

Police Cameras: A Necessity?

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On August 9, 2014 Michael Brown was shot and killed by Officer Darren Wilson. That fact is undisputed; but what truths led up to his death? Was he a thug who went after a police officer's gun? Or was he killed by a white police officer because he was a black man? Those questions may never be answered, but there are two pieces of information we know to be true; Officer Wilson did not have a body camera or a dash-board camera in his patrol car on the day he stopped Michael Brown.

On October 25, 2011 Iraq war veteran Scott Olsen was shot in the head with a bean bag while attending an Occupy Wall Street protest in Oakland, California. Olsen was one of hundreds of people protesting police clearing an encampment outside of City Hall when he was hit. The impact sent Olsen to the hospital and left him with brain damage. Olsen filed a lawsuit against the City of Oakland accusing them of excessive force and the City settled with him for \$4.5 million dollars. ¹ Pictures of Olsen showed him on the ground bleeding from the head. Would video of the incident have helped the Oakland police department in this case?

There is a growing cry from an outraged public as to why all police officers aren't equipped with cameras? Cameras can be used as infallible witnesses to interaction between police and citizens. In one California town, complaints fell by 88% when its officers wore body cameras.² Police officers should be required to wear body cameras to instill confidence in the public who they serve. Why are they not used?

¹ Olsen v. City of Oakland, Dist. Court, ND California 2013

² Hulse, Emily. "California Town's Simple Solution To Police Brutality Has Lowered Use Of Force By 60 Percent." Independent Journal Review. Web. 9 Oct. 2014.

Costs

In the months since the Ferguson, Missouri shooting, citizens and civil rights activists have renewed support for body cameras. Just this week President Obama proposed a \$75 million plan over three years to match state funding to help pay for 50,000 cameras.³ However, in a time when cities are finding it hard to fund their police departments, fire departments and keep in the black; how feasible is it for a city to invest in cameras, training and the maintenance that goes along with installation of the cameras?

Since 1990 the City of Oakland and private insurance carriers have paid an estimated \$74 million dollars to settle 417 lawsuits.⁴ Between 2006 and 2010 New York City paid out \$350 million to settle 6113 cases. During the same time period, Los Angeles County Sheriff's Department paid out \$54 million on 248 cases. One of the most outrageous cases involved the "Riders", a group of veteran police officers on the Oakland Police Department who were have said to have kidnapped, planted evidence, and beaten residents. The case was brought forth by Delphine Allen who said the officers beat his feet with their batons and then moved him to an underpass where they continued to beat him until he thought he was going to be killed.⁵ These are huge amounts of money for cities to integrate into their budgets especially for those cities that are on the brink of bankruptcy.

The costs to purchase and maintain body cameras for every officer on the police force are expensive. One body camera is estimated to cost \$800-\$1200. However, it's the data storage that will be the majority of the expense. Michael D. White, PhD, in his report *Police Officer Body –*

³ Russert, Luke. "Obama Requests \$263 Million for Police Body Cameras, Training." *NBC News*. 2 Dec. 2014. Web. 3 Dec. 2014.

⁴ Hyatt, Abraham. "Oakland Spent \$74 Million Settling 417 Police Brutality Lawsuits." *Oakland Police Beat*. N.p., 09 Apr. 2014. Web. 22 Nov. 2014.

⁵ (Allen v. City of Oakland, Dist. Court, ND California 2006)

Worn Cameras Assessing the Evidence suggests that the initial purchase of fifty Axon Flex body cameras for officers would be \$67,526.68, with second year pricing for video storage at \$93,579.22 and a third year for \$17,799.22. (White, Michael D. 2014. *Police Officer Body-Worn Cameras: Assessing the Evidence*. Washington, DC: Office of Community Oriented Policing Services.) The initial start-up cost for the City of Oakland, with approximately 625 police officers, is estimated to be \$844,075.00 for the first year. In 24 years Oakland and its insurers paid out \$74 million dollars which is an estimated \$3 million dollars each year. How would that change if police officers knew they were being monitored?

Police Mismanagement

If cities were able to overcome the funding issues; how would the technology be used? It's not realistic to have the cameras running constantly for the duration of the officer's work schedule, but can the public trust that the police, who often come under fire for tyrannical authority, not to manipulate the cameras into showing only what they want their supervisors to see? An Oklahoma Highway Patrol Officer, Eric Roberts, was accused of turning off his dashboard camera and microphone while he raped several women. One woman filed a lawsuit detailing her rape by Officer Roberts.⁶

Body cameras do not run continuously and must be activated by the officer on duty. Some police activate the cameras when they know there will be an arrest; others do so each time they interact with a citizen. Proponents of dashboard and body cameras say that police officers should be mandated to turn all cameras on before initiating a traffic stop. Failure to do so would lend the officer to disciplinary actions or unpaid suspension. Body cameras differ by manufacturer, but the more expensive version record continuously deleting after 30 seconds.

⁶ AMF v. Eric Roberts, 14-CV-470-JED-TLW

This keeps the officer's daily routine private while allowing him to save the previous 30 seconds if needed for a stop or an emergency situation.

Invasion of Citizen and Police Privacy

One of the biggest concerns involving police cameras is privacy. United States citizens are subjected to monitoring daily through red light cameras and surveillance cameras – should they be worried about potential videos making their way to the internet. The public is at risk of being filmed doing their daily activities and in danger of having their images on television. Rabbi Avraham Bernstein sued the State of New Jersey for illegally videotaping him in his home.⁷ The City of Freehold trained surveillance cameras on the Rabbi's home to see if he was conducting religious services in his home – which is against city ordinances.⁸ The cameras were located inside of a municipal building and aimed towards his residence. If a town believes it can videotape a private citizen's coming and goings – how can we expect a right to privacy? Not only do citizens need to worry, but so do police officers.

Police also have to consider loss to their privacy as conversations could be picked up even when they aren't supposed to be. Two Texas police officers learned the hard way when they were caught by their dashboard camera joking about raping a woman walking by their patrol car. "Look at that girl over there." One officer blows a whistle and says, "Go ahead and call the cops. They can't un-rape you."⁹ While this needs to be an opportunity to train police officers, it also shows how conversations are kept track of.

⁷ Bernstein v. Twp. of Freehold, N.J. , U.S. Dist. Ct. for N.J.

⁸ Township of Freehold, NJ Article XIX Section 190-194 Ord. No. O-08-11

⁹ Beumont, Valerie. "Texas Police Officers Caught on Tape: 'Go Ahead, Call the Cops. They Can't Un-Rape You'." Addicting Info. 1 Nov. 2014. Web. 25 Nov. 2014

Conclusion

There are many considerations when looking at whether or not to invest and deploy thousands of body cameras across the country. There are far more advantages than disadvantages – the most important being human lives. There is a higher standard for accountability on both sides when people know they are being recorded. Police, in a position of power, are held accountable for their actions, while citizens are also on notice. Everyone is held to a higher standard; possibly saving lives. On a lesser, but important scale, it saves cities (some on the brink of bankruptcy) money in court and settlement fees. As we have seen with the Eric Garner case, video evidence is not a slam dunk, but the fact that there is a vast decrease in police brutality cases in those areas where cameras are deployed is an indication that they work.