

PCCEP Recommendation

Title of Recommendation	Community-based Expectations and Concerns on Body Cameras from PCCEP		
Author(s): (Subcommittee or committee members)	Lakayana Drury, Racial Equity Subcommittee	Date presented	1/28/2020

Summary of Recommendation:

The Portland Committee on Community-Engaged Policing (PCCEP) has collected feedback from community members on their expectations and concerns regarding body cameras as a potential tool for the Portland Police Bureau. PCCEP encourages PPB to take into consideration the following recommendations and concerns when considering body cameras for their officers and any potential pilot projects associated with it. This recommendation is not an endorsement of body cameras, we leave that decision to elected officials and PPB leadership. Instead, PCCEP offers these recommendations as guidance in shaping body-worn camera policies.

Explanation of recommendation:

According to feedback from the community, here are PCCEP's recommendations if the Portland Police Bureau decides to implement a body camera pilot project or issue body cameras as a standard tool for all of its officers. This recommendation is broken into three parts; recommendations for body camera projects, considerations on shaping policy around the project and body camera use in other cities.

Recommendations

1. PPB should be transparent in how officers for the pilot project are selected. Officers for the pilot project should be randomly selected. This will alleviate the perception that officers are handpicked for the project based on behavior and other positive factors that could influence results.
2. We strongly recommend body camera footage be stored by an independent third-party.

3. Officers should write their police reports before viewing any body camera footage. This would avoid officers tailoring their accounts of the incident based on what the footage shows.
4. Strict discipline for officers who turn off their cameras when they are supposed to be engaged. This should include the possibility of termination.
5. Public access to the video should be accessible to all individuals in regard to disabilities, etc including ADA accessible.

Considerations

1. Body cameras can increase trust if implemented properly. Transparency around the project and its implementation will be a deciding factor in whether the community sees body cameras as useful or not.
2. Measures should be taken to ensure the privacy of individuals recorded in the body camera footage. For example, footage of a DUI stop could be potentially embarrassing or humiliating to an individual. How do we ensure their right to privacy and prevent footage for being used for unintended purposes? Crimes involving minors and sexual assaults should be not recorded by body cameras.
3. There are major concerns about who is storing the data and footage captured by the body cameras and who has access to it. Some of the questions that must be answered include; How long is the data being stored? By whom? Who has access to it? If the body camera footage is stored in a way that is seen as independent/neutral, there is public access to footage and the process of using footage is transparent then there is an opportunity for body cameras to increase public trust. If however, PPB holds sole access to footage, isn't transparent with the footage and it is not accessible to the public, the trust will not be gained from the use of body cameras.
4. Many high-profile shootings of citizens rest on the officer's testimony of "fearing for their life." This is a subjective standard. PCCEP wants to note that while body cameras can capture the use of deadly force, the decision to use deadly force often remains subjective. Even in cases where body camera footage was captured of use of deadly force incident, officers were still cleared of any wrongdoing. This rings particularly true in the case of Jason Washington who

was killed in Portland 2018 by Portland State University police, for example. Further policies need to be crafted for police officer accountability in this regard.

5. Body Camera footage should not override other video footage such as that collected by suspects, witnesses or surveillance footage. All video evidence should be given equal weight.
6. There must be clear rules on what footage is captured on the video and the potential of capturing footage of unrelated crimes. Can additional incidents captured on body camera footage besides the incident intended to be captured, be used against individuals? There are arguments for both sides.
7. Portland is considering a ban on facial recognition software. However, many body camera footage software used to create redacted video footage use some form of facial recognition software to identify individuals in the footage. How will PPB scrutinize body camera footage in a potential facial recognition software ban?
8. Most body camera footage requires a fee for community members to access. How will the City of Portland support those without access to funds for video release?

Body Cameras in other cities

Body cameras have been implemented in major cities and small towns across the United States including law enforcement agencies in Oregon and Multnomah County. The results are mixed. See statistics in the section above. On June 28, 2018, Jason Washington was shot and killed by two Portland State Police officers who were wearing body cameras at the time of the shooting. The officers were not charged with his death.

Local agencies with body cameras

- Hillsboro Police
- Beaverton Police
- Portland State University Campus Police

- Washington County Sheriff's Office (In the implementation process. Deputies are being trained. A trial group of 30 deputies will have cameras starting in November)
- Marion County Sheriff's Office (For traffic safety team, working on grant process for all patrol deputies)
- Oregon State Police (Patrol troopers do not have body cameras. OSP contracts police services for Oregon State University. Those officers have body cameras. So do Fish and Wildlife troopers)

Local agencies without body cameras.

- Gresham Police
- Clackamas County Sheriff's Office
- Vancouver Police
- Salem Police
- Washington State Patrol
- Portland Police

Source:

<https://katu.com/news/local/hillsboro-police-roll-out-body-camera-system-several-local-agencies-are-without-cameras>

Cost of body cameras

	Current Annual Cost Per Camera	Current Deployment (% of Force)	Current Annual Total Cost of BWC Program	Annual Average Paid for Civil Lawsuits
Mesa	\$2,198	44%	\$725,340	\$637,327
Phoenix	\$2,883	10%	\$1,009,050	\$1,306,349
Dallas	\$1,125	30%	\$1,125,000	\$527,759

Source: <https://www.policeforum.org/assets/BWCCostBenefit.pdf>

PPB had \$1.6 million set aside in 2016-2017 budget

Source: <https://www.portlandoregon.gov/police/article/712457>

Current policies regard body cameras

No current policy exists for body cameras. The closest policy to this recommendation is policy 630.70 which outlines the policy and procedure for dash cameras on PPB vehicles.

630.70 Mobile Audio Video Procedure

<https://www.portlandoregon.gov/police/article/533205>

The desired outcomes of this recommendation are:

1. PCCEP and community participation on all workgroups implementing body camera projects.
2. Reduction in use-of-deadly force incidents by 50% among PPB officers over a 2 year period.
3. Reduction of disproportionate stops by people of color.
4. The approval rating of at least 75% of the body camera project if implemented. Assessment tools of the effectiveness of the cameras based on community member perceptions would need to be developed and baseline data would need to be collected.

How does this recommendation redress barriers to racial equity?

PCCEP would like to note that video footage in and of itself is not a tool for accountability. There have been high profile killings of people of color killed by police that have been captured on video including Mike Brown in Ferguson, MO, Eric Garner in New York, NY and Jason Washington here in Portland by Portland State University Police. The video evidence of their deaths did not lead to accountability for these officers by any of their agencies. Body cameras can be a step in the process but there are other steps that need to be taken to achieve PPB's stated goals with body cameras of trust, transparency, and accountability. This should include stringent policies regarding use-of-deadly-force, stronger consequences regarding officers who kill citizens (including but not limited to termination of officers), releasing information regarding the event in a timely and transparent matter and more compassionate interactions with the

	<p>victim’s family.</p> <p>Outside of deadly incidents, body camera footage has the potential to document incidents of bias during traffic stops, pedestrian stops and other similar events in which recent data shows people of color are more likely to be stopped and searched.¹</p> <p>Community members should have a seat on any body-camera project committee or leadership body.</p>
<p>How does this recommendation improve outcomes for persons with mental illness and or behavioral health?</p>	<p>Persons with perceived mental illness and behavioral health continue to have adverse interactions with PPB officers including a high number of arrests and deaths. Body camera footage could be instrumental in understanding how these events unfolded and support officer accountability.</p>
<p>How were marginalized and underrepresented communities, including those who will be affected by this recommendation, engaged to shape, write and otherwise develop this recommendation?</p>	<p>This recommendation was developed from a community discussion at a Race, Ethnicity and Other Subcommittee meeting this summer, which included a diverse group of community members including representatives from organizations that represent communities of color including Black Male Achievement, Word is Bond, Rosemary Anderson High School, and Vancouver 1st Avenue Baptist Church.</p>

Resources

Please list all relevant resources to this recommendation.

1. PPB body-worn Cameras Pilot Program webpage
<https://www.portlandoregon.gov/police/78485>

¹ <https://www.portlandoregon.gov/police/article/747580>

- 2.** Body Camera Project revived
<https://www.oregonlive.com/crime/2019/01/portland-police-revive-effort-to-equip-officers-with-body-worn-cameras.html>
- 3.** Mayor pulls vote for body camera pilot project
<https://www.oregonlive.com/crime/2019/03/mayors-push-to-see-bids-from-vendors-for-a-pilot-body-camera-program-for-portland-police-hits-a-bump.html>
- 4.** Against body cameras: Officers with body cameras use force at the same rate as officers without, study shows
<https://www.nytimes.com/2017/10/20/upshot/a-big-test-of-police-body-cameras-defies-expectations.html>
- 5.** For body cameras: Study shows body cameras reduce misconduct and costs for officers in Las Vegas
<https://www.govtech.com/public-safety/Research-shows-police-body-worn-cameras-reduce-misconduct-and-cost-for-Las-Vegas.html>
- 6.** Agencies in Oregon that have body cameras
<https://katu.com/news/local/hillsboro-police-roll-out-body-camera-system-several-local-agencies-are-without-cameras>
- 7.** body-worn Cameras cost-benefit study
<https://www.policeforum.org/assets/BWCCostBenefit.pdf>