most serious.

54 The PPB is under a consent decree, requiring the DOJ to approve all policies related to body camera usage.

arbitration looming, the parties negotiated a compromise.

Under the agreement, neither the involved officers nor internal affairs investigators can watch BWC footage of a Category 1 use of force incident[55] until the involved officer(s) provide a "perceptual interview" that "is intended to capture the involved officer's state of mind and perceptions at the time of the incident."[56] Once the perceptual interview is complete, the parties take a break to independently view the BWC footage. Then, "within a reasonable time," they resume the interview, "which shall include an opportunity to clarify any discrepancies between the involved officer's perceptions and their BWC footage."[57]

Daniel Altman, Executive Director for Investigative Operations, US Customs and Border Protection

Portland is not alone. Other agencies are also either using or considering moving toward the perceptual interview approach. **Daniel Altman, Executive Director for Investigative Operations with US Customs and Border Protection (CBP)**, says the agency is contemplating a transition away from its current policy, which allows agents to view video before making their criminal and/or administrative statements. Under the proposal they are considering, CBP would obtain a perceptual statement from the involved agents, who would then watch the video. "After watching the video, and with the recorder running the whole time, we would then ask them, 'What else do you remember about this? Does this change your recollection?"

Chief Kevin Davis of the **Fairfax County (VA) Police Department**, previously a proponent of permitting officers to view BWC footage before giving a statement, describes his transformation on this issue:

> *I've changed my mind over the years. Most uses of force — including officer-involved shootings — are lawful and in compliance with policy. For deadly use of force events, we conduct a perceptual interview, then we allow the police officer to watch the body worn camera, and we continue with the statement. It's not two separate interviews. [We ask officers to] 'tell us what you saw. Tell us what you believe happened. Tell us why you made the ultimate decision to use deadly force.' And again, that description doesn't have to perfectly jibe with everything that's on body-worn camera video.*
>
> *And I think, at least for me, it was a big credibility step forward with the community. I needed them to know that we're taking all steps to get the story right, and not giving the officers some edge that could be perceived as them knowing something that caused them to change their story.*

55 Portland Police Bureau, "Body-Worn Camera Use and Management," https://www.portland.gov/police/community/documents/police-body-worn-camera-pilot-policy/download. In the PPB, "Category I force includes, but is not limited to: All critical firearm discharges by a member, except as authorized to stop an aggressive animal or end the suffering of a badly injured animal; in-custody deaths; death resulting from member use of force; neck holds; and all intentional head, neck, and throat strikes with a hard object or when a member strikes the head of a person against a hard object. Portland Police Bureau, "Use of Force Reporting, Review, and Investigation," effective November 15, 2022, https://www.portland.gov/policies/police-directives/report-writing-0900/091000-use-force-reporting-review-and-investigation

56 Portland Police Bureau, "Body-Worn Camera Use and Management."

57 *Ibid.*

Chief Dave Zibolski of the **Fargo (ND) Police Department** agrees, stressing the need to capture "all those human sensory things that a video does not show" without tainting the officers' memory with images and sounds they did not perceive at the time of the incident.

Chief Dave Zibolski, Fargo (ND) Police Department

Brian Maxey, Chief Operating Officer of the Seattle (WA) Police Department, echoes the need to capture officers' perceptions up front and argues that "officers are entitled to make reasonable mistakes of perception, especially in dynamic situations." He further notes:

> *If you're going to present to a jury, the last thing you want to do is somehow imply that the body camera is truth, rather than a piece of evidence that goes into the totality of the circumstances that the officer experienced. So, we have a hybrid where we interview them, we get the perceptual statement, and then our detectives explore that statement and that perception against the video and try to tease out any differences. We expect differences between the officer perception and the video. And in fact, as an attorney, I will tell you, I'm not afraid when there are differences. What I'm afraid of is when the officer perception is in lockstep with the video because the jury will immediately see that.*

Dr. Lorie Fridell, Professor Emeritus in the Department of Criminology at the University of South Florida and former Director of Research at PERF, calls attention to the fallibility of both human perception and BWC video, neither of which picks up every aspect of a critical incident.

> *In looking at potential discrepancies between the two, we recognize the fallibility of both sources. The discrepancy is not necessarily nefarious. It's just a product of the limitations of the technology and the limitations of the human mind. But only one source can taint the other. The video can taint the memory of the officer, but not vice versa. So, for that reason, I think we conduct the initial interview to document the perception of the officer, then we introduce the video.*

Albert "Buzz" Scherr, a civilian elected to the Portsmouth (NH) Police Commission, emphasizes that the perceptual interview and BWC video are distinct data points. "By having the officer view the video before they write their first statement, you're merging the data points and the perceptions get lost."

Dr. Lorie Fridell
University of South Florida

PERF Recommendation

Given the above developments, PERF is updating its recommendation on this issue:

PERF recommendation: Officers involved in a critical incident should be interviewed before watching relevant BWC footage. During the "perceptual interview," they should describe their perceptions (what they saw, heard, felt, believed, experienced before arriving, etc.) before, during, and after an incident. After the perceptual interview, officers should be given the opportunity to provide a video-informed statement by reviewing BWC footage and offering clarifications that they feel are appropriate.

The reasons for this recommendation change — as articulated by those who attended PERF's meetings in Washington, DC and New York City — are grounded in fairness, science, and the law. Inquiries of police officers' actions should be full and fair investigations to determine whether their actions were lawful and within agency policy.

As several officials have told PERF, the legal issue in critical incidents is what the officers perceived and whether, under the facts and circumstances, those beliefs and their related actions were objectively reasonable. Giving a perceptual statement before watching the video—and then having the opportunity to clarify any discrepancies by giving a video-informed statement—is fair to all involved parties and comports with the relevant law. This approach also is one that both labor and management can embrace, as the Portland example shows; both sides have an interest in recording the participating officer's perception of a critical incident, untainted by what the video shows, as well as the officer's thoughts after seeing the video. This approach should also improve the community's confidence in the police investigative process.

Implementing the Perceptual Interview Approach

Given the strongly held opinions on when officers should be able to view BWC video as part of a critical incident investigation, careful thought should be given to how an agency implements a policy on the issue. In the **Fargo (ND) Police Department**, providing a statement before watching the video has been the practice for the past several years, but according to **Chief Dave Zibolski**, only recently has the practice been put into policy: "I explained to the officers why it's important for us to have a clearly written policy on the issue, and they seemed to understand and didn't put up any resistance."

Chief Kevin Davis of the **Fairfax County (VA) Police Department** took a similar approach: "We discussed the new policy with representatives of the Southern States Police Benevolent Association, command staff, and internal affairs to answer their questions and address their concerns."

The commonality among these agencies is formally meeting with all stakeholders — union officials, prosecutors, investigators, command staff, community groups, and government officials — in advance of the policy's publication to explain why it is being adopted, answer questions, and address concerns. Neglecting to have these important conversations, or to appropriately train the personnel tasked with conducting the criminal and administrative interviews, could cause unnecessary pushback and impede timely implementation.

Ken Corey,
Director of Outreach and Engagement,
Policing Leadership Academy
at the University of Chicago Crime Lab

Captain Amy Daum, Montgomery County (MD) Police Department

Viewing Footage Can Affect Officers' Mental Health and Wellness

An important secondary discussion during the body camera meeting concerned the impact on officers' mental health and wellness of viewing BWC footage. **Ken Corey**, Director of Outreach and Engagement for the Policing Leadership Academy at the University of Chicago Crime Lab and former NYPD Chief of Department, stressed the traumatic nature of these critical incidents. He recommends having a mental health professional in the room when an officer views the video of a fatal encounter for the first time: "They're going to relive the trauma, and in many ways that trauma is going to be intensified, because they're going to see things on the video they may not have recognized in that moment."

What officers see might bring relief as well as pain, as **Captain Amy Daum** of the **Montgomery County (MD) Police Department** noted in recalling an incident when officers involved in a fatal vehicle pursuit first viewed the footage:

> *When we had the opportunity to sit down and view the video, the first thing they said to me was they felt relieved. They had been questioning themselves about what they had done wrong and what they could have done differently to prevent the outcome. But the video put them at ease. When we approach looking at video, I think that wellness has to be part of the discussion. Reliving the trauma is certainly part of it, but it may also be possible to give our cops some amount of relief in a traumatic incident. I think that officer wellness needs to come into consideration as well.*

Section 4: Emerging Issues

As law enforcement use of BWCs becomes more common across the country, members of the public may assume that officers will consistently turn the devices on to capture their interactions, and that police agencies will publicly share footage of notable incidents in a timely manner. Many agencies are looking for ways to meet these two expectations. Agencies are also considering whether artificial intelligence offers them a tool to analyze the vast amount of body camera footage they now collect.

Enforcing Compliance With Recording Requirements

"One of the biggest issues with body cameras is officers who don't turn them on," according to **Miami Beach Police Chief Wayne Jones**. "This is particularly true among more senior officers who 'grew up' in the department not having to wear them."

Usually, only the department knows when one of its officers fails to activate their BWC because most incidents are unremarkable: the officers handle them consistent with policy and procedure, no one is injured, force is not used, and a complaint is not filed. However, if officers fail to activate their cameras during a high-profile incident such as a police shooting or in-custody death, this raises the public's suspicions of an agency coverup or police wrongdoing.

Miami Beach Police Chief Wayne Jones

On September 6, 2023, a deputy with the **Onondaga County Sheriff's Office** in Syracuse, New York, raised these suspicions when he failed to activate his BWC before shooting and killing two teenage burglary suspects who were passengers inside a vehicle attempting to flee arrest.[58] **Onondaga County Sheriff Toby Shelley** stated that the deputy "most likely didn't

58 Douglass Dowty and Tim Knauss, "Deputy who killed teens should have activated body cam, experts say. 'What do you mean, he never had time?'" Syracuse.com, September 8, 2023, https://www.syracuse.com/crime/2023/09/deputy-who-killed-teens-should-have-activated-body-cam-experts-say-what-do-you-mean-he-never-had-time.html

have time to put that body camera on" once he arrived at the scene. However, the deputy would have had time to activate the camera during his three-mile drive to the scene.

In a controversial deadly force incident, where BWC evidence could bolster an agency's credibility, the failure to activate BWCs will likely call into question the agency's actions and statements. University of Washington law professor Mary D. Fan, author of *Camera Power: Proof, Policing, Privacy, and Audiovisual Big Data*, recommends a technological solution to this problem:

> *A technological solution is far preferable to using the blunt sticks of distant penalties. Instead of entering the murky morass of deciding whether a failure to record is justifiable or subversion, it is better to automate recording and take the human factor out. Technology companies are offering solutions such as automatic recording triggered by sounds, such as gunshots; motion, such as a weapon coming out of a holster or a door opening; or even biometric markers, such as an officer's heart rate.*[59]

For example, the L**ouisville (KY) Metro Police Department** employs "sidearm activation," whereby the BWC turns on automatically when an officer removes their firearm from the holster. The **Concord (NC) Police Department** pairs sidearm activation with a suite of other technologies that automatically turn on an officer's camera when a nearby officer's camera is activated or when a patrol car's lights, siren, or in-car camera are operating.

These technologies are beneficial but costly, so many agencies have opted for more traditional methods of progressive discipline to achieve officer compliance. Using audits, agencies identify personnel who fail to activate their cameras and impose increasingly severe disciplinary action — from verbal counseling to letters of reprimand and loss of leave to suspension without pay — for repeat violators.

Figure 4: Procedural Justice Scorecard

A compliance review of three sample interactions for the review period.

Review Period: April 2023

Command	BWC Activation	BWC Notification	Introduction	Explained Reason for Contact	Answered Questions	Explained Actions	Stop No Longer Than Necessary	Concluded Dispelled Stop Respectfully	Professional & Courteous	Total
Central	100%	100%	100%	100%	100%	100%	100%	N/A	100%	100%
Southeastern	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Eastern	100%	100%	100%	100%	100%	100%	100%	N/A	100%	100%
Northeastern	100%	67%	67%	100%	100%	100%	100%	N/A	100%	92%
Northern	100%	100%	100%	100%	100%	100%	100%	N/A	100%	100%
Northwestern	100%	100%	100%	100%	100%	100%	100%	N/A	100%	100%
Western	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Southwestern	100%	67%	67%	100%	100%	100%	100%	N/A	100%	92%
Southern	100%	100%	100%	100%	100%	100%	100%	N/A	100%	100%
BPD Total	100%	93%	93%	100%	100%	100%	100%	100%	100%	98%

Source: Baltimore Police Department

59 Mary D. Fan, *Camera Power: Proof, Policing, Privacy, and Audiovisual Big Data*, Cambridge University Press, 2019, p. 22.

To highlight the need for officer compliance, some departments even integrate audit results into ComStat[60] meetings. Figure 4 represents the findings of an audit the **Baltimore (MD) Police Department (BPD)** routinely conducts of officers' activation of BWCs and adherence to procedural justice when making stops. (When BPD first conducted these audits, the results were very different than those shown in Figure 4. For several months, most audit findings across all commands were highlighted yellow or red, indicating non-compliance with policy.) BPD's executive team displays and discusses these results during weekly ComStat sessions, noting commands whose results exceed or fall short of expectations. Raising these issues during ComStat — and holding commanders accountable for the results — reinforces their importance and helps drive organizational change, according to **Major Steven Hohman**, commander of performance standards in the BPD.

Public Release of BWC Video

While the introduction of BWCs holds the promise of improving public perceptions of policing, delays in releasing high-profile BWC video are likely to erode trust and legitimacy.[61] Given public expectations of transparency, law enforcement agencies need to adopt a strong policy on the release of BWC video.

The decision of whether, and when, to release BWC video pursuant to a critical incident is a challenge for many police chiefs. They must balance multiple considerations: the integrity of ongoing criminal and administrative investigations, which may involve multiple law enforcement agencies; factual accuracy; the due-process rights of involved parties; the public's desire to know what has occurred; and officer safety. These considerations often conflict, and stakeholders are routinely left wanting a different course of action.

In many cases, a chief's equivocation reflects the absence of a clear policy on the matter. In preparation for convening its 2023 national meeting in Washington, DC on BWC issues, PERF reviewed 127 BWC policies and found only 14 percent of them specifically referred to the release of BWC video footage pursuant to critical incidents.

The few policies that did mention the issue adopted a variety of approaches. In the **Anne Arundel County (MD) Police Department**, for example, the chief is given wide discretion and "may release recorded BWC of critical incidents or actions/interactions with department members." The policy of the **Prince George's County (MD) Police Department** is much more prescriptive:

> *Barring unforeseen circumstances or circumstances beyond the Department's control, the Chief of Police may within five (5) business days after a serious use of force, excluding IID investigated incidents, publicly release the names and BWC recordings of all officers who committed the serious use of force. The release of a BWC recording of a serious use of force incident shall occur at either a news conference, or media availability session, with a subject matter expert and the Chief of Police or their designee and a member of the Media Relations Division present to provide context and a chronology of the event.*

The **Portland Police Bureau** takes a middle-ground approach:

> *As a general rule, the [Portland Police] Bureau shall release BWC recordings of Category I force incidents upon conclusion of the Grand Jury or, if no Grand Jury is convened, once a disposition is determined by the DA. As an exception to the general rule and when in the public*

60 ComStat is a performance management system used to reduce crime and achieve other police department goals. It includes regular meetings where department executives and officers discuss crime problems and strategies to address them.

61 Christopher L. Bush, "Public Perceptions of Delays in the Release of Police Body-Worn Camera Footage," Journal of Social Change, Vol. 13, Issue 1, 2020, https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?article=1270&context=jsc.

interest, the Commissioner in Charge or Chief of Police may release BWC recordings sooner.[62]

It is a truism that bad news doesn't get better with time. But whether a law enforcement agency chooses to release BWC footage within 48 hours (e.g., Seattle Police Department), five days (e.g., Washington, DC Metropolitan Police Department), seven days (e.g., Baltimore Police Department), nine days (e.g., New Orleans Police Department), 30 days (e.g., Fairfax County (VA) Police Department), 45 days (e.g., Los Angeles Police Department), or "as determined by the sheriff" (e.g., Palm Beach County (FL) Sheriff's Department), every agency should have a clear BWC video release policy that is readily accessible to the public.

Artificial Intelligence

With law enforcement agencies now collecting and storing previously inconceivable amounts of BWC data, police leaders are looking for ways to analyze it. One increasingly popular tool is artificial intelligence (AI), which can automatically review video to search for specified words, phrases, or other content. According to **Aurora (CO) Police Chief Art Acevedo**, "in a matter of an hour, . . . [departments can] review the outcomes of hundreds of hours of video" using AI.[63] Commanders can then analyze these outcomes to improve policy, training, tactics, equipment, and supervision.

The **Los Angeles Police Department (LAPD)**, which collects 14,000 video clips from body cameras every day, is well on its way to doing this. In partnership with the University of Southern California, the department plans to use machine learning to analyze 31,000 traffic stops. Rather than focus on the actions of individual officers, **LAPD Commander Steven Lurie** says the analysis will determine, in the aggregate, "what leads to good and bad outcomes during traffic stops from body positioning, tone of voice, time of day, and suspect behavior."[64] **LAPD Chief Michel Moore** explains the goal of the

> AI is a great way to tell what the profession is doing. The cops are almost always doing the right thing. I believe we will soon have the evidence to show it.
>
> **Commander Steven Lurie, Los Angeles Police Department**

62 Portland Police Bureau, "Body-Worn Camera Use and Management." For the definition of Category I force, see footnote 55.

63 Karen Morfitt, "Aurora Police Department Getting New AI System to Review Bodycam Footage," CBS Colorado, March 8, 2023, https://www.cbsnews.com/colorado/news/aurora-police-new-ai-system-bodycam-footage/.

64 For additional information about this study, see Libor Jany, "LAPD to use AI to analyze body cam videos for officers' language use," *Los Angeles Times*, August 22, 2023, https://www.latimes.com/california/story/2023-08-22/lapd-to-use-ai-to-analyze-body-cam-videos-for-officers-language-use.

project: "What can we learn to improve the interaction between officers and persons being detained for traffic offenses or other detentions? And are there ways to improve the sense of procedural justice that occurs when people are given a voice and are listened to, so people have a sense that they're being treated fairly? It's an area that interests us a great deal."[65]

Darrell W. Stephens, former chief of the Charlotte-Mecklenburg Police Department

Darrell W. Stephens, former chief of the **Charlotte-Mecklenburg Police Department**, is equally optimistic that AI can improve the policing profession:

> *AI can be very helpful in picking up behavior – the good things and those that can be improved – in very short order. In the next five years we're going to make great strides in learning what police do and how they behave. It's less about what the individual officer is doing and more about the profession in general. It will help us understand, for example, about how officers de-escalate situations and avoid force.*

Some law enforcement agencies are also using AI to rapidly transcribe investigative interviews captured on BWC videos. **Special Agent in Charge Jason Scalzo** of the **Electronic Crimes Unit, Federal Deposit Insurance Corporation, Office of Inspector General** says the office "is using cutting-edge technology to facilitate evidence management and interviews. What has previously taken weeks or months for humans to transcribe is now being done in minutes with AI."

On a cautionary note, AI raises multiple serious concerns related to privacy, civil liberties, and government misuse. Thus, it is essential for law enforcement agencies to include community members, academics, civil libertarians, and technology experts, among others, in all phases of program development, from software acquisition and policy writing to outcome evaluation and data transparency.[66] The Toronto Police Services Board's draft policy on how the **Toronto Police Service** obtains and uses new AI technologies speaks to the complexity of the issue:

> *This Policy, if approved, will ensure the thoughtful and transparent consideration of the benefits and risks of obtaining and deploying any new technology using AI, including impacts on public trust in the Service, community safety and sense of security, individual dignity, privacy, and equitable delivery of policing services. In particular, it will help to ensure that new technologies do not introduce or perpetuate biases, including biases against vulnerable populations such as people with disabilities, children and older persons, Indigenous, Black and racialized communities, low-income and LGBTQ2+ communities, into policing decisions. The Policy will achieve this through the requirement for public consultations on the adoption of any AI technologies that may pose risks, and the development of an evidence-based approach to evaluating new AI technologies both before and after deployment.*[67]

Absent this level of thoughtful deliberation among stakeholders, community trust will likely suffer.

65 Chuck Wexler, "How LAPD is using artificial intelligence to study policing," Police Executive Research Forum, September 2, 2023, https://www.policeforum.org/Trending2Sep23.
66 Chuck Wexler, "How LAPD is using artificial intelligence to study policing," Police Executive Research Forum, September 2, 2023, https://www.policeforum.org/Trending2Sep23.
67 Toronto Police Services Board, "Use of New Artificial Intelligence Technology Policy – Public Consultation," 2023, https://tpsb.ca/ai.

Conclusion

We've learned much about BWCs over the past decade. Most fundamentally, we've seen how they have transformed the profession — inviting greater scrutiny of officers' actions than ever before by bringing policing into everyone's living room, office, and community gathering place. While this added transparency can bring national attention to incidents of police misconduct, it can also help agencies build trust and support from the community.

Ten years ago, many officers were apprehensive about body cameras, but when we asked chiefs at our recent BWC conference how many departments would give up their cameras if they had the option, not a single hand went up. This is because BWCs afford officers the opportunity, like never before, to show the public the actual work they do every day—performing life-saving first aid, comforting victims and witnesses, problem-solving, managing conflict, arresting challenging suspects, de-escalating people in crisis, and upholding the right to peacefully assemble and demonstrate.

BWCs can also play a key role in helping agencies improve organizational culture and performance. For example, agencies are conducting routine audits of BWC video to assess compliance with various policies. Agencies also are using BWC video to facilitate Monday-morning quarterbacking sessions that identify successes worthy of praise and problems in need of solutions. This kind of creativity allows agencies to maximize returns from the significant fiscal and personnel resources they have invested in BWC programs.

We have only just begun to explore the potential for BWCs to transform policing. Assuredly, further advances in the use of BWCs are on the horizon. Most promisingly, artificial intelligence is poised to transform how law enforcement agencies process the massive amounts of BWC data they collect to learn more about how officers perform their duties. The findings from these analyses hold profound implications for operational decision-making and community engagement.

Appendix A: 2014 Recommendations Matrix

The matrix below includes the 33 policy recommendations and lessons learned from PERF's 2014 publication, "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned." However, recommendation 20 has been rewritten, as explained in this report; it now calls for taking a perceptual statement from officers involved in critical incidents before they view body camera footage.

These 2014 recommendations, which are based on research PERF conducted with support from the COPS Office, reflect the promising practices and lessons that emerged from PERF's September 2013 conference in Washington, DC, where more than 200 police chiefs, sheriffs, scholars, and federal criminal justice officials shared their experiences with body-worn cameras. The recommendations also incorporate feedback gathered during PERF's interviews of more than 40 law enforcement officials and other experts, as well as findings from PERF's review of body-worn camera policies submitted by police agencies across the country.

POLICY RECOMMENDATIONS

General Recommendations

No.	Recommendation	Rationale for Recommendation and Tips for Implementation
1	Policies should clearly state which personnel are assigned or permitted to wear body-worn cameras and under which circumstances.	The decision about which officers should wear body-worn cameras will depend on an agency's resources, law enforcement needs, and other factors. Implementation tip: • Some agencies find it useful to begin deployment with units that have the most frequent contacts with the public (e.g., traffic or patrol officers).
2	If an agency assigns cameras to officers on a voluntary basis, policies should stipulate any specific conditions under which an officer might be required to wear one.	Officers who are not otherwise assigned body-worn cameras may become required to wear one in certain circumstances, such as the following: • After receiving a specified number of complaints or disciplinary actions. • When participating in a certain type of activity, such as SWAT operations.
3	Agencies should not permit personnel to use privately-owned body-worn cameras while on duty.	Recordings made from personal devices would not be "owned" by the agency, thus there would be little or no protection against data tampering or releasing the videos to the public or online. There would also be chain-of-custody issues with admitting personal recordings as evidence in court.

No.	Recommendation	Rationale for Recommendation and Tips for Implementation
4	Policies should specify the location on the body on which cameras should be worn.	Implementation tips: • Factors to consider when determining camera placement include field of vision, comfort, functionality, ease of use, and the type of camera system used. • Agencies should field test various camera locations.
5	Officers who activate the body-worn camera while on duty should be required to note the existence of the recording in the official incident report.	This policy ensures that the presence of video footage is accurately documented in the case file so that investigators, prosecutors, oversight boards, and courts are aware of its existence.
6	Officers who wear body-worn cameras should be required to articulate on camera or in writing their reasoning if they fail to record an activity that is required by department policy to be recorded. (See Recommendations 7-13 for Recording Protocols.)	There may be times when an officer fails to record an event or activity that is otherwise required by agency policy to be recorded. This may arise under the following circumstances: • When conditions make it unsafe or impossible to activate the camera; • An officer exercises discretion, per agency policy, to not record because doing so would be detrimental to other agency priorities (e.g., protecting privacy rights, preserving community relations, facilitating intelligence gathering); • When the camera malfunctions or otherwise fails to capture the event/activity. In these situations, officers should document in writing and/or on camera their reasons for not recording. This holds officers accountable, allows supervisors to investigate recording irregularities, and documents the absence of video footage for investigations and court proceedings. Implementation tips: • The failure to record should be noted in the officer's written report. • If the officer deactivates the camera in the middle of recording, the officer should state on camera the reasons why.

Recording Protocols

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
7	General recording policy: Officers should be required to activate their body-worn cameras when responding to all calls for service and during all law enforcement-related encounters and activities that occur while the officer is on duty. Exceptions include recommendations 10 and 11 below or other situations in which activating cameras would be unsafe, impossible, or impractical.	Rather than requiring officers to record all encounters with the public, most agencies that PERF consulted require officers to record during calls for service and during all law enforcement-related encounters and activities. PERF agrees with this approach. This means that officers have discretion whether to record informal, non-law enforcement-related interactions with the public. The reasons for adopting this approach include the following: • Protecting relationships between the police and the community; • Promoting community policing efforts; • Securing officer support for the body-worn camera program by signaling that they are trusted to know when to record; • Keeping data storage manageable
7a	Policies and training materials should clearly define what is included in the description "law enforcement-related encounters and activities that occur while the officer is on duty."	Officers should have clear guidance about which specific types of activities, events, and encounters they are required to record. Implementation tip: • Some agencies have found it useful to provide a list of specific examples in their policies, such as: traffic stops, arrests, searches, interrogations or interviews, and pursuits. Policies should note that these types of lists are not exhaustive. • These recording policies should be reinforced in training.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
7b	Officers should also be required to activate the camera during the course of any encounter with the public that becomes adversarial after the initial contact.	If officers are given discretion to not record informal, non-law enforcement-related encounters with the public, they should nonetheless be instructed to activate their cameras if the encounter becomes adversarial. This provides documentation of the encounter in the event a complaint later arises. It also may help to defuse tense situations and prevent further escalation. Implementation tip: • Officers may be called upon to activate their cameras quickly and in high-stress situations. Therefore, training programs should strive to ensure that camera activation becomes second-nature to officers. Situational training is particularly useful to achieve this goal.
8	Officers should be required to inform subjects when they are being recorded, unless doing so would be unsafe, impractical, or impossible.	The mere knowledge that one is being recorded can help promote civility during police encounters with the public. Many police executives have found that officers can avoid adversarial situations if they inform people that they are being recorded. Implementation tips: • In states with two-party consent laws, officers are required to announce that they are recording and to obtain the subject's consent. Agencies should consult their state laws to determine whether this requirement applies. • In one-party consent states, PERF's recommendation that officers inform a person that he or she is being recorded does not mean that officers must also obtain the person's consent to record. • An officer may exercise discretion to not announce that he or she is recording if doing so would be unsafe, impractical, or impossible.
9	Once activated, the body-worn camera should remain in recording mode until the conclusion of an incident/encounter, the officer has left the scene, or a supervisor has authorized (on camera) that a recording may cease.	Implementation tip: • Prior to deactivating the camera, officers should announce that the incident has concluded and that the recording will now cease.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
10	Regardless of the general recording policy contained in Recommendation 7, officers should be required to obtain consent prior to recording interviews with crime victims.	There are significant privacy concerns associated with videotaping crime victims. PERF believes that requiring officers to obtain consent prior to recording interviews with victims is the best way to balance privacy concerns with the need to accurately document events. Implementation tips: • Victim should give or deny consent in writing and/or on camera; • This policy should apply regardless of whether consent is required under state law.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
11	Regardless of the general recording policy contained in Recommendation 7, officers should have the discretion to keep their cameras turned off during conversations with crime witnesses and members of the community who wish to report or discuss criminal activity in their neighborhood.	One of the most important jobs of police officers is to gather information about crime that occurs in their communities. These intelligence-gathering efforts may be formal (e.g., through interviews with witnesses of a crime) or informal (e.g., through conversations with members of the community with whom the officer has a relationship). Some police executives report that body-worn cameras can inhibit intelligence-gathering efforts, as some witnesses and community members may be hesitant to report information if they know their statements will be recorded. They may fear retaliation, worry about their own privacy, or not feel comfortable sharing sensitive information on camera. Officers should have the discretion to keep their cameras turned off in these situations. Implementation tips: • If a person is not comfortable sharing information on camera, some agencies permit officers to position the camera so that they capture only audio, not video, recordings of the person making the statement. This affords greater privacy protections while still preserving evidentiary documentation. • It is useful for officers to keep their cameras running during the initial response to an ongoing/live crime scene, so as to capture spontaneous statements and impressions made by people at the scene. Once the scene is controlled and has moved into the investigative stage, officers may make a case-by-case decision about whether to record later interviews with witnesses. • When encountering a reluctant witness, officers should attempt to develop a rapport by being honest and not pressuring the person to talk on camera. • If an officer does turn the camera off prior to obtaining information, the officer should document the reason for doing so on camera.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
11a	When determining whether to record interviews with witnesses and members of the community who wish to share information, officers should always consider both the evidentiary value of recording and the subject's comfort with speaking on camera. To better capture evidence, PERF recommends that officers record statements made by witnesses and people sharing information. However, if a person will not talk unless the camera is turned off, officers may decide that obtaining the information is more important than recording. PERF recommends allowing officers that discretion.	Recorded statements made by crime victims and members of the community can provide valuable evidence for investigations and prosecutions. Therefore, it is always preferable to capture these statements on camera when possible. Implementation tips: • Many agencies instruct officers to keep the camera activated when speaking with witnesses or informants unless the person actively requests otherwise. • Agencies should work with prosecutors to determine how best to weigh the importance of having a recorded statement versus the importance of gathering information when a witness refuses to speak on camera.
11b	Policies should provide clear guidance regarding the circumstances under which officers will be allowed to exercise discretion to record, the factors that officers should consider when deciding whether to record, and the process for documenting whether to record.	Although discretion is important for protecting community policing efforts, this discretion must not be unlimited. Officers should always adhere to agency policies regarding discretion and should document when they exercise this discretion.
12	Agencies should prohibit recording other agency personnel during routine, non-enforcement-related activities unless recording is required by a court order or is authorized as part of an administrative or criminal investigation.	This policy supports officer privacy and ensures that officers feel safe to engage in routine, informal, non-law enforcement-related conversations with their colleagues. Situations that should not be recorded include the following: • Non-law enforcement-related conversations held between officers while on patrol (except while responding to a call for service) • Conversations between agency personnel held during breaks, on lunch, while in the locker room, or during other non-law enforcement-related activities.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
13	Policies should clearly state any other types of recordings that are prohibited by the agency. Prohibited recordings should include the following: • Conversations with confidential informants and undercover officers to protect confidentiality and officer safety; • Places where a reasonable expectation of privacy exists (e.g., bathrooms or locker rooms); • Strip searches; • Conversations with other agency personnel that involve case tactics or strategy.	When determining whether a recording should be prohibited, agencies should consider privacy concerns, the need for transparency and accountability, the safety of the officer and the citizen, and the evidentiary value of recording.

Download and Storage Policies

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
14	Policies should designate the officer as the person responsible for downloading recorded data from his or her body-worn camera. However, in certain clearly identified circumstances (e.g., officer-involved shootings, in-custody deaths, or other incidents involving the officer that result in a person's bodily harm or death), the officer's supervisor should immediately take physical custody of the camera and should be responsible for downloading the data.	In most cases, it is more efficient for an officer to download recorded data from his or her own body-worn camera. The officer will have the best access to the camera and knowledge of the footage for tagging/documentation purposes. However, if the officer is involved in a shooting or other incident that results in someone's bodily harm or death, it is prudent for the officer's supervisor to take immediate custody of the officer's camera for evidence preservation purposes.
15	Policies should include specific measures to prevent data tampering, deleting, and copying.	Implementation tips: • Agencies should create an audit system that monitors who accesses recorded data, when, and for what purpose. Some camera systems come with a built-in audit trail. • Agencies can conduct forensic reviews to determine whether recorded data has been tampered with.
16	Data should be downloaded from the body-worn camera by the end of each shift in which the camera was used.	The majority of agencies that PERF consulted require officers to download recorded data by the conclusion of his or her shift. The reasons for this include the following: • Many camera systems recharge and clear old data during the downloading process; • Events will be fresh in the officer's memory for the purpose of tagging and categorizing; • Evidence will be entered into the system in a timely manner.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
17	Officers should properly categorize and tag body-worn camera videos at the time they are downloaded. Videos should be classified according to the type of event or incident captured in the footage.	Properly categorizing and labeling/tagging recorded video is important because: • The type of event/incident on the video will typically dictate data retention times; • It enables supervisors, investigators, and prosecutors to more easily identify and access the data they need. Implementation tips: • Some camera systems can be linked to an agency's records management system to allow for automated tagging and documentation. • Some camera systems can be linked to electronic tablets that officers can use to review and tag recorded data while in the field. This saves the officer time spent tagging data at the end of his or her shift.
18	Policies should specifically state the length of time that recorded data must be retained. For example, many agencies provide 60-day or 90-day retention times for non-evidentiary data.	Most state laws provide specific retention times for videos that contain evidentiary footage that may be used for investigations and court proceedings. These retention times will depend on the type of incident captured in the footage. Agencies typically have more discretion when setting retention times for videos that do not contain evidentiary footage. When setting retention times, agencies should consider the following: • State laws governing evidence retention; • Departmental policies governing retention of other types of electronic records; • The openness of the state's public disclosure laws; • The need to preserve footage to promote transparency; • The length of time that it typically takes to receive and investigate citizen complaints; • The agency's capacity for data storage. Implementation tips: • Agencies should make retention times public by posting them on their website. • When setting retention times, agencies should consult with legal counsel to ensure compliance with relevant evidentiary laws. Agencies should obtain written approval for retention schedules from prosecutors and legal counsel.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
19	Policies should clearly state where body-worn camera videos are to be stored.	Common storage locations include in-house servers (managed internally) and online cloud databases (managed by a third-party vendor). Factors that agencies should consider when determining where to store data include the following: • Security concerns • Reliable methods for backing up data • Chain-of-custody issues • Capacity for data storage Implementation tips: • Agencies should consult with prosecutors and legal advisors to ensure data storage methods meet all legal requirements and chain-of-custody needs. • For videos requiring long-term storage, some agencies burn the data to a disc, attach it to the case file, and delete it from the internal server or online database. This frees up expensive storage space for videos that are part of an ongoing investigation or that have shorter retention times. • The agencies PERF consulted report having no issues to date with using a third-party vendor to manage recorded data. To protect the security and integrity of data managed by a third party, agencies should use a reputable, experienced vendor; enter into a legal contract with the vendor that protects the agency's data; ensure the system includes a built-in audit trail and reliable backup methods; and consult with legal advisors.

Recorded Data Access and Review

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
20	**This is a change to the 2014 report.** Officers involved in a critical incident should be interviewed before watching relevant BWC footage. During the "perceptual interview," they should describe their perceptions (what they saw, heard, felt, believed, experienced before arriving, etc.) before, during, and after an incident. After the perceptual interview, officers should be given the opportunity to provide a video-informed statement by reviewing BWC footage and offering clarifications that they feel are appropriate.	The legal issue in critical incidents is what the officers perceived (i.e., the officer's subjective beliefs) and whether, under the facts and circumstances, those beliefs and their related actions were objectively reasonable. Giving a perceptual statement before watching the video — and then having the opportunity to clarify any discrepancies by giving a video-informed statement — is fair to all involved parties and comports with the relevant law. This approach should also improve the community's confidence in the police by subjecting police officers to the same interview and interrogation practices that investigators apply to civilian suspects. Implementation tip: • Meet with all stakeholders — union officials, prosecutors, investigators, command staff, community groups, and government officials — in advance of the policy's publication to explain why it is being adopted, answer questions, and address concerns. Neglecting to have these important conversations, or to appropriately train the personnel tasked with conducting the criminal and administrative interviews, could cause unnecessary pushback and impede timely implementation.
21	Written policies should clearly describe the circumstances in which supervisors will be authorized to review an officer's body-worn camera footage.	PERF recommends that supervisors be authorized to review footage in the following circumstances: • When a supervisor needs to investigate a complaint against an officer or a specific incident in which the officer was involved; • When a supervisor needs to identify videos for training purposes and for instructional use; • When officers are still in a probationary period or are with a field training officer; • When officers have had a pattern of allegations of abuse or misconduct; • When officers have agreed to more intensive review as a condition of being put back on the street; • When an officer has been identified through an early intervention system.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
22	An agency's internal audit unit, rather than the officer's direct chain of command, should periodically conduct random review of body-worn camera footage to monitor compliance with the program and assess overall officer performance.	Randomly monitoring an officer's camera footage can help proactively identify problems, determine noncompliance, and demonstrate accountability. However, unless prompted by one of the situations described in recommendation 21, PERF does not generally recommend that supervisors randomly monitor footage recorded by officers in their chain of command for the purpose of spot-checking the officers' performance. Instead, an agency's internal audit unit should be responsible for conducting random monitoring. This allows agencies to monitor compliance with the program and assess performance without undermining the trust between an officer and his or her supervisor. Implementation tips: • Internal audit reviews should be truly random and not target a specific officer or officers. • Audits should be conducted in accordance with a written standard of review that is communicated to officers.
23	Policies should explicitly forbid agency personnel from accessing recorded data for personal use and from uploading recorded data onto public and social media websites.	Agencies must take every possible precaution to ensure that camera footage is not used, accessed, or released for any unauthorized purposes. Implementation tip: • Written policies should describe the sanctions for violating this prohibition.
24	Policies should include specific measures for preventing unauthorized access or release of recorded data.	All video recordings should be considered the agency's property and subject to any evidentiary laws and regulations. (See also recommendations 15 and 23.)

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
25	Agencies should have clear and consistent protocols for releasing recorded data externally to the public and the news media (a.k.a. Public Disclosure Policies). Each agency's policy must be in compliance with the state's public disclosure laws (often known as Freedom of Information Acts).	PERF generally recommends a broad public disclosure policy for body-worn camera videos. By implementing a body-worn camera program, agencies are demonstrating that they are committed to transparency and accountability, and their disclosure policies should reflect this commitment. However, there are some situations when an agency may determine that publicly releasing body-worn camera footage is not appropriate. These include: • Videos that contain evidentiary footage being used in an ongoing investigation or court proceeding are typically exempted from disclosure by state public disclosure laws. • When the videos raise privacy concerns, such as recordings of crime victims or witnesses or footage taken inside a private home, agencies must balance privacy concerns against the need for transparency while complying with relevant state public disclosure laws. <u>Implementation tips:</u> • Policies should state who is allowed to authorize the release of videos. • When determining whether to proactively release videos to the public (rather than in response to a public disclosure request), agencies should consider whether the footage will be used in a criminal court case and the potential effects that releasing the data may have on the case. • Policies should clearly state the process for responding to public disclosure requests, including the review and redaction process. • Agencies should always communicate their public disclosure policies to the public.

Training Policies

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
26	Body-worn camera training should be required for all agency personnel who may use or otherwise be involved with body-worn cameras.	Personnel who receive training should include the following: • Officers who will be assigned or permitted to wear cameras • Supervisors whose officers wear cameras • Records/evidence management personnel • Training personnel • Internal Affairs • Anyone else who will be involved with the body-worn camera program. Implementation tip: • As a courtesy, agencies may wish to offer training to prosecutors so that they can better understand how to access the data, what the limitations of the technology are, and how the data may be used in court.
27	Before agency personnel are equipped with body-worn cameras, they must receive all mandated training.	This ensures that officers are prepared to operate the cameras safely and properly prior to wearing them in the field.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
28	Body-worn camera training should include the following: • All practices and protocols covered by the agency's body-worn camera policy (which should be distributed to all personnel during training); • An overview of relevant state laws governing consent, evidence, privacy, and public disclosure; • Procedures for operating the equipment safely and effectively; • Scenario-based exercises that replicate situations that officers might encounter in the field; • Procedures for downloading and tagging recorded data; • Procedures for accessing and reviewing recorded data (for personnel authorized to access the data); • Procedures for preparing and presenting digital evidence for court; • Procedures for documenting and reporting any malfunctioning device or supporting system.	Implementation tips: • Agencies can use existing body-worn camera footage to train officers on the proper camera practices and protocols. • Scenario-based training can be useful to help officers become accustomed to wearing and activating their cameras. Some agencies require officers to participate in situational exercise using training model cameras.
29	A body-worn camera training manual should be created in both digital and hard-copy form and should be readily available at all times to agency personnel.	Implementation tip: • The training manual should be posted on the agency's intranet.
30	Agencies should require refresher courses on body-worn camera usage and protocols at least once per year.	Body-worn camera technology is constantly evolving. In addition to yearly refresher courses, training should occur anytime that an agency's body-worn camera policy changes. Agencies should also keep abreast of new technology, data storage options, court proceedings, and other issues surrounding body-worn cameras.

Policy and Program Evaluation

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
31	Agencies should collect statistical data concerning body-worn camera usage, including when video footage is used in criminal prosecutions and internal affairs matters.	Collecting and releasing data about body-worn cameras helps promote transparency and trust within the community. It also helps agencies evaluate the effectiveness of their programs, determine whether their goals are being met, and identify areas for improvement. Agencies can also use the findings when presenting information about their body-worn camera programs to officers, oversight boards, policymakers, and the community. Implementation tip: • Statistics should be publicly released at various specified points throughout the year or as part of the agency's year-end report.
32	Agencies should conduct evaluations to analyze the financial impact of implementing a body-worn camera program.	A cost-benefit analysis can help an agency determine the feasibility of implementing a body-worn camera program. The analysis should examine the following: • The anticipated or actual cost of purchasing equipment, storing recorded data, and responding to public disclosure requests • The anticipated or actual cost savings, including savings in terms of legal fees and other costs associated with defending lawsuits and complaints against officers • Potential funding sources for a body-worn camera program.

No.	Recommendation	Findings in Support of Recommendation and Tips for Implementation
33	Agencies should conduct periodic reviews of their body-worn camera policies and protocols.	Body-worn camera technology is new and evolving, and the policy issues associated with body-worn cameras are just recently being fully considered. Agencies must continue to examine whether their policies and protocols take into account new technologies, are in compliance with new laws, and reflect the most up-to-date research and best practices. Evaluations will also help agencies determine whether their policies and practices are effective and appropriate for their departments. Implementation tips: • Evaluations should be based on a set of standard criteria and outcome measures. • An initial evaluation should be conducted at the conclusion of the body-worn camera pilot program or at a set period of time (e.g., six months) after the cameras were first implemented. Subsequent evaluations should be conducted on a regular basis as determined by the agency.

ADDITIONAL LESSONS LEARNED: ENGAGING OFFICERS, POLICYMAKERS, AND THE COMMUNITY

According to the police officials PERF consulted, it is critical for agencies to engage the community, policymakers, courts, oversight boards, unions, frontline officers, and other stakeholders about the department's body-worn camera program. Open communication – both prior to and after camera deployment – can strengthen the perceived legitimacy of the camera program, demonstrate agency transparency, and help educate stakeholders about the realities of using body-worn cameras. The following table presents the lessons that agencies shared with PERF with respect to engaging stakeholders.

Lessons Learned
1. Engaging the community prior to implementing a camera program can help secure support for the program and increase the perceived legitimacy of the program within the community.
2. Agencies have found it useful to communicate with the public, local policymakers, and other stakeholders about what the cameras will be used for and how the cameras will affect them.
3. Social media is an effective way to facilitate public engagement about body-worn cameras.
4. Transparency about the agency's camera policies and practices, both prior to and after implementation, can help increase public acceptance and hold agencies accountable. Examples of transparency include posting policies on the agency's website and publicly releasing video recordings of controversial incidents.
5. When presenting officers with any new technology, program, or strategy, the best approach includes efforts by agency leaders to engage officers on the topic, explain the goals and benefits of the initiative, and address any concerns officers may have.
6. Briefings, roll calls, and meetings with union representatives are effective means to communicate with officers about the agency's body-worn camera program.
7. Creating an implementation team that includes representatives from across the agency can help strengthen program legitimacy and ease implementation.
8. Agencies have found that officers support a body-worn camera program if they view the cameras as useful tools: e.g., as a technology that helps to reduce complaints and produce evidence that can be used in court or in internal investigations.
9. Recruiting an "internal champion" to help inform officers about the benefits of the cameras has proven successful in addressing officers' concerns about embracing the new technology.
10. Taking an incremental approach to implementation can help make deployment run more smoothly. This can include testing cameras during a trial period, rolling out cameras slowly, and/or initially assigning cameras to tech savvy officers.
11. Educating oversight bodies about the realities of using cameras can help them understand operational challenges and why there may be situations in which officers are unable to record. This can include demonstrations to judges, attorneys, and civilian review boards about how the cameras operate.

Appendix B: Research on BWCs and Use of Force

A 2019 review of the research[68] included four randomized controlled trials and one quasi-experimental study that found that officers wearing BWCs use force less than officers wearing cameras:

- Barak Ariel, William A. Farrar, and Alex Sutherland, "The Effect of Police Body-Worn Cameras on Use of Force and Citizens' Complaints Against the Police: A Randomized Controlled Trial," *Journal of Quantitative Criminology*, Vol. 31, Issue 3, September 2015, 509–535
- Anthony Braga *et al.*, "The effects of body-worn cameras on police activity and police-citizen encounters: A randomized controlled trial," *Journal of Criminal Law and Criminology*, Vol. 108, Issue 3, Summer 2018, 511
- Darren Henstock and Barak Ariel, "Testing the effects of police body-worn cameras on use of force during arrests: A randomized controlled trial in a large British police force," *European Journal of Criminology*, Vol. 14, No. 6, January 2017
- Wesley G. Jennings, Mathew D. Lynch, and Lorie Fridell, "Evaluating the impact of police officer body-worn cameras (BWCs) on response-to-resistance and serious external complaints: Evidence from the Orlando Police Department (OPD) experience utilizing a randomized controlled experiment," *Journal of Criminal Justice*, Vol. 43, Issue 6, November 2015, 480–486
- Wesley G. Jennings *et al.*, "A quasi-experimental evaluation of the effects of police body-worn cameras (BWCs) on response-to-resistance in a large metropolitan police department," *Deviant Behavior*, Vol. 38, Issue 11, 2017, 1332–1339

The results of four other randomized controlled trials and four quasi-experimental studies found no statistically significant differences in the use of force by officers wearing BWCs:

- Barak Ariel *et al.*, "Wearing body cameras increases assaults against officers and does not reduce police use of force: Results from a global multi-site experiment," *European Journal of Criminology*, Vol. 13, Issue 6, November 2016, 744–755
- Anthony Braga *et al.*, "The impact of body-worn cameras on complaints against officers and officer use of force incident reports: Preliminary evaluation findings," Northeastern University, January 2018
- Edmonton Police Service, "Body worn video: Considering the evidence," June 2015
- Andrea M. Headley, Rob T. Guerette, and Auzeen Shariati, "A field experiment of the impact of body-worn cameras (BWCs) on police officer behavior and perceptions," *Journal of Criminal Justice*, Vol. 53, November 2017, 102–109
- Bryce E. Peterson *et al.*, "The Milwaukee Police Department's body-worn camera program: Evaluation findings and key take aways," Urban Institute, May 2018
- Toronto Police Service, "Body-worn cameras: A report on the findings of the pilot project to test the value and feasibility of body-worn cameras for police officers in Toronto," June 2016
- Michael D. White, Janne E. Gaub, and Natalie Todak, "Exploring the potential for body-worn cameras to reduce violence in police-citizen encounters," *Policing*, Vol. 12, Issue 1, March 2018, 66–76
- David Yokum, Anita Ravishankar, and Alexander Coppock, "Evaluating the effects of police body-worn cameras: A randomized controlled trial," The Lab @ DC, Executive Office of the Mayor, Washington, DC, October 2017

68 Cynthia Lum *et al.*, "Research on body-worn cameras: What we know, what we need to know," *Criminology & Public Policy*, Vol. 18, Issue 1, February 2019.

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