PRIMA'S 2017 RISK MANAGEMENT
WEBINAR SERIES

Police Body Cameras Part 2: Technology and Usage Issues Are Growing

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POINTS OF EMPHASIS

- **Axon Free Body Camera Promotion**
  - **Understanding the Financial Implications of a Body Camera Program**
- **Public Records and Retention Issues**
  - **Understanding Local Laws**
- **Key Aspects of Body Camera Policies**
  - **Lack of Consistency Breeds Distrust**

Axon Promotion

- **TASER International changed its name to Axon**

- **Axon offers free: cameras, software, training and data storage to all US police agencies for <u>one year</u>.**

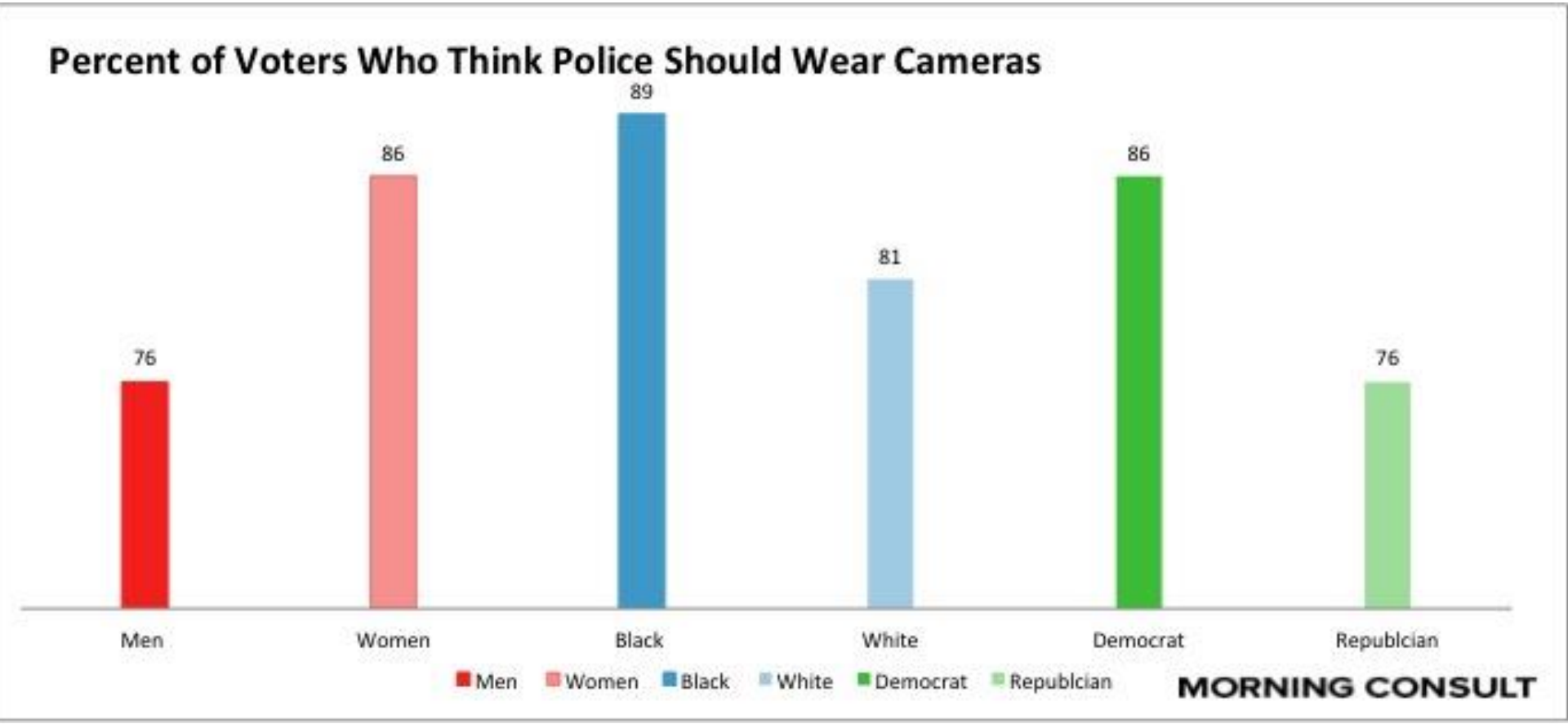
Axon Promotion

- Approximately 60 companies manufacture police body cameras.
  - TASER/Axon and Vievu are main players
- Axon estimates that currently 150,000 police officers wear body cameras out of the 800,000 officers on the streets (20%).

Axon Promotion

- **Major Cities Chiefs Association and Major County Sheriffs' Association Survey:**
  - **18% responded that their body camera program was fully operational**
  - **95% responded that they either already were or planned to use body cameras within five years**

Axon Promotion



Axon Promotion

- **Vievu responded to Axon's promotion by claiming:**
  - **Significant internal implementation costs**
  - **Law enforcement will be left with unusable raw data after the year-long trial period**
  - **Suggests potential legal action**

Axon Promotion

- **Axon uses Evidence.com as its storage platform**
  - **Cost of storage compared to cost of hardware**

Axon Promotion

- **Early Responses from Municipalities to Axon Promotion**

- **Response from other camera manufacturers and storage solution services**

Public Records & Retention

- Still no standardized best practices for retention of police body camera video data
- Examples:
  - Oakland: Retains for 5 years (600 BWC's)
    - 7 TB of data per month
  - Dallas: Automatically deletes unflagged video footage after 90 days
  - Las Vegas Metro: Automatically deletes unflagged video footage at 45 days.

Public Records & Retention

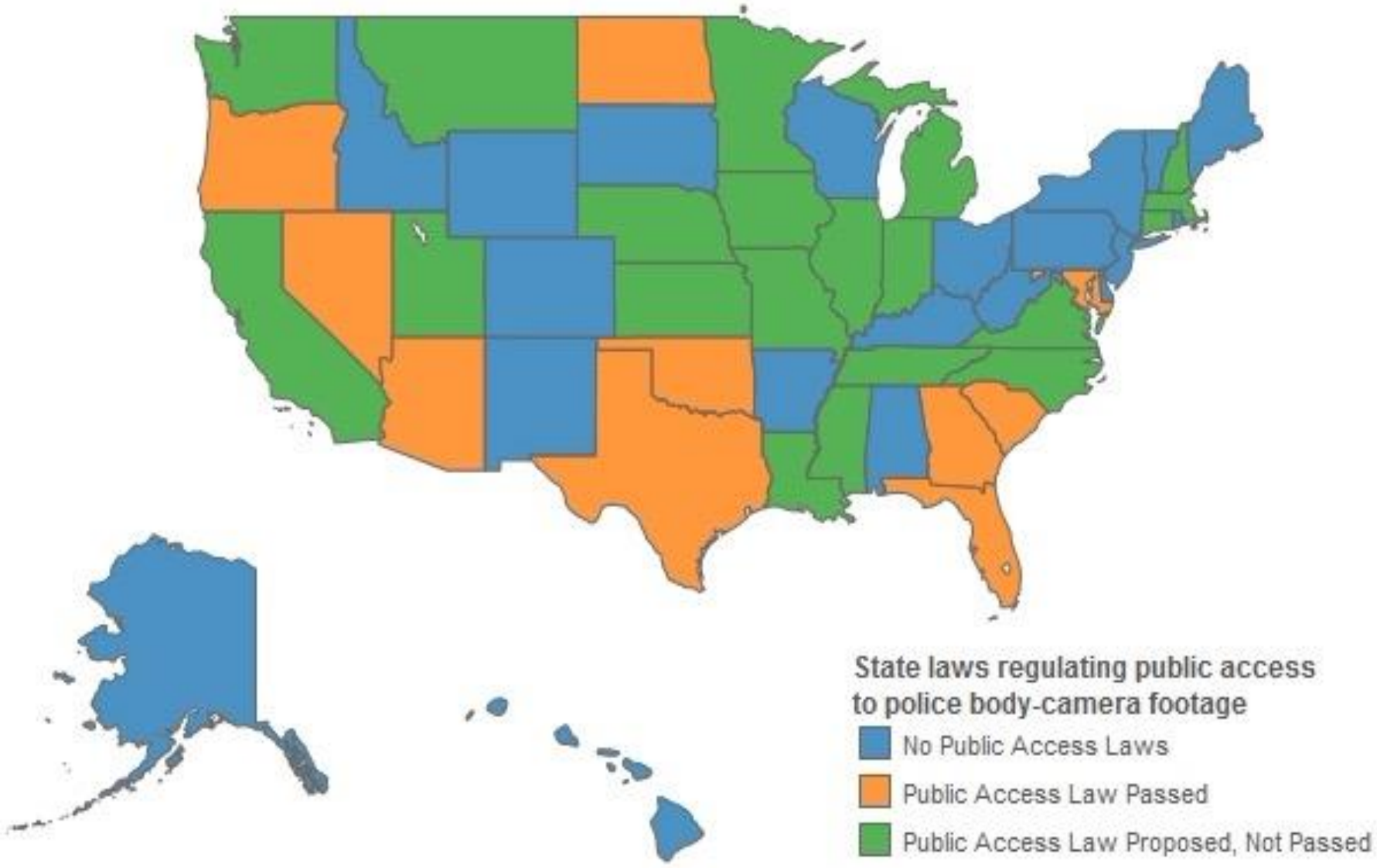
- Clarksville, Indiana Example
  - Original policy required storage of all video for 30 days
    - Annual storage cost of $5,000-$10,000
  - New state statute required storage of all video for at least 190 days
    - Estimated $50,000-$100,000 per year
    - Cancelled the body camera program

Public Records & Retention

- **Axon's Evidence.com storage has several options and costs between $15-$90 per month per camera.**

- **Costs compound with longer retention periods**

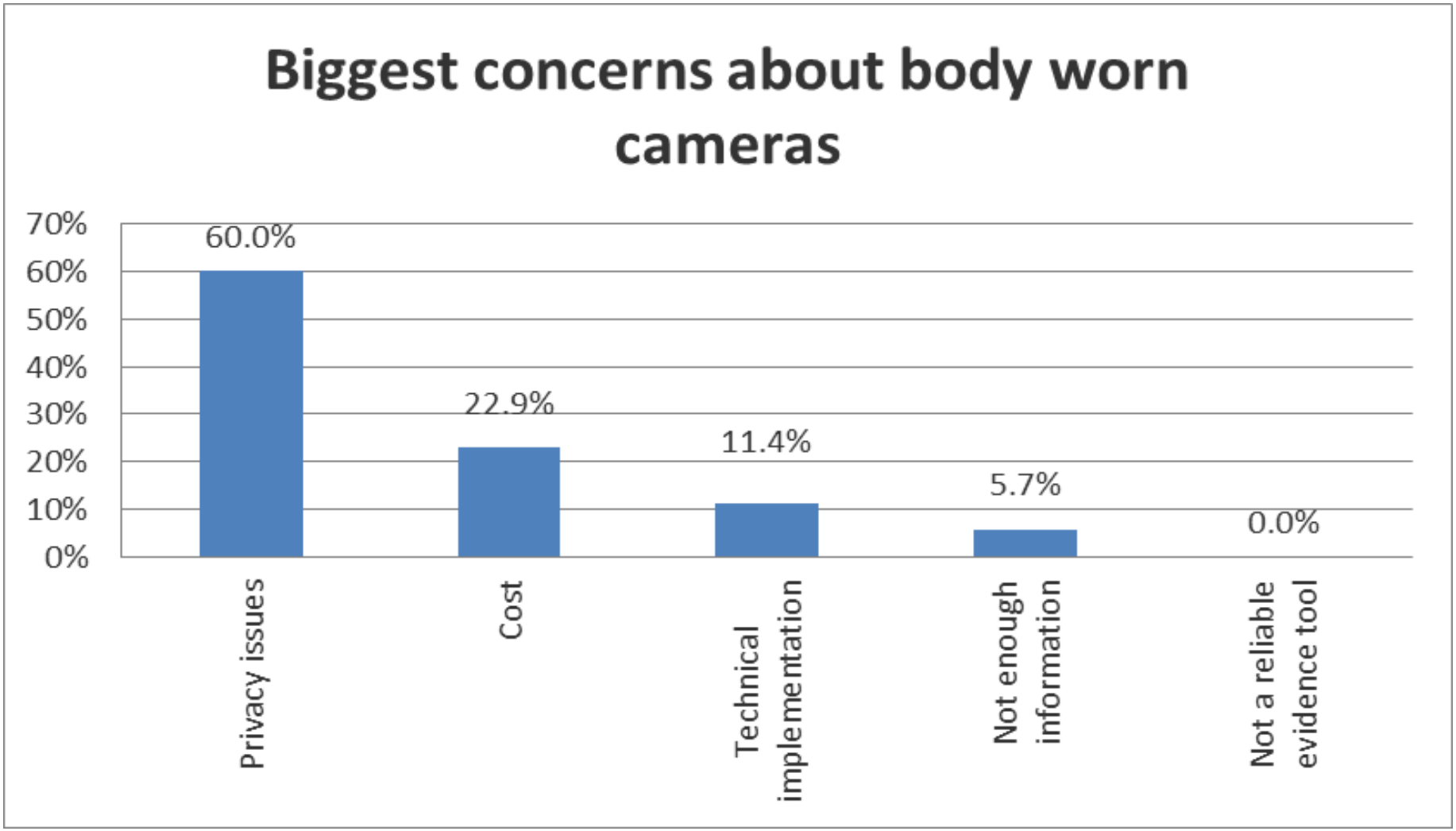
Public Records & Retention



Issues with Retention Period

- **Record Retention Period**
  - **Look Beyond Criminal Prosecution/Offense Type**
  - **Look Beyond Citizen Complaints**
  - **Consider Civil Rights Statute of Limitations**
    - **Driven by State Statute**

Public Access to Video



Public Access to Video

- **Most states recognize a strong presumption in favor of disclosure of public records.**

- **Law enforcement and the public it protects usually (but certainly not always) benefits from transparent policing.**

Public Access to Video

- **Many states recognize a constitutional right to privacy in space where there is a reasonable expectation of privacy.**

- **Many states have constitutional provisions protecting the rights of victims.**

Public Access to Video

- **Redaction Costs**
  - **Personnel**
  - **Risks of Error / Civil Litigation**
  - **Potential for Artificial Intelligence**

Key Aspects of Policies

- **Key Considerations:**
  - **Training Must be Provided for in Policy**
  - **Officer's Ability to Start/Stop Recording**
  - **When Should Recording Cease**
  - **How Long to Retain Video**
  - **When/How to Release Video Footage**
  - **Availability of Video to Officer for Reporting**

Key Aspects of Policies

- **Ensure that stakeholders have copies of policies**

- **Model policies available:**
  - **ACLU**
  - **CALEA/Lexipol**
  - **Policies from other jurisdictions**

Key Aspects of Policies

- **New Technologies:**
  - **Facial/Weapon recognition technology**
  - **Automatic activation**
  - **Artificial Intelligence**
    - **Management of all evidence**

Policy Samples / Scorecard:

https://www.bwcscorecard.org/

QUESTIONS?



THANK YOU

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