



Body Cameras Have Not Helped Enforce Accountability Among Various Police Departments.



Body-camera footage has not and will not put an end to the impunity of law enforcement

- During a three month study of five police department body camera programs, *Fusion* magazine found this technology mostly benefits police by lowering litigation costs rather than holding officers to account for alleged misconduct.¹⁰
- Steve War, CEO of body camera manufacturer Viewu, stated that body-cameras “overwhelmingly” help officers in terms of reducing costly litigation brought about by civilian complaints (e.g. aggravated assault, batteries, making false reports, harassment, discrimination).¹⁰
- We Charge Genocide (WCG), a Chicago-based group that helps assist with cop-watch programs, charged in an official statement, “Body cameras will not halt extrajudicial executions by police officers, only providing us more horrific footage to view.”⁹
- There are many case studies throughout the country that give credence to WCG’s statement:
 - A.) Mentally-ill homeless man Kelly Thomas was savagely beaten to death in 2011 by the Fullerton PD -an event that was documented on video- yet no one involved was convicted of a crime.
 - B.) In Salt Lake City, Utah 18-year-old Dillon Taylor was fatally shot outside a 7-11 convenience store despite raising his hands in compliance with police orders (the officer claimed “He was reaching”). Salt Lake County District Attorney Sam Gil, ruling in favor of the police department, said the body camera footage was “very important and relevant” for arriving at that judgement.¹⁰
 - C.) Despite being captured on video by at least three bystanders as well as the New York City medical examiner's office ruling Eric Garner's death a homicide, the NYPD Officer who choked Garner to death, Daniel Pantaleo, was not indicted for his illegal behavior.⁹
 - D.) After an Ohio man was shot by police in a Walmart for holding a toy gun -an event caught on video- no one was charged with a crime.⁷
 - E.) 12-year-old Tamir Rice was shot by Cleveland PD; however, video footage still did not lead to criminal charges against the officers involved.⁷
 - There is often no special prosecutor appointed to delve into a case sufficiently and with a degree of impartiality. The *New Yorker*¹⁵ noted, “When local district attorneys investigate local police officers, there is an inherent conflict of interest. In virtually all usual circumstances, police and prosecutors are partners, working together to build cases against defendants.” This conflict of interest renders even the most blatant recorded police abuse and/or negligence non-indictable, which belies the proponents’ of body cameras claims of greater transparency and trust as well as the supposed objectivity of the medium itself.

Manipulation of videos / Ability of cops to turn cameras on/off

- Dash cam footage had been tampered in the case of two black friends in their early twenties who were manhandled and kicked in the face by Seattle PD. Though both victims sustained facial bruises key moments of their arrest that should have been documented via the on-board police dash cam were missing.⁶
- In Albuquerque and New Orleans, unarmed civilians were killed by police officers equipped with body-cameras but whose cameras were turned off at the time of the killings.⁹
- New Orleans: cameras were found to be turned off in 60 percent of use of force incidents⁹ including one where NOPD officer Lisa Lewis allegedly shot a man in the head after a confrontation. Responding to the fact that Lewis had turned off her body-camera just prior to the event NOPD Superintendent Ronal Serpas referred to this as a mere “snafu.”¹¹
- A main finding of the *Fusion* investigatory report “shows that body cameras are not likely to lower use of force by police officers but more likely to absolve police officers of wrongdoing” (emphasis added).⁹

Digital evidence lies outside community control and release is dictated by police and their law departments

- In an article from *The Nation* magazine, one cop watcher in New York City stated, “The NYPD already uses cameras [referring to TARU and CCTV surveillance cameras], and we don't have any access to them. There's no oversight. There's no way for anyone to force them to release that type of footage. It's at the police department's discretion and the city's law department. So they hold evidence when they know that you're innocent. *I expect the same thing with these body cameras* (emphasis added).”⁹
- San Diego Police Department has claimed that it does not have to release body camera footage to the public even after an investigation has ended, which contradicts the purported transparency and trust body cameras will foster in terms of community-police interactions.⁴
- If citizens cannot view the footage and judge for themselves what transpired then “transparency” is merely a buzzword and not a substantive goal of the SDPD (or any department that maintains a similar stance with regards to release of digital evidence).⁴

Expensive / poor use of public resources

- Body cameras typically cost \$200-\$1000, which does not include the cost of data storage, technology upgrades, or that of redacting video footage for public disclosure or litigation.⁷
- Los Angeles Police Foundation (LAPF) negotiated a \$1.5 million deal with Taser to procure 860 cameras for LAPD, which comes with a two-year data storage plan as well as two technology upgrades.²
- Mayor Eric Garcetti announced plans in December 2014 to equip 7,000 LAPD officers with body cameras, pledging an additional \$10 million in taxpayer money.
- It will cost \$50/month per camera for a total of \$4.2 million for storage on Taser's cloud-based data management system Evidence.com should the LAPD procure all 7,000 body cams.²
- Taser CEO Rick Smith: “Cameras are not that interesting from an investor standpoint. It's a commoditized product. The Evidence.com piece is our real major advantage.”¹

Conflict of Interest

- LAPF is a private nonprofit organization classified as a 501(c) 3. It does not have to follow city purchasing rules.²
- Taser International has donated more than \$84,000 to LAPF and the department over the past three years.² 80 stun guns also were donated to the LAPD through the LAPF in 2012 and 2013 valued at approximately \$82,000.²
- ProPublica reported with regards to private charities like the LAPF raising funds for procuring technology for public police departments, “Proponents of these private fundraising efforts say they become indispensable in an era of tightening budgets, helping police to acquire the ever-more sophisticated tools needed to combat modern crime.”¹³
- Software company Palantir has donated \$10,000 to the LAPF and not only became a three-star sponsor of the group's annual “Above and Beyond” awards ceremony in 2013 but has won millions of dollars in contracts from both LAPD and NYPD (the latter of which also has a private charity arm to which Palantir has donated).¹³
- Los Angeles Police Commission President Steve Soboroff commenting on the implementation of Taser AXON body-camera system through the backdoor of the LAPF said: “After hearing all of the benefits that this technology could offer, I wanted to find a way to proactively jump-start the project.”³

No competitive bidding process

- While the LAPD has field tested several different camera models it did not negotiate pricing until already selecting Taser International, in particular its AXON system.²
- Neither the LAPD nor Mayor Garcetti's Office have embraced the notion of subjecting the contract for the remaining 6,140 cameras to an open bidding process.²
- There is a conflict of interest in how contracts for the LAPD are awarded to corporations. Often corporations who donate large sums of money to the Los Angeles Police Foundation are awarded these public contracts. Los Angeles Police Foundation is supposed to avoid accepting donations from companies involved in bidding on pending contracts with the LAPD, yet there are no rules forbidding this activity. Los Angeles

Police Commission is tasked with approving all foundation gifts to the LAPD but a ProPublica investigation found that such donations typically pass without discussion by the “civilian review board” and minimal public discussion.

Little existing trust the LAPD will not tamper with body-cameras

- Michael D. White, an Arizona State University criminology professor, for the Department of Justice stated “There's been absolutely no research done” to support the claim that body cameras would foster greater trust between communities and police.⁷
- In the spring of 2014, scandal erupted when it was found that nearly half of the police cruisers for the Southeast division of the LAPD had removed antennas that sent back audio to their dash cams resulting in poor audio quality that rendered it difficult to determine how and in what language officers were interacting with the mostly poor, minority communities they policed.¹² Police Chief Charlie Beck and other high-ranking officials had known about the incident during the summer of 2013 but only issued a warning to the division, while the Los Angeles Police Commission was kept in the dark until scandal broke out.¹²

Body-worn cameras will only increase surveillance of community members

- The “Mike Brown Law” leads to greater surveillance of communities of color.⁹
- Police body-worn cameras record civilians. This is direct opposite of fostering greater police accountability and begs the question, “Who is watching the watchers?”⁹
- Body-cameras will strengthen the existing mass surveillance apparatus -e.g. TrapWire, Predictive Policing, StingRay, fusion centers, license plate readers, SAR, iWATCH program, etc.
- LAPD's desire to collect more information and to have intelligence respond dynamically to shifts in time, geography, and semantics was voiced by Deputy Chief Jose Perez during a February 2014 visit by him and several other high-ranking LAPD officials to Israel in order to learn about the country's cutting-edge intelligence and surveillance technologies. Perez said he hoped that, like the IDF, LAPD would “use technology to incorporate all the systems that we have.” He continued, “We're definitely looking at the ability to get that information out to the officers on the beat with a handheld.”⁸

Cameras only capture the police's line of view

- *The Nation* stated, “when video footage is captured from the police's perspective it allows officers to narrate the events being recorded. This reduces the objectivity of the event being recorded as body-cameras cannot document close proximity encounters between police and citizens.”
- In some recorded instances, officers could not be seen pulling a gun from their holster. Subsequently, events can be misconstrued by police as they are happening in real time (e.g. an officer yelling “Stop resisting!” while batoning a civilian).⁹
- One of the slogans used by body-camera manufacturer VieVu: “Made By Cops For Cops. Prove the Truth.”⁹

Manipulation of videos and/or failing to record use of force incidents

- Recent fatal shootings by police officers in Albuquerque and New Orleans were not recorded as officers failed to turn on their body cameras.¹⁰
- Albuquerque PD has been faced with 60 violations of the department's body camera policy in 2013.¹⁰
- Salt Lake City police officers failed to turn on their body cameras during eight out of nine use of force incidents in clear violation of department policy requiring cameras to be on “at all times” when interacting with the public (Note: like LAPD, SLC uses the Taser AXON system body cameras).¹⁰
- In New Orleans, cameras were found to be turned off for 60% of use-of-force incidents.¹⁰
- Oakland, CA: Though the city has used body cameras since 2011, these devices were not activated during at least two officer involved shootings.¹⁰
- Furthermore, an independent monitor's report found that “between July and September of [2011] some officers failed to activate cameras at critical times, while others went weeks without recording while waiting for broken cameras to be repaired.”¹⁰
- According to an investigatory report by *Fusion* magazine, in Albuquerque, NM, the number of police shootings has not fallen since body cameras were introduced in 2010. Rather, there has been a marked *increase* in shootings when compared to the six years prior to the body cameras being implemented.¹⁰

- Even with the introduction of body-cameras to police departments across the country, video footage has repeatedly exonerated officers engaged in excessive use of force according to Salt Lake City Police Chief Chris Burbank.¹⁰
- SLC Police Chief Burbank: “[Body cameras] don't prevent police misconduct or use of force, they are just an avenue to document officer encounters with citizens and in most cases capture the good work of police officers.”¹⁰
- According to documents provided to *Fusion* magazine by the Ft. Worth, TX Police Department not one single allegation made against an officer since the beginning of 2014 -whether recorded or not- was either dismissed as “unfounded” or “did not result in discipline.”¹⁰
- Florida International University law professor Howard Wasserman: “*The Eric Garner case really illustrates the limit of body cameras. They might play an important role in federal or civil lawsuits but in terms of imposing criminal charges, the result is the same with or without video.*”¹⁰

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