

Newburgh Heights Police Department
Body worn camera Study

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Author Note

This paper was prepared for The Honorable Mayor Trevor Elkins and the elected officials of the Newburgh Heights Village Council.

Introduction

It is the mission of the Newburgh Heights Police Department (NHPD) to provide quality police protection to the residents and visitors of the Village of Newburgh Heights. As a means of using progressive policing and forecasting cutting edge technology, the NHPD has underwent a 90 day evaluation period of body worn cameras. This evaluation period is the crux of this report and has allowed the opportunity to draw upon conclusions and recommendations we feel are in best interest of the Village of Newburgh Heights.

The use of cameras is not new to law enforcement but rather has been around for many years. The use of body worn cameras is arguably still in the early stages and many agencies across the country are running feasibility tests while others have already implemented them. Through my research I was not able to encounter agencies who have outright rejected the use of body worn cameras. Rather, agencies seem to be realizing the necessity and seeing the benefits far outweigh any negative aspect. In fact, with the recent events happening across the country and locally, the use of body worn cameras is a growing necessity.

The Body Worn Camera

A vital and important piece of equipment for today's police officer is a body worn camera. As in any piece of equipment used by a law enforcement there are pros and cons along with restrictions and implications. Body worn cameras fall under this guise hence the need for a comprehensive study. With consideration for the many concerns, we are comfortable our study has addressed all of these. However, it should be noted the newness of these cameras has yet to bring about substantive case law and related court decisions which may cause law enforcement agencies to adapt accordingly, something which the NHPD is fully prepared to do.

Our study has yielded positive results which we feel are supportive of the acquisition of these body worn cameras. Such is not to say we did not encounter challenges along the way because we did. However, this added value and integrity of the study and allowed us to examine these issues and address them accordingly.

For purposes of the research conducted, we have broken our study into several categories which are relevant to the proposal for acquisition. These categories are: necessity of use, ease of use, training, policy, cost and recommendation. All are addressed as follows.

Necessity of use

In April 2013, the Rialto California Police Department conducted a research study entitled, "Operation Candid Camera." This study hypothesized matters addressing body-worn cameras reducing the number of complaints against officers and reducing use-of-force incidents. In sum, the two year study noted an 87% reduction in complaints against officers. In that same time frame they found a 59% reduction in use-of-force incidents. These are sizable reductions without giving any weight to the impact on criminal convictions and injuries to police officers. We find these statistics to be very supportive of the need of body worn cameras.

During our 90 day study, the NHPD sustained two complaints against police officers. These complaints were not criminal in nature but rather for unprofessional conduct. Each of these incidents were captured onto body worn cameras and exonerated both officers from any allegation of wrongdoing. We have to remain open minded the cameras will not always exonerate the officers but will provide a medium for a comprehensive investigation into transgressions or acts of misconduct to any degree.

Our demonstration period captured many videos which also solidified the need for these cameras. Aside from the complaints against our officers, several high profile criminal cases have

been captured on video which therefore has provided unquestionable and reliable evidence. It would not be prudent to discuss the nature of these cases herein but the sheer presence of video has championed these cases. It has also drawn the attention of local media as shown on WJW Fox 8 television.

Ease of Use

The deployment of the body worn camera will generally be in cases where officer safety is a primary focus. This could be during critical incidents, traffic stops and citizen encounters. Police officers must possess keen skills and be cognizant of their surroundings-while employing tactics to maintain their own safety along with that of others. It is therefore a critical component of the body worn camera to have quick and simple means of activation so as not to divert the attention of the officer to ensure the unit is functioning properly. The ability to activate the camera can be compared to that of drawing any other piece of equipment such as their pistol, Taser, handcuffs, etc.

Included in the ease of use category is the size of the unit. Officers carry many pieces of equipment on their person and bulletproof vests. Part of this rests with the ability to securely wear the cameras without the fear of losing it. There is not a camera which guarantees safe deployment without this fear. However, we found some have better attaching mechanisms than others. The evaluated camera systems all have mounts which can be used on the epaulettes of uniform shirts, glasses and on the officer's vest or chest area. Some of the units were stand-alone while others had multiple moving parts and wires.

Another concern is in the number of moving parts. Three cameras tested had more than one moving or detachable pieces and parts. This is worth consideration as we did lose one small part to a camera. This part is plastic and affixes the camera onto the button of the officer's shirt.

While minor and rather inexpensive, the challenge rests with this happening to one camera versus the ten we are seeking. Losing pieces/parts is frustrating but does not take away from the functionality of the camera. However, when examining our proposed deployment, it is felt there is a likelihood of parts being misplaced or lost which may take units out of service.

Next, the battery and recording life is an important facet of the study as a drained or dead battery could prevent the recording of relevant data or evidence. The time to recharge the units is equally important because if the battery unit were to become low a quick recovery time will be very helpful. We found all units to have comparable battery life and recharge times. There was not a unit which proved to be an outlier as compared to the others in this category.

Several of the cameras assessed were water resistant which we find as a notable asset. Officers are deployed in all types of weather conditions and therefore the ability of the camera to sustain changes in temperature along with exposure to water or dampness is important.

A shared concern among law enforcement agencies is the storage of the data and the ease of download. During our 90 day study, three of the four demo units had local storage on NHPD servers. A research document remarked that the average officer will produce approximately one hour of video for each eight hours worked. Our demonstration period of cameras generally consisted of one or two officers each shift wearing the cameras. The data accumulated during this time was approximately 350 gigabytes of data. With our acquisition proposal, outfitting all NHPD officers on duty will generate an estimated 250-300 gigabytes a month. Our prediction is based upon the use of the demo units and the data saved onto NHPD servers. Two of the units tested had an online "cloud" based storage solution with a monthly fee attached. Our conclusion is the preference of local storage in a simple and expedient fashion versus a "cloud" upload that

could be hindered by upload speeds and Internet traffic. There are also concerns as to security, privacy and safety of the data which adds to the notion of local storage.

The logic behind local storage is also based upon cost and space. A large agency may be best suited for cloud storage as sites may allow for unlimited or very high capacity storage. For an agency our size and the prediction of space needed we feel local storage is best. With our policy on retention coincided with the video that must be retained, the cost for a monthly service is simply not the best allocation of funds. Rather, a local 4TB storage drive on our servers will be adequate to accommodate our storage needs. At a cost of less than \$150.00; this is certainly an affordable option.

Associated with the storage of data is the ease of video download from the cameras. The administrative function calls for individual officers to be able to successfully download data at or near the end of their shift without the need for advanced technology skills. It also calls for data to be downloaded within a reasonable timeframe so as not to cause overtime issues or officers having to come off the road early to ensure their data is downloaded. Our study has determined uploads to a cloud based service is time consuming. This may depend on connection speeds which may vary. Two of the cameras we tested had cloud storage and the upload time was simply too long.

Training

Officers must receive proper and thorough training on the policy and deployment of body worn cameras. This training includes many considerations but most important the deployment where, if properly trained, allow for the activation of the camera becoming second nature for officers. The training should encompass the limitations and restrictions of the cameras. Officers would need to become fluent in the downloading of data at the end of each

shift as we do not have the resources to dedicate one person to complete this task. There are automatic download options available which may be worthy of consideration, however, there is a cost associated with this which will call for the continued monitoring of downloads to ascertain if such an investment is warranted in the future.

Our recommendation is a three to four hour training session for each officer. This can be accomplished in a group setting and designed to address operational and policy matters as mentioned previously. The deployment of the cameras is mandatory as will be the training. The training can allow for the opportunity of officers to view their own videos and that of others. This can become an independent training opportunity as videos are critiqued.

Policy Matters

As in any police operation, a comprehensive policy is paramount to ensure protocols are put in place. The policy should address procedures, restrictions, storage/retention and the responsibilities of police officers, supervisors and administrative personnel. In a report published by the American Civil Liberties Union in 2013, author Jay Stanley remarks, "Overall, we think they (body worn cameras) can be a win-win – but *only* if they are deployed within a framework of strong policies to ensure they protect the public without becoming yet another system for routine surveillance of the public, and maintain public confidence in the integrity of those privacy expectations."

Using a model policy from the International Association of Chiefs of Police and supplemented by policies from agencies in California, Minnesota and Colorado, we have drafted a policy we feel is comprehensive yet not too restrictive. We also included policy recommendations from the United States Department of Justice, the Police Executive Research

Forum (PERF), the Fraternal Order of Police and consideration from participation in webinars by the Ohio Association of Chiefs of Police and Lexipol.

One challenge rests with our research showing very little case law when pertaining to the deployment of body worn cameras. It is anticipated that the next five to ten years will yield a sizable amount of case law ranging from criminal and tort cases to include employment related litigation. Our policy will be fluid in nature and revisited annually to ensure compliance with any court decisions, case law or unforeseen instances where a policy change is necessary.

A policy must address all facets of the deployment, operation, use and storage of data. Because the deployment of body worn cameras has not reached full maturity, the policy must be revisited at least yearly and modified based upon court decisions and operational changes. We feel our policy is comprehensive yet not too rigid where policing violations would be far too labor intensive.

Cost and Recommendation

The NHPD conducted independent research on body worn cameras before selecting vendors and devices to seek for testing. Because of the obvious taxpayer expense, we felt a comprehensive study was warranted before making acquisition recommendations. As such, we tested five cameras from four vendors. Three of the vendors provided the units at no cost while one offered a discounted unit to be purchased for \$150 which is about half of the normal purchase price.

The costs of the cameras ranged from \$295.00 to \$1,000.00 with some units having soft costs to include accessories and storage. While price is certainly a concern, a cheaper unit that draws errors by officers or a high priced unit whose download time is excessive are all calls for

concern. As an investment of taxpayer dollars, consideration needs to be given in all respective areas and not based solely upon cost.

The cameras we tested had commonalities when relating to life expectancy, video and audio quality and downloads. Our research indicates a life expectancy of perhaps three to five years depending on the unit. There were differences in the ease of use, moving parts and downloads. Our study showed the video and audio to be comparable with no unit being an outlier of higher quality among the rest. We did find notable differences in the ease of use and moving parts. We also found one camera that sustained considerable wear and tear to a cord which was a grave concern particularly because the camera had only been deployed for 60 days. The damage to the cord was debilitating and caused for the camera to be sent back to the vendor. A replacement unit was provided but the wire was the same thickness as the damaged one with no fortification thus leading us to conclude the same problem will be reoccurring. While this camera was popular, concerns of wear and tear along with life expectancy outweigh popularity.

Conclusion

It is the proposal of the NHPD to acquire ten (10) body worn cameras for deployment by our officers. Each of the fulltime officers will be issued their own camera for which they will be responsible for. The remaining cameras will be available for deployment by part-time officers. We will divide this among the shifts so cameras have adequate time to recharge. Through our test period we believe the number of cameras best represents the needs of the department based upon all considerations discussed in this study.

Our conclusions calls for the recommendation of the VieVu LE3 camera which we feel best suit our needs. The unit is small and easy to use. There is a sliding door on the front of the camera when slid down it records, when slid up it is not. The activation of the camera is simple,

easy and can be done without diverting the officer's attention. This camera is the easiest to use by far as compared to the other units.

The VieVu LE3 offers an easy to use program for downloading and cataloging recorded videos. Officers will have user functions which allow a reasonable download time and a simple way to bookmark specific videos into six different categories. The software has an administrator function which provides an audit trail of all videos which adds to accountability. The videos cannot be edited or fragmented. Videos can only be deleted with administrator access with a remark mechanism which states the reason for deletion along with the date and time.

The vendor of the VieVu LE3 offers a "Straight Shooter 25" program which allows for the acquisition of ten (10) LE3 body worn cameras at a cost of \$25.00 per month per camera. Ten is their minimum acquisition number of cameras and aligns with the number of units we are seeking. The Straight Shooter program is a three year agreement which will cost \$3,000.00 annually. At the end of the three years the Village would own the equipment outright. We could renew at the same cost and receive new and modernized cameras and get 11 cameras for the price of ten. The future advances in technology over the next three years are merely a prediction but it is anticipated the technology will indeed improve.

The Straight Shooter program allows for one replacement per camera during the three year period should the unit fail or become damaged for reasons other than deliberate negligence. There would be soft costs up front which includes docking stations, cables, chargers and extra mounting devices. Our anticipation of these costs to be less than \$1,000.00.

Based upon our study and conclusions drawn having carefully examined the equipment, we strongly urge the allocation of funding for these body worn cameras and we feel very comfortable with our decision and recommendation.