Body Cameras May Not Be the Easy Answer Everyone Was Looking For

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Police officers wearing body cameras respond to a shooting in Philadelphia in August. Body camera use is increasing in the United States even though research on their effectiveness is mixed.

Mark Makela/Getty Images

When a Maine state senator introduced a bill last year to require all police officers to wear body cameras, she expected some discussion.

But the response that Democratic state Sen. Susan Deschambault got was stronger than she anticipated. Several groups, including police chiefs and municipal and county commissioners, opposed it, citing concerns about cost and questioning the necessity of requiring every officer to wear one. And the American Civil Liberties Union asked for the bill to be amended, saying that requiring the cameras without more study was premature.

The legislature delayed action and instead formed a working group to study the issue — and that was fine with Deschambault.

"If we're going to have it," she said in a recent interview, "let's do it right."

Maine's cautious approach reflects a growing awareness, backed by several new studies, that body cameras don't necessarily have a huge effect on police officers' behavior or how residents view the police.

Daniel Lawrence, a researcher at the Urban Institute in Washington, D.C., who has studied the cameras, said more departments are realizing that just purchasing them isn't enough. "The way I see body-worn camera use being emphasized in the future is really having more of an emphasis on not just deploying and having officers wear body-worn cameras, but a closer examination of how they use those cameras," Lawrence said.

Among other factors, Lawrence said, the effectiveness of the cameras depends on when officers are required to turn them on, whether they must review the video before they write incident reports, and whether videos are released to people involved in an incident or to the public. A camera alone, he said, “isn’t going to drastically change how police operate.”

The push for police body cameras began about five years ago after several high-profile police shootings, including the 2014 death of Michael Brown in Ferguson, Missouri. The rise of video sharing on social media added to the momentum, and in 2015 the Obama administration handed out more than $23 million in federal grants to help agencies of all sizes purchase them.

By 2016, nearly half of U.S. law enforcement agencies had body-worn cameras, according to a Bureau of Justice Statistics survey. In the same survey, about a third of sheriffs’ offices and local police departments that didn’t have cameras said they were likely to consider acquiring them within the year.

“We’re at the point now where it’s just expected. Community members expect that officers will have the cameras on them,” Lawrence said.

In addition to Maine, lawmakers in Illinois, Mississippi and North Carolina last year considered making body cameras a requirement for most police, the most proposals in one year since 2015, according to a *Stateline* analysis.

Changing Behavior?

But some recent studies question whether the devices are doing what they’ve been touted to do.

Although both officers and the public generally support body-worn cameras, or BWCs, the impacts may have been overestimated, according to a study published in March by George Mason University’s Center for Evidence-Based Crime Policy. The study, which looked at 70 other body-worn camera studies published through June 2018, found the cameras have not had statistically significant effects on most measures of officer and citizen behavior or citizens’ views of police.

The authors noted that studies have found mixed results on body cameras leading to reductions in use of force by police — one of the primary reasons supporters pushed for the cameras. Five studies and experiments showed that officers wearing cameras used force less often than officers not wearing cameras, but eight others showed no statistically significant difference in use of force.

The George Mason study also described an unanticipated result of the cameras: Officers increasingly value them as a tool for evidence collection and protection.

“Officers and citizens both seem to believe that BWCs can protect them from each other,” the study said.

Another research article released last year came to similar conclusions.

The article, published in the South Dakota Law Review, said that although some studies have shown reductions in use of force and citizen complaints, it is unclear whether the results are worth the cost.

David Erickson, who co-authored the South Dakota Law Review study and is a retired police sergeant from Sioux Falls, South Dakota, said government officials are right to be concerned about cost but should be more concerned about setting good policies.

“If we can get that mindset changed,” Erickson said of setting policies, “I think the cameras become more useful.”

A police officer in Portland, Maine, displays a body camera last year.

Gregory Rec/Portland Press Herald via Getty Images

Lawrence shared some of his findings last year at a Washington, D.C., city council roundtable on the D.C. police department's body-worn camera program.

The program began with 400 cameras in 2014 and grew to 2,800 cameras two years later. At the time, it was the largest deployment of body cameras in the country, said Charles Allen, the councilmember who chairs the public safety committee.

“Instead of engendering the type of transparency and trust that we would want this program to have, it has had the complete opposite effect,” Allen said after four hours of hearing mostly criticisms of the program.

The main concern was the public’s restricted access to video. A person in a video can view the footage at a police station. Others may file open records requests, but the department can withhold or redact video being used for an investigation.

Within a week of the hearing, the council made a change: an emergency resolution to allow close relatives of a person killed by police to access footage of the incident.

Getting It Right

In addition to Maine, lawmakers in at least three other states (Louisiana, Maryland and Massachusetts) proposed task forces last year to study body cameras. An Indiana lawmaker started off the 2020 session with a proposal requiring police to set policies for cameras. Nineteen states and Washington, D.C., require law enforcement to have written policies to use or receive funding for body-worn cameras, according to the National Conference of State Legislatures.

South Dakota state Sen. Reynold Nesiba, a Democrat, plans to introduce a bill in the upcoming session to "start a conversation" about regulating cameras. While Nesiba doesn't anticipate the state funding a camera program, he sees the use of cameras growing and wants to get standards in place, he said in an interview.

The bill includes a requirement for all agencies using cameras to develop a policy on areas including training, discipline, reporting and maintenance.

"We have to figure out a balance between state-mandated rules and local jurisdictions," Nesiba said.

Applicants for federal body-camera grants must include policies with their applications, according to Justice Department spokeswoman Tannyr Watkins. The program awarded $73 million to more than 400 agencies from 2015 to 2019.

The National Institute of Justice and the FBI have published general guidelines on body-worn cameras. So has the International Association of Chiefs of Police, which supports body-worn cameras generally but takes the stance that each agency knows how to craft policy best for its community, according to Julie Parker, spokeswoman for the association.

Cost Concerns

In many places, the cost of body cameras remains the primary concern.

In Kansas, for example, a 2018 bill that would have made body cameras a requirement for most law enforcement officers died in a Senate committee.

State Sen. Rick Wilborn, the Republican chairman of the committee, said in an interview that, like most states, Kansas has a few larger cities but lots of small municipalities with small budgets. "We try to be understanding, especially with smaller counties," Wilborn said. "You can't mandate something that's onerous to the point of breaking a budget."

About 80% of large departments with 500 or more full-time officers had body cameras in 2016, according to the Bureau of Justice Statistics. In comparison, only about 31% of small police departments with part-time officers did.

Among police agencies that did not have the cameras, the primary reason given was cost, including video storage/disposal, hardware costs and ongoing maintenance, according to the Bureau of Justice Statistics.

Cost was on the mind of a chief of a 20-person police department in Salem, Illinois, last year when a city council member asked him to research body-worn cameras.

“We have a good public trust here. We don’t have accusations of police misconduct,” said Chief Sean Reynolds in an interview.

But he wanted his officers to be able to capture high-profile incidents. Reynolds sought quotes from a retailer, Viridian Weapon Technologies, which estimated that it would cost $5,000 to use and store data from one body camera for five years.

The company provided another option: gun-mounted cameras, which would automatically activate when the weapon was pulled and cost about $800 for five years.

Reynolds chose the second option.

“We wanted something that was cost effective and left no room for error,” he said.

Last year Illinois state Rep. Justin Slaughter, a Democrat, introduced a bill to make body-worn cameras a requirement. The bill is still in committee, and Slaughter did not respond to requests for comment.

If the state mandated cameras, Reynolds said he would find a way to comply, but the cost would be difficult for small agencies like his.

Some states don’t require cameras but have set aside money for departments that want to purchase them. New Jersey allocated $1 million for cameras in its 2019 budget. New Mexico included $3.1 million for cameras for state police in its 2019 budget, even after a study group led by the attorney general’s office was reticent to recommend the program.

A Requirement in Two States

Only two states, Nevada and South Carolina, require all law enforcement agencies to use the cameras. Both states have faced challenges in reaching universal compliance.

In Nevada, former Republican Gov. Brian Sandoval signed measures to mandate body cameras for the state highway patrol in 2015 and all law enforcement agencies in 2017. To help cover the cost, the law allowed county governments to increase 9-1-1 surcharges on phone bills.

But Nevada's use of 9-1-1 fees was criticized in a December report from the Federal Communications Commission. The fees are supposed to be used for 9-1-1 related services, according to the commission.

Law enforcement agencies in Nevada were given a deadline of July 2018 to start using body-worn cameras, but some departments didn't get the equipment until nearly a year later. The law didn't include a penalty for not getting cameras, and it's possible that some departments still don't have them, according to a spokeswoman for the state's public safety department.

In South Carolina, then-Gov. Nikki Haley, a Republican, signed a law to make body cameras a requirement for police in 2015. But the devices aren't everywhere in the state yet.

The law had a caveat: The cameras would be required when the state fully funded the programs.

Since 2016, the state has divvied up $13.4 million to 164 law enforcement agencies, according to the South Carolina Department of Public Safety. There are 180 agencies in the state, according to Scott Slatton, a lobbyist for the South Carolina Municipal Association.

"We supported the idea of body-worn cameras and understood how important they were," Slatton said.

The association pushed for state funding as part of the law and is pushing for more state money to help departments buy body cameras and pay for data storage, he said.

One of the good outcomes of the law, he said, is that it requires agencies that apply for state money to set policies for using cameras.

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