

# BODY CAMERAS FOR LAW ENFORCEMENT OFFICERS

## The Eye of the Camera

### SUMMARY

Across the nation, law enforcement body cameras are becoming a valuable tool in evaluating disputed actions on the part of both police officers and the public. Recorded footage is sometimes critical in ascertaining guilt or innocence. What the camera records can be played in courts and in the media. The public is now highly media conscious and often insists on seeing what has been caught on camera in the interest of fairness and transparency. This tool is becoming more available to law enforcement throughout California. The 2016-17 Santa Barbara County Grand Jury (Jury) looked into a citizen's question about the use of body cameras by County law enforcement agencies.

Within Santa Barbara County (County), law enforcement agencies have discussed body cameras and reached different conclusions. No law enforcement agencies, with the exception of the Isla Vista Foot Patrol Sheriff's Substation and Guadalupe Police Department, have taken the action of supplying cameras for all its officers or deputies. For those agencies that permit the individual use of body cameras, the cost of purchasing and maintaining the cameras may fall on the law officers themselves.

It appears that in the future body cameras will become a standard part of the law officers' equipment as much as dashboard cameras are now. While not failsafe, the data provided by cameras can offer protection for both the officers and the public. The cost of the cameras and supporting technology will be expensive and the implementation will be complex. The Jury proposes that each law enforcement agency that utilizes body cameras have a policy for the use of and storage of their recordings in addition to existing policies for dashboard cameras. This policy must be transparent.

### BACKGROUND

Twenty-five years ago, law enforcement officers used only written reports to record contact with the public. Rapid advances in technology have introduced other means of documenting evidence. Recordings, either audio or visual, became welcome tools in disputed court proceedings. County law enforcement agencies began using dashboard cameras and by 2011, only the Santa Barbara and Guadalupe Police Departments had not installed them in patrol cars. This fact led to a report by the 2010-11 Santa Barbara County Grand Jury. Subsequent to that report, the Santa Barbara Police Department and the Guadalupe Police Department installed dashboard cameras. With the evolution of technology, body cameras are becoming the next tool for law enforcement.

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## METHODOLOGY

The Jury spoke with a number of law enforcement officers in Santa Barbara County. While not all heads of the departments were available to the Jury, members spoke with a representative sample of officers in the field who would use the cameras. Additionally, the Jury researched a number of studies, reports and media sources about body camera use by law enforcement agencies in California and across the United States.

## OBSERVATIONS

Body cameras are used by only two local agencies in Santa Barbara County. Guadalupe Police Department and the Santa Barbara County Sheriff's Substation in Isla Vista have supplied body cameras to their patrol personnel. No other department has offered to purchase cameras. In 2014, the Santa Barbara County Sheriff's Department purchased body cameras, at a cost of \$300 to \$550 each, assigning them to the Isla Vista Foot Patrol. Their time is typically taken up with face-to-face encounters with the residents of Isla Vista, who often have their own cameras and are using them more and more to record their interactions with law enforcement. Some University of California Santa Barbara Police officers have also been using body cameras. In 2015, the Santa Barbara Police Department Chief purchased five cameras, at a cost of \$600 to \$900 each, to test. While the results of the test have not been made public, a financial report was prepared for the City of Santa Barbara with a proposal. To date, the Jury is unaware of any action being taken. The Santa Maria and Lompoc Police Departments have decided not to use body cameras at this time. As one officer stated to the Jury, "They are not a tried and true technology as of yet. Many agencies that have them discontinue use due to expense as well as technical problems. The storage space is very expensive.... I would prefer the technology evolve and the technology and storage issues be worked out by other police agencies before I adopt these cameras." Elsewhere in the county, individual police officers and Sheriff's deputies have purchased cameras at their own expense.

The pros and cons of body cameras can be listed in three main areas of concern: financial, practical, and ethical.

### Financial Concerns

If the department does not provide body cameras, individual officers may purchase their own if department policy allows. If officers choose to purchase their own camera, this is an out-of-pocket expense. The Jury learned that individual camera units could cost between \$500 and \$1000. Providing cameras to an entire department could be a major financial impact. The cost of securely storing data is, in fact, an inhibiting factor in deploying body cameras for each department. In 2014, the former Santa Barbara Police Chief estimated \$70,000 for digital storage and access software. At this point, there is no one system that is universally used for storage.

Another issue is the problem of obsolescence of the technology. As tech companies enter this field, some equipment comes with flaws or is found to be inadequate. In fact, the Sheriff's Department had to return a large number of the first group of body cameras because of "issues" in 2014, according to the Sheriff's

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Department's spokesperson<sup>1</sup>. Upgrades can be costly. Moreover, any camera purchased could easily become unsupported by newer back-up systems. Local departments would benefit if the uploading and storing of data could be managed by the existing systems already in place for dashboard cameras.

Not only is the immense quantity of material a storage problem, but also time and security can be an issue. In some departments, officers can upload their data into their department's storage facility. Some departments have data from their dashboard cameras automatically stored in a secure location but this is not available for body camera data that must be uploaded separately. There would be administrative costs, not the least of which would be hiring a full-time person to upload, store and track the recordings.

Given the current restricted financial situation in Santa Barbara County and its cities, budgeting for body cameras would take a financial commitment and long-term planning. It has been suggested that the costs of cameras and storage would be offset by fewer financial losses due to lawsuits.

### Practical Concerns

Dashboard cameras have been valuable in many cases. Their recordings are often useful in discerning what actually occurred. Body cameras could also have as much value, but there are some inconveniences. First, the cameras themselves are usually high definition, draining their battery quickly. But as a result of the high definition, the quality of the picture tends to be better than that of a dashboard camera. Unfortunately, night vision images are blurry, as reported by several officers. There are also contradictions regarding the range of vision of body cameras. Like the dashboard cameras, the vision of the body camera is limited to the direction faced by the officers; if something occurs to the left or right of the officer, the camera will not pick it up if they turn only their head. However, some cameras have wide-angle lenses, offering a broader view. In addition, the fact that the officer can turn his body offers an advantage that the static dashboard camera does not have. Further, in situations that become more intense, the officer himself could obstruct the view of the camera. One officer demonstrated how pulling out his weapon and pointing it at a suspect blocked the view from the lens. Lastly, in cases of physical confrontation, such as in a scuffle, the body camera could easily be dislodged. There are also some unfinished discussions as to where to place the camera on the body.

Body cameras are not automatically turned on, as are dashboard cameras. Officers have to manually turn them on. In tense situations, having one more piece of equipment to manually adjust could impede the officers in carrying out their work in a fast and efficient manner. In many cases, the Jury was told, there is not enough time to immediately turn on the camera, thereby not recording all events in an incident. In the heat of the moment, the officer might not be able to turn on the camera, or doing so would put the officer at risk.

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<sup>1</sup> Brugger, Kelsey. "Body-Cam Bill Stalls: Legislature Divided on Wearable Video Cameras for Law Enforcement." Santa Barbara Independent. 31 August 2015. Web.

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## Ethical concerns

Ethically, body cameras have advantages and disadvantages. In discussions with the Jury, some officers preferred having a recording of every contact with the public just as a matter of policy, while other officers believed that body cameras provide only a small slice of what they do. In either perspective, the body camera offers one more perspective, and this can be useful. Even with all the limitations and drawbacks to the cameras themselves, some officers feel that it is better to have the data from body cameras than have no data at all.

Body cameras can offer decisive evidence in court cases. Suspects are more easily seen and identified by a camera closer than one mounted in a patrol car. Such evidence can deter many lawsuits against officers and departments, saving both time and money.

Body cameras are reported to encourage good behavior on the part of officers, deputies and members of the public, knowing that they are being recorded. One deputy that the Jury spoke with suggested that officers are less susceptible to misconduct when they wear cameras. There have been several studies on body cameras including two in 2012, in Rialto, California and Mesa, Arizona, and more recently, a 2017 internal report on body cameras by the San Diego Police Department. All studies found that officers with body cameras used force less often; this reduced the number of complaints of police misconduct. Body cameras also have a dampening effect on suspects during the incident; many suspects will calm down when they know that they are being recorded. One local deputy said that his colleagues feel protected with their body cameras; cameras tell their side of the story. This is especially true when dealing with difficult subjects. It's "like insurance," as one officer told the Jury.

## CONCLUSION

The use of body cameras by law enforcement officers has been shown to have a positive effect on the operations of the men and women involved in being the peacekeepers of our communities. Although some consider body camera technology to be in its infancy, most officers interviewed are of the opinion that a body camera is a good tool that helps them in their work and interactions with the public.

The 2016-17 Santa Barbara County Grand Jury concludes that the use of body cameras has the potential of providing greater transparency for both the public and law enforcement. Is it time for Santa Barbara County law enforcement agencies to adopt policies and procedures to incorporate this new visual technology to enhance the evolving role of police officers and sheriff deputies in our changing, technological society?

Under *California Penal Code §933 and §933.05*, this activity report does not require a response.