

Discover Policing Podcast Series

Title: Through the Lenses: Law Enforcement Body-Worn Cameras

Interviewees

- Luis Soler, Chief (ret.), Woodland, CA, Police Department
- Wesley G. Jennings, PhD, Professor, Texas State University, School of Criminal Justice

About

Chief Soler discuss the usage and implementation of body-worn cameras in police departments. Dr. Jennings highlights the successes and discusses the findings in research on body-worn cameras.

Audio Transcript

00:00 Joseph Marcus: From the International Association of Chiefs of Police, welcome to the Discover Policing podcast. I'm Joseph Marcus.

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00:10 Speaker 2: Each community is different, each department is different, but at the end of the day we all are going through the same issues. The three main goals would be protecting the officers, protecting the public, and evidentiary purposes.

00:22 Dr. Wes Jennings: Body-worn camera footage it's not a panacea. They're not drone cameras with a 360-degree view.

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00:29 JM: This episode is funded by the U.S. Department of Justice's COPS office. And the department's full disclaimer notice is available at the end of the podcast and in the episode's show notes. The views, information, or opinions expressed during this podcast are solely those of the individuals involved and do not necessarily represent those of the IACP or the COPS Office. On this episode of the pod, I discuss body-worn cameras with Chief Soler of Woodland, California and Dr. Wes Jennings from Texas State University. As you hear on the podcast, body cams have seen a meteoric rise across the country and around the world. But the research on them is still developing and mixed. But I think this episode really helps frame some of the issues around body-worn cameras that communities and law enforcement professionals have to consider. And now, my first guest, Chief Soler from Woodland, California. Chief Soler, welcome to the podcast.

01:28 Chief Soler: Thanks for having me.

01:29 JM: It's great to have you here. Can you quickly provide us a little bit of background about yourself, how you got into the field, and then a little bit about Woodland, California?

01:39 CS: Absolutely. So I've been in the business of law enforcement for about 21 years now. My career started with... Actually, my career started when I was going through college. So after I graduated, I went back and worked in the private sector for a few years. But I still had this nagging desire to be in law enforcement. So one day, I made that decision, and I began my career there with the Austin Police Department. Did over a decade with the Austin Police Department and then one day I decided I wanted to seek a different experience. So I took up position as a lieutenant over patrol operations in a suburban community. I learned a lot as well as patrol commander. And then one day, Chief retired, and I was appointed the Chief of Police. And I was the Chief of Police for about four, four-and-a-half years in the City of Crowley. And then after that, the opportunity opened up here in the City of Woodland, California. Woodland is definitely a larger city than Crowley, small enough that you know everybody, but large enough that we have our share of issues to deal with. And each community is different. Each department is different. But at the end of the day, we all are going through the same issues. We're going through the same challenges at the core. So it's interesting to see how we all face the same issues.

02:58 JM: And real quick, and I think most of our audience is gonna know what a body-worn

camera is. But what are body-worn cameras, what do they look like and how do they sort of function?

03:05 CS: Well, body-worn cameras is just like it sounds. It's a camera device, it's a video recording device that is worn somewhere on the body of the officer. Now, they come in different sizes, shapes, and styles. We see ones that are worn on the chest, kinda like a little box, a little black box. We see some that are mounted on eye glasses or head gear. I've even seen some that stick out of your pockets like a little pen. And the ones that we have, the version that we have, are actually ones that interface with our handheld radios. So the body camera is also the microphone for the radio. And the purpose of the body camera is obviously to record interactions between the officers and whomever they're interacting with.

03:51 JM: You've implemented body-worn cameras in a number of different departments. What were some of your initial experiences, and when did you decide to move forward with them, and what were some of the goals when you implemented them?

04:06 CS: So I've implemented a total of three body cam programs now in my career as a chief, Woodland being one. And then the City of Crowley, we actually had two different programs that we implemented. And the reason why we had two different programs in Crowley is because going back to your question is there were some lessons learned. There were some lessons learned with the first deployment, that it didn't go as planned. The body cam technology, the body cam issue was a nascent issue. It was just coming to the big scene partly because of Ferguson, Missouri. That was not the catalyst for me to decide to start a body cam as a system. It just happens that right about the same time, Ferguson took place and then it became a big deal. The way I see it, there's three main goals why you would want to deploy a body cam program in your agency. First goal is to protect the officers. I can tell you as a Chief Executive and a supervisor, and I've been in some sort of supervisor position for over 10 years now. And I can tell you because of body cams, a lot of these complaints that come in can be quickly addressed with a video.

05:14 CS: You can go out there and quickly... Supervisors can go and quickly determine, "Oh, there's nothing here," or, "There is something here that we need to look further." So that's the main goal, protect the officer. Goal number two, equally important is protect the citizens. With this body cam deployment, the people are, there's another layer of reassurance, if you will, another layer of scrutiny and accountability that we can have to protect people. The third goal is evidentiary purposes. A lot of prosecutors and juries and judges, they really are hesitant to make a decision or a conviction if they don't see the video. And long gone are the days in which the officer's word was gold and that's it. Right now they want to see the video. And with the advent of body cam, there is a lot of great footage that you can provide the courts, provide the juries, the judges, the prosecutors, and even the defense attorneys to be able to put that case forward, and reach a decision.

06:14 JM: I guess, there's two sort of questions on this. You're talking about collecting evidence and different departments who have different policies based on, when to turn the body-worn cameras off. As I was walking around your offices here, I noticed you have signs, sort of, turn your body-worn camera on, turn it off. What are some of the policies that you've implemented? Why did you decide on those policies, in terms of when to record?

06:38 CS: Right. And then each agency once again, is going to have different expectations of their policies, because they're built around community expectations, etcetera. Our policy here in the City

of Woodland is pretty comprehensive. For the most part, in a nutshell, we require that every call for service in which you take enforcement action, or possibly can take an enforcement action, which really boils down to almost every call for service, you're required to have it on. If for whatever reason you need to turn that camera off, there are certain safeguards out there, then you need supervisor permission, you need to document it in your report, etcetera. But for the most part, my expectations as a chief, and it is our policy that if you are out there interacting with the public, that camera's on. And people say, "Well, what if it's just someone asking you for directions." Turn it on, because in my career, I've had those interactions, which they start off with, "Hey, can you tell me how to get to X, Y, or Z?" And then somehow they evolve into something else. The last thing we want is our officers to have to be worrying about is while they're in the middle of a heightened situation, to be worried about turning their cameras on. So actually, our policy suggests that, mandates they be on for every calls for service.

07:53 CS: But also suggests that, while you're en route to that call, turn your body camera on. That way you don't have to worry about it once you get there. And then again once the enforcement action is done, there are certain times that, we said, "Now, it's okay to turn your body camera off." And there, the signs that we see is, because there are always concerns for privacy. And one of the things is... One of the concerns that were raised by people both here and the other departments I've been in is like, "Well, how do we know those things are not recording us while we're in the locker room?" So that's why we remind people, when you're going into the locker room, when you're going to a place which there's an expectation of privacy, such as a bathroom, we have these sign that says turn it off. But then also, we have the obligation to remind them to turn it on, so when they leave there's another sign that says turn them on. Because then once again, the last thing we want is them to leave the building with them off, they get into a critical incident out there, and now the camera is not on.

08:55 JM: What is your policies, in terms of, how often supervisors review footage, either for training, for just general performance review? Do they audit them on a regular basis, what does that look like?

09:07 CS: That is still an ongoing process. Like I said, we're still in nascent stages of our body cam deployment. Here in California obviously, there are issues that we have to discuss with labor unions. This is one of the things that we got push back on is, like, how and when are the audits going to take place? Or, is it going to be random, is it going to be based on suspicion? So we're still trying to fine-tune those things. Obviously, when there's reasonable suspicion that something's afoot, or the officers are not compliant, we reserve the right to at that point do a full audit on that specific officer. But we are starting to work with our labor unions, because once again, in California, specifically, it's a more complex issue than other states. To make sure that we have an audit process that's very comprehensive, that is not seen as biased, that is not seen as we're trying to catch people doing bad things, because that's not the purpose of it. Once again, the ultimate purpose is to protect the officer. If that means telling them, you failed to turn on your camera on this call, you need to do it, that's good.

10:09 CS: Because once again the last thing we want is them getting into a critical incident, an officer involved in shooting situation, a use of force in situation, in-custody death situation, and, "Oh, my God. The camera was not on." Not only now, there's no evidence to present for the investigation, now there's this distrust from the public, "You guys have body camera. How come it was not on?" So as a chief that's something I cannot afford to have. I cannot afford to have a body-

cam program, and then have a call, a critical call in which the body-cams were not activated.

10:43 JM: When I was producing some training videos on elder abuse, we were looking for body worn camera footage, where the officers did a great job. And we found a few cases, and those I think are also... They don't just necessarily have to be for punitive purposes, but they also make great training tools. Body-worn cameras have a sense of realism that, I think, really put officers in other officers' positions. And say, "Oh, they did that." They're like, "That was really well done." I think there is other opportunities for a body-worn cameras.

11:10 CS: I totally agree. And I can tell you from experience as a chief in a previous agency, when we had situations that we considered to be training moments, we made those videos available. Because once again, we don't want to criticize an officer, or we don't want to embarrass any officer. But if the officer did something that could have been done better, obviously, at least at the minimum with that specific officer, we go through the video. And we go like, "Oh, look. Tell me, now, that you're looking at this from an outsider looking in, what do you think you could have done better?" If it's something that really needs to be put out to the whole organization, and like, "Oh look, we found this." We do that, too.

11:48 JM: Or even when an officer does something really well, I think those are really good [11:51] _____.

11:52 CS: I agree, 100%.

11:52 JM: Was there any community expectations around the body-worn cameras, either in Crowley or in Woodland?

12:00 CS: As far as community expectations, I think, in both communities, the body cameras were welcome. I can tell you from experience here in Woodland, right as I came on board, we had a tragic incident, in which we had an in-custody death. And there were some questions raised about the process, and then the use of force, etcetera. And I think that also help, no, propelled this strive to get this body cameras out there. Because once again, as a chief, one of my main goals is to build that trust between the community and the police department. So unfortunately, this happened, but this wasn't the reason why we implemented this. But it was also a catalyst to accelerate the process to get there. I think it's almost expected by everybody.

12:49 CS: What I suggest the agencies or chiefs that are looking into implementing this, this body cam program. I would just suggest that they get some input from the community. Because once again, even though the perception is a lot of community want it, you may have a community that actually doesn't care for it or doesn't want it. And at the end of the day you have to value that as well, in making that decision, whether or not you want to proceed with this or not. Community expectations are important, and actually the best critiques, the best reviews are coming from our own officers which is interesting, because usually officers are the first ones that resist any kind of change including, technology like body cams. Like everybody else, they're suspicious at first, right?

13:37 JM: So let's talk a little bit about that. When you decided to start moving forward with this, how did you sort of engage with them?

13:43 CS: It starts with getting their buy-in. And these key players in this are the people that are

going to spread the word out to the rest of the troops, of how valuable this is, right? Part of the engagement was allowing field officers, or people from the field to be engaged in the process of actually, determining which system we're going to use. We also have to educate them, "This is what's coming, but this is why it's coming, and this is how it's going to benefit you." I can say a lot of people see it as a Big Brother type of thing. I tell you when the dash cams first came out in early 2000s, I was one of those skeptics. I was like, "Oh, what do we have here? Big Brother watching us." And it took a complaint lodged against me and another officer, and not being found... The complaint was bogus, but the reason they found the complaints to be bogus, is obviously, it didn't happen. But also, because there was dash cam audio and video of the incident. I became a believer instantly, because I saw the potential of, what if that video hadn't been there? So when I tell these stories, people can relate to, like, "Oh yeah, that makes sense." This is a tool that's going to help them be protected in the event, once again, there's bogus complaints, or something goes down. We have the story, we have the whole story.

15:06 JM: So let's talk a little bit about the vendor process, I'm sure you've been to the IACP conference. When you walk around the IACP conference, it is overwhelming, just the sheer amount of technology, and vendors that are there that are selling you some stuff. But how did you go about deciding selecting a vendor?

15:22 CS: Yes, it can be overwhelming. Your mind will be blown away with everything that's out there. First of all, you got to figure out your budget.

15:30 CS: That's going to automatically, put you in certain categories. The other thing is, what are really you looking for? Is it just a basic camera system, is it a system that works with other systems that you may have? Maybe you want something that integrates with your current dash cam. Maybe you want something that integrates with your weapons. What is what you need to effectively accomplish whatever goals you set up for your body cam program. Then once you narrow that down, it boils down to functionality. And this is where those testings, this is where those site visits need to happen. This is where those phone calls and emails need to take place, because more than likely somebody's already using this technology. One of the lessons learned from my first iteration in which, once again, I consider it failed. And I say that, honestly, is we didn't do this, we didn't do the homework. So we learned from that, because at the end of the day, I as a chief can love a product, but if the people in the field hate it, why am I going to get it? Other thing is storage, some systems have cloud storage, some systems are specifically server storage. Insight, what are you willing to have?

16:43 CS: That's going to put you in another category. So there's a host of things that you have to look into that will help you narrow it down. You've got to ask what the service plan is, because warranty is important. Because the work we do, we're running after people, we're fighting with people sometimes, we're jumping fences, things break. [chuckle] Things will break, and I can tell you technology changes quick. I don't think any product out there is going to be longer than five years on the market, before a new technology takes over. And, "Oh, here we have this brand new product." And then you're now kind of wondering, "What do I do?"

17:21 JM: Several departments are starting to sort of sunset their body-worn cameras, or decide not to move forward with the program. I think we kind of touched a little bit about this. But if we can talk a little bit more about some of the reasons why some departments are deciding not to?

17:36 CS: So I can obviously not speak for other departments, but what I've heard talking to other chiefs, for example, there was a state, which I'm not going to name, in which the majority of the agencies have decided voluntarily, they're not going to go to a body cam program. And I ask why and they say because of the state's public information laws are still lax that it would create a nightmare situation for them, as far as records retention, producing those records reduction. They literally will have to hire tons of people. So they've decided against probably, their wishes that we're not going to have a body cam program. And the other thing is cost, is that right or wrong? It depends on the situation. The reminder that I have for everybody is, you may not have a body cam, but everybody else out there has a camera. So everybody else is recording you guys. I feel more comfortable as a chief executive to be able to have my own version to provide, if we need to, to a court, to the media, whomever it is. So to me it's a valuable tool.

18:46 JM: That was my interview with Chief Soler. My next guest is Dr. Wes Jennings. Dr. Jennings is a professor in the School of Criminal Justice at Texas State University. I wanted to focus my conversation with Dr. Jennings on his research and evidence from the broader academic community. Dr. Wes Jennings, welcome to the podcast, it's great to have you here.

19:05 S5: Thank you, I appreciate it.

19:06 JM: I just wanted to start with some grounding questions and have you frame the conversation. It seems to me that body-worn cameras have really exploded. There's been a growing conversation around their use. Can you talk to us a little bit about that conversation, and what is the general rate of adoptions of body-worn cameras?

19:26 DJ: Yeah, certainly. Historically, technology has always been a part of policing, and these body-worn cameras were used sparingly in mostly small departments. We're talking within the last 10 years ago, and there wasn't much public knowledge of body-worn cameras, but essentially, the momentum that geared body-worn cameras to the forefront as far as a technological tool for adoption in policing, was largely spurred on by several high profile events such as... This is certainly the most apparent and well-known of those events, was the unfortunate tragic event that occurred with the officer involved in shooting and death of Michael Brown in Ferguson.

20:15 JM: And as you mentioned, a lot of the conversation has been around the shooting and death of Michael Brown and the Ferguson protests. But they're still fairly new, both in terms of actual adoption in police agencies, and, some of the research around it, right? There's not a lot. Can you talk to us a little bit about what is the current state of research in body-worn cameras and a little bit about some of the work that you have done around them?

20:47 S2: Sure. As you indicated, body-worn cameras are a new and novel technological tool for law enforcement, but the interesting angle is in contrast to other technological advancements in policing such as TASER-type devices and car dash cameras that occurred at a slower adoption rate. Body-worn cameras became widely implemented largely out of public outcry in response for police accountability, but also for law enforcement acknowledging the accountability on their end for having body-worn cameras and in an effort to hopefully protect their officers as well. But because of that, the research had to quickly try to catch up with the rate of adoption of body-worn cameras.

21:37 S2: So, by and large, six, seven years ago there was essentially no published peer review research at all in the academic community on the effectiveness of body-worn cameras. Bear in mind

there weren't many agencies six, seven years ago that actually had body-worn cameras. I mean, I came in pretty much at a very interesting time, literally, at the forefront of this evaluation research with my first project that occurred with the Orlando Police Department in body-worn cameras. I started conversations with the Police Department there back in 2013, and at that point in time, I had been heavily involved in a lot of research, but I literally had never seen or even really heard of police body-worn cameras until we had some discussions, and they were interested in having an evaluation of their body-worn camera programs. And I thought it was an opportune time, and they were amenable to the idea of having a Randomized Control Trial, an RCT, which is the most rigorous type of research design.

22:47 JM: Can you actually real quickly talk to us about what an RCT is?

22:53 S2: Absolutely. It's pretty simple in theory, and I'm sure the lay public would understand these designs when you relate them more so to drug trials. So, essentially the main issue is when you're trying to compare two groups. So, for instance in the case one group of officers are wearing body-worn cameras, versus another group of officers that aren't wearing body-worn cameras. This is akin to one group of patients getting a new drug to treat cancer, versus another group of patients having no drugs, or receiving the standard drug that's being administered for treating cancer.

23:31 S2: So the idea is that you're comparing two different groups that have a different treatment, in this sense with body-worn cameras, you have camera cops and no camera cops. So the RCT permits the ability to rule out any type of spurious or confounding factor in terms of officer, gender, race, age, years of experience, rank, duty assignment. So you're going to literally isolate the effect of the drug herein in this situation, the body-worn camera, and its effect on a range of outcomes that would be relevant to wearing a camera versus not wearing a camera.

24:16 JM: How do you think communities and advocacy groups should think about the impacts of body-worn cameras? And then, how do you think departments should think about those things as well?

24:29 S2: Well, I think related to that kind of question is... The reality of it is, body-worn camera implementation, regardless of the law enforcement agency, regardless of the size, metro or an urban, suburban, rural, the best case scenario is prior to implementation of body-worn cameras. Now bear in mind some... Because of the expediency of these adoptions, you might not have the scenario in all police agencies or cities nowadays. But nevertheless if you... It's best to engage the citizens and the community stakeholders in their early stages, in terms of... And have them actually have input, and certainly review of any body-worn camera policy that exists in a department, because then that can show both sides, the officers and the citizens, what their level of expectation should be for these cameras, so forth and then what the goal line is, right?

25:27 S2: So for example, if you say, well, in situations where they're interviewing confidential informants, they should turn the cameras off all the time. Or in situations where they're interviewing special victims related cases, that should be turned off all the time. Then that would demonstrate to the public and to the police, well, they're not going to have an evidentiary value for assisting in sexual assault cases, for example, because they're going to be turned off in those scenarios. So therefore it's not fair to expect the cameras to improve those case clearance rates if they're not being utilized for those kinds of crime.

26:07 S2: So as long as the public and the citizens, I mean the police and the citizens both have a say in when the cameras should be turned on, when they should be turned off, what should be redacted, what should not be redacted, how much of this will be publicly available versus not, how long the data should be retained and stored, I guess, for a sexual assault case or a murder, maybe indefinitely. But if you ask the LAPD, Los Angeles Police Department, to hold all their body-worn camera data on all of their officers for 12 hours shifts times five days times a year, you're talking billions of terabytes or something at that level and that's just unwieldy and unfeasible from a storage component. Even if the capacity is there, the sheer cost of that alone for retaining that video is likely not reasonable.

27:11 JM: Yeah, I mean, that's one of the biggest things that Chief Soler and I were talking about is, it's not just the equipment, it's really the storage takes up so much expenses. And as you mentioned there's, you always have to weigh the costs to the benefits, especially for smaller cities and smaller agencies. So you talked a little bit about the evidentiary process and I definitely want to get back to that. But before I do, I want to talk a little bit more about sort of on this capturing a lot of those regular interactions or more interactions; Some of the research that REL has done around having policymakers understand how to increase the effectiveness of body-worn cameras in terms of when to turn on and off their recordings. Because I know that from the research that makes a world of difference. So can you talk a little bit about that?

28:06 S2: Yeah, I've been involved in reviewing policies on body-worn camera implementation in terms of when to record versus not in a number of agencies across the country. And really what I've generally found and what the research would also support is body-worn cameras in terms of where the goal line is and what the expected benefits are, to both the law enforcement and to the community, are largely realized when there's a body-worn camera policy that is fairly broad in terms of the camera should be on when you're an officer who's engaging with a citizen in the community.

28:48 S2: Because the problem with what I've seen when you have higher levels of specificity with regard to activation, deactivation of the camera, okay, turn it on when you're interacting with a citizen, where you think it's going to result in a citation or a potential arrest, versus don't turn it on when you're getting out of your car to go into the local coffee shop to get a coffee. Or, don't turn it on when you have this kind of victim and not that kind of victim, don't turn on at this time of the day, this... it gets very confusing.

29:23 S2: And at the same point you don't want your officers, [A], to have to learn those 15 times when they need to turn on versus the 15 times when they need to turn it off, because they operate in real-time, at a high anxiety level, certainly with related to domestic-related incidents or they're going to break up a fight, take the decision-making out of the officer's hand in a sense, that way they're protected and not having to get in the weeds of all these highly specific policies.

29:55 S2: I've heard police chiefs and sheriffs that are like, "Look, once again, I'd rather have 500 hours of this person driving around their beat just doing really that's it, versus the one time when citizen A calls the police department and said, 'Officer Joe assaulted me with their baton,' and they don't have that one footage." Now bear in mind, body-worn camera footage as we talked about earlier, is not a panacea. They're not drone cameras with a 360-degree view and an aerial shot of the 10 minutes before the officer involved interaction and the 10 minutes afterwards. That's not what you get.

30:35 S2: You get a small line of sight, right? And same thing related to that when you have a contrary or complementary video that's being recorded from a cell phone. And so the idea is that there's never going to be a segment of a film that's going to be 100% agreed on by everyone that's what happened. Because that's all subjective interpretation to some degree, but the reality of it is having a body-worn camera video to supplement the evidence from bystander videos, suspect videos, witness interviews, will end up in a better representation of the actual true events relative just to a traditional he said versus she said or the officers what they wrote in their report and the suspect's cellphone video from their angle that they recorded. Now at least you have perspectives from both sides frequently in terms of video and you have their written statements and their verbal statements that can all together likely capture more or less what occurred.

31:49 JM: Dr. Jennings, thank you so much for being on the pod, it was a pleasure talking with you, and I look forward to speaking with you again sometime in the future.

31:58 S2: Thank you. I appreciate the time so much.

[music]

32:02 JM: I want to thank Dr. Jennings and Chief Soler again for their time and expertise. I also want to thank you for listening. The IACP has a number of available resources on this topic including our policy guides and considerations and our technology policy framework. Feel free to email us with any questions or comments at discoverpolicing@theiacp.org. For this episode I had research and production help from Elynn Lee. Thank you to the US Department of Justice's COPs office for their support on this episode. Please see the show notes to learn more about the COPs office and follow their work.

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