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Police Body-Worn Cameras: An Overview

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Forty-three years ago, Albert Reiss Jr., in his now classic book *The Police and the Public*, commented on the lack of official documentation on most police officer–citizen contacts. He suggested that citizens should receive a receipt from the police documenting the particulars of all contacts. Reiss believed the receipt would serve to benefit both the citizen and the officer by documenting the contact and what occurred between the officer and the citizen.¹ Although his suggestion never came to fruition, it may well be on the way to widespread implementation, albeit in a slightly different manner. Technology has evolved tremendously since Reiss proposed the official police contact receipt. In today's police world, that official police contact receipt may come to life via body-worn cameras (BWCs) with the recordings of police–citizen contacts serving as digital “receipts.”

The recent events in Missouri brought the discussion of BWCs on police officers to center stage in the United States. If the officer had been wearing a BWC, would it have resolved the ambiguity surrounding the incident? One can only speculate, but the evidence is clear that the use of BWCs by police is gaining momentum and is likely to continue to grow.

An online search of three databases (Academic Search Complete, Master File Premier, and Newspaper Source) for the term “police body camera” resulted in a listing of 1,477 entries. A scan of the entries revealed many articles reporting on police agencies currently using or proposing to start using BWCs. One of the articles reports the Ferguson, Missouri, police department received a donation of 50 BWCs from two companies shortly after the shooting incident mentioned above.² In 2013, Taser International claimed to have received orders for their police BWC from numerous police departments, among them, the Pittsburgh, Pennsylvania, Police Department; Salt Lake City, Utah, Police Department; Hartford, Connecticut, Police Department; Fort Worth, Texas, Police Department; and others.³ VIEVU, another vendor of BWCs, claims its BWC is used in more than 3,100 law enforcement agencies.⁴ Finally, a 2013 survey conducted by the Police Executive Research Forum (PERF) of 500 agencies revealed that, of the 254 responding agencies, 191 (75 percent) do not currently use BWCs and 63 agencies (25 percent) do use them.⁵ A usage rate of 25 percent may seem low, but in light of the relative newness of the BWCs, it portends a continual growth in their use by agencies for a variety of reasons.

Benefits

According to the survey study by PERF, the primary reason agencies obtained the BWCs was “to provide accurate documentation of encounters”—a receipt of the contact as Reiss advocated years ago (albeit digital and in police storage, but probably available to the citizen via an open records request).⁶ The American Civil Liberties Union (ACLU) believes police accountability is the primary benefit of BWCs.⁷ Eugene Ramirez, an attorney with extensive experience in law enforcement cases, identifies the primary benefits as (1) transparency and accountability; (2) the identification of system problems or issues with individual officers and, thus, the ability to take corrective action; and (3) the documentation and collection of valuable evidence for use in investigations and court.⁸

The most widely reported benefit from using BWCs stems from research conducted in the Rialto, California, Police Department. A true experiment, composed of an experimental group and a control group, was conducted involving all of the Rialto department's patrol officers. The primary focus of the study was on officer use of force and citizen complaints.⁹ The results were impressive. Compared to the year preceding the study, use of force by officers decreased approximately 58 percent and citizen complaints were down 88 percent.¹⁰ Clearly this research is worthy of replication. If successfully replicated in numerous studies, an agency would be challenged to justify not using BWCs for patrol officers.

In the most comprehensive review of the literature on the use of BWCs to date, criminal justice professor and subject matter expert Michael White identifies and summarizes six perceived benefits of using BWCs: (1) increased transparency and legitimacy; (2) improved police officer behavior; (3) improved citizen behavior; (4) expedited resolution of complaints and lawsuits; (5) improved evidence for arrest and prosecution; and (6) opportunities for police training.¹¹ White refers to the perceived benefits because "there is little research to support or refute many of the claims, and there are outstanding questions regarding the impact and consequences of body-worn cameras."¹² Nevertheless, the formal and informal studies of BWCs are highly suggestive of their positive value. There are, however, legitimate concerns regarding the use of BWCs that merit consideration as well.

Concerns

Perhaps the most important concern identified regarding BWCs is privacy—for the citizen and the officer. The ACLU believes the tension between privacy issues and police accountability is palpable, but also believes they can be balanced to achieve a win-win for all parties.¹³ In addition to privacy concerns, White identifies concerns with officers' health and safety, as well as concerns about training and policy issues and resource requirements, including data storage and retrieval. Health and safety concerns are minimal, primarily focusing on possible injury from assault, neck injuries from cameras mounted on an officer's head, and the potential transfer of bodily fluids from headbands of shared cameras.¹⁴

Another concern worth noting is the risk of prosecutors becoming too dependent on the videos and demanding a video of all cases.¹⁵ There will certainly be incidents where a recording is not obtained on an incident when required by policy. From human error to equipment malfunction to a shortage of BWCs, there is a virtual guarantee of some incidents not being recorded. This concern simply requires educating the prosecutor on the operational realities of the program, which should be done prior to implementation.

It is also a possibility that police unions and associations might object to using the BWCs. They may express concerns over contract work conditions, as well as the potential for supervisors to use the video against officers they dislike.¹⁶ Finally, the limitations of video-recording must be recognized. In other words, unrealistic expectations must be managed. BWCs present one view, at one angle, on one plane. They are not a 360-degree recording of the event. To put it in perspective, one need only recall any recent professional sport "review" of an umpire's call on a play. In this environment, the cameras (more than one) are professional grade, operated by highly trained operators, on a stable platform, with no interference to impact the camera operator. Even given this ideal recording environment, from multiple angles, it is not unusual that there is still uncertainty about what really happened, for example, was it a catch or was the runner out or safe. BWCs do not capture every angle, and people sometimes disagree on what a video depicts. The Force Science Institute recently discussed 10 limitations of BWCs, among them: the camera doesn't follow the officer's eye; a camera may see better than the officer in low light; the camera only records in 2-D; and the officer's body may block the view. The article merits a review for a good understanding of the limitations.¹⁷

Implementation Issues

The remainder of this article focuses on the assorted issues an agency should address or consider before implementing the use of BWCs. The issues listed below are not necessarily exhaustive, but should address major concerns. As the use of BWCs expands, it is anticipated that additional issues will surface.

Privacy

Police officers weave their way through their communities on a daily basis, responding to calls for assistance as well as initiating citizen contacts. Completing their duties often takes police inside people's homes and businesses, as well into alleys, fields, cars, and a wide variety of other locations. Additionally, what officers actually see and hear on some of these calls can be very graphic and personal. With these thoughts in mind, agencies implementing the use of BWCs should consult closely with their legal advisor to ensure the operational protocol properly addresses privacy concerns.

A second aspect of the privacy issue is states' laws governing audio or video recording of parties involved in the communication. States can be described as a one-party consent state or a two-party consent state. In a one-party consent state, only one party to the communication has to consent for the recording to be legal. In a two-party consent state, all parties to the communication must consent for the recording to be legal.¹⁸ In those states, it stands to reason that the police would have to obtain consent from the citizen before recording the encounter.

It is imperative that the privacy issue be thoroughly reviewed with legal counsel and legal advice strictly followed. The reasonable expectation of privacy doctrine will certainly be at the forefront of this issue, but it is not always crystal clear for operational purposes.

Camera Selection

If possible, selecting the appropriate camera should involve demonstration visits from at least three vendors, more where feasible. Officers or employees with functional expertise with camera usage should be a key part of the review team, for example, IT personnel and crime scene photographers. Features of interest, such as picture quality, battery life, audio quality, mode of activation, security of recording, and others should be determined in advance of the presentations. At minimum, selection criteria should include VGA resolution, frame rate, battery runtime, data storage, low-light recording, and warranty.¹⁹ A market survey on BWCs resulted in a comparison table of BWCs that compared 31 possible camera features across 18 vendors.²⁰ This comparison table should be beneficial to any agency planning on implementing the use of BWCs (see Resources). Planning ahead for camera selection will be crucial to successful implementation and utility of the cameras.

Redaction Capabilities

Any camera system selected must have easy-to-use redaction software for both the video and the audio or be compatible for redaction with other software. It is very likely that many recordings will be released to the public via each state's open record law. At the same time, there may be certain sections of the released video or audio that the law requires to be redacted or blocked out. Absent user-friendly software for redaction purposes, the agency could experience significant complications. Demonstration visits from the vendors should include a thorough demonstration of the software's redaction capability.

Storage of Recordings

Digital recordings can consume a lot of space. An in-house analysis by one agency with 200 sworn officers indicated that 33 terabytes of storage would be needed each year, based on a conservative estimate of one hour of recording per officer work shift.²¹ The amount of space needed will be contingent on three primary variables: (1) the number of officers using the BWCs; (2) the policy requirement for recording; and (3) the retention requirements for the recordings. Smaller agencies will likely need less storage capacity than medium and large agencies. Continuous recording will result in a massive amount of stored data, but recording only during citizen contacts will significantly reduce the storage space required. How long the recordings must be saved will probably be determined by state laws governing the retention of official records.

In-house storage of video data requires significant expenditure of resources, including servers, redundancy, proper physical space, and IT personnel. Using cloud storage can reduce the cost by as much as 30–50 percent and give the agency access to cutting-edge technology and the best security available.²² Considerable preplanning for storage is critical for proper maintenance of the data.

Costs

Agencies contemplating the use of BWCs should calculate the total costs of the implementation, including start-up costs and maintenance costs. Start-up expenses, at a minimum, include the cameras, any accessories, policy development, data storage, training, and related infrastructure or technical costs, such as space requirements for equipment and technical training of appropriate employee(s) to oversee the system. Maintenance costs, at a minimum, will include manpower associated with managing and maintaining the equipment. Additionally, camera replacement due to breakage (physical altercations with suspects) and technical malfunctions will need to be considered. The ongoing cost associated with storage of the data must be calculated, and the potential increase in open records requests and the resultant workload increase must be considered. The personnel cost could increase substantially after factoring in redaction requirements.

Officer and Citizen Relations

Any agency considering the use of BWCs should expend sufficient time and energy to gain the support of the officers. Although the use of BWCs is established and growing, there has been resistance by police unions and officer associations. Seeking buy-in and input from officer unions or associations will be critical to long-term success of the BWCs. Likewise, sufficient time and energy should be expended on communicating the plan to the public at large, as gaining their support and input is equally important. Laying the groundwork with the officers and the public will certainly make the implementation process smoother, with less friction from key stakeholders.

Policy Development

A comprehensive policy should be in place before the use of BWCs is implemented. White provides a policy template developed by the Body Worn Video Steering Group in the United Kingdom (see Resources). The template is very comprehensive and likely addresses all pertinent aspects of a policy, for example, elements of officer training, data storage, and management, redaction of video, when officers should activate the camera and turn it off, any required announcement of recording, and numerous other issues.²³ The template is an excellent starting point for policy development. Networking with agencies currently using BWCs to review their policies is generally a good idea and may facilitate policy development. The ultimate goal is to draft a comprehensive policy that addresses all major aspects of the use of BWCs.

RESOURCES:

Market Survey Comparison Table:

www.justnet.org/pdf/00-Body-Worn-Cameras-508.pdf
(page 15)

Policy Templates:

- Body Worn Video Steering Group—
www.bwvsg.com/resources/procedures-and-guidelines
- IACP—www.theiacp.org/Model-Policies-for-Policing

Conclusion

The available evidence related to using BWCs suggests they are here to stay, and more agencies will likely use them as circumstances allow. The benefits of using BWCs are numerous and most concerns related to BWCs can be managed effectively. It is important to note that BWCs are not a panacea in any respect. They can clearly help clarify many police and citizen interactions and improve the overall quality of police service, as well as provide valuable evidence for prosecution. Additional research is needed to more definitively identify the benefits and concerns of BWCs. Agencies implementing BWCs have an opportunity to collaborate with universities for structured research on BWCs, thus contributing to the advancement of knowledge in this growing area. ♦

Notes:

¹Albert J. Reiss Jr., *The Police and the Public* (New Haven, CT: Yale University, 1971), 205–206.

²Denise Hollinshed, "Ferguson Police Are Using Body Cameras," *St. Louis Post-Dispatch*, August 31, 2014, www.stltoday.com/news/local/crime-and-courts/ferguson-police-are-using-

[body-cameras/article_88e0067c-d3e6-5599-a581-a58d0022f1f8.html](http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=print_display&article_id=3445&issue_id=82014) (accessed January 2, 2015).

³Randall Stross, "Wearing a Badge, and a Video Camera," *The New York Times*, April 6, 2013, <http://www.nytimes.com/2013/04/07/business/wearable-video-cameras-for-police-officers.html?pagewanted=all&r=0> (accessed September 6, 2014).

⁴"VIEVU Unleashes 'Straight Shooter 25'-A No-Cost Startup Program for Cops Needing Body Cameras," *Advances and Applications, The Police Chief* 81, no. 8 (August 2014): 22, http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=print_display&article_id=3445&issue_id=82014 (accessed September 2, 2014).

⁵Police Executive Research Forum, "Guidelines to Help Formulate Model Policy for an Evolving Technology: Body-Worn Cameras," 2014, slide 4, [http://www.policeforum.org/assets/docs/Free Online Documents/Technology/presentation%20-%20guidelines%20to%20help%20formulate%20model%20policy%20for%20body-worn%20cameras%202013.pdf](http://www.policeforum.org/assets/docs/Free%20Online%20Documents/Technology/presentation%20-%20guidelines%20to%20help%20formulate%20model%20policy%20for%20body-worn%20cameras%202013.pdf) (accessed September 8, 2014).

⁶*Ibid.*, slide 5.

⁷Jay Stanley, "Police Body-Mounted Cameras: With Right Policies in Place, a Win For All," *American Civil Liberties Union*, October 2013, 1, <https://www.aclu.org/technology-and-liberty/police-body-mounted-cameras-right-policies-place-win-all> (accessed September 8, 2014).

⁸Eugene P. Ramirez, *A Report on Body Worn Cameras* (Los Angeles, CA: Manning & Kass, Ellrod, Ramirez, Trester LLP), 14, http://www.parsac.org/parsac-www/pdf/Bulletins/14-005_Report_BODY_WORN_CAMERAS.pdf>http://www.parsac.org/parsac-www/pdf/Bulletins/14-005_Report_BODY_WORN_CAMERAS.pdf (accessed September 8, 2014).

⁹Jay Farrar, "Self-Awareness to Being Watched and Socially-Desirable Behavior: A Field Experiment on the Effect of Body-Worn Cameras on Police Use-of-Force," *Police Foundation*, 2013, 9, <http://www.policefoundation.org/sites/g/files/q798246f/201303/The%20Effect%20of%20Body-Worn%20Cameras%20on%20Police%20Use-of-Force.pdf> (accessed September 8, 2014).

¹⁰*Ibid.*, 11.

¹¹Michael D. White, *Police Officer Body-Worn Cameras: Assessing the Evidence* (Washington, D.C.: Office of Community Oriented Policing Services, 2014), 18, <https://ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf> (accessed September 12, 2014).

¹²*Ibid.*, 6.

¹³Stanley, "Police Body-Mounted Cameras," 1.

¹⁴White, *Police Officer Body-Worn Cameras*, 29.

¹⁵Ramirez, *A Report on Body Worn Cameras*, 20.

¹⁶*Ibid.*, 14.

¹⁷Force Science Institute, "10 Limitations of Body Cams You Need to Know for Your Protection," *Force Science News* 265, 1-3, <http://www.forcescience.org/fsnews/265.html> (accessed January 02, 2015).

¹⁸Ramirez, *A Report on Body Worn Cameras*, 5.

¹⁹ManTech Advanced Systems International, *A Primer on Body-Worn Cameras for Law Enforcement* (September 2012), 6, <https://www.justnet.org/pdf/00-Body-Worn-Cameras-508.pdf> (accessed September 12, 2014).

²⁰ManTech Advanced Systems International, *Body Worn Cameras for Criminal Justice: Market Survey* (March 2014), 25–26, <http://www.justnet.org/pdf/Body-Worn-Camera-Market-Survey-508.pdf> (accessed September 12, 2014).

²¹Vern Sallee, "Outsourcing the Evidence Room: Moving Digital Evidence to the Cloud," *The Police Chief* 81, no. 4 (April 2014): 44,

http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display&article_id=3319&issue_id=42014 (accessed September 8, 2014).

²²*Ibid.*

²³White, *Police Officer Body-Worn Cameras*, 30–31, 43–53.

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