

**Proposed Portland Police Bureau Policies for Body Cameras  
from Portland Copwatch  
November 23, 2015**

Note: Portland Copwatch (PCW) has remained neutral on the issue of body cameras because we believe there are too many unanswered questions and not enough research on their effects on privacy and Miranda rights. PCW is concerned the tapes will be used more to support convictions than to prove misconduct, and we don't have enough time to teach all 1 million people in the Portland metro area about their right to remain silent.\*-1

We have also expressed many concerns including the financial incentives of manufacturers "to make a fortune selling cameras for individual officers."\*-2

Many of our colleagues in the police accountability movement nationwide oppose the use of body cameras, including We Copwatch, Stop LAPD Spying, and Communities United Against Police Brutality .\*-3

Since it appears the PPB is going to acquire the cameras regardless of concerns and objections, we offer the below specific recommendations, echoing and expanding on those proposed by the AMA Coalition for Justice and Police Reform.

1--Before acquiring cameras and setting policy, the PPB should conduct a comprehensive best practices study and present it to the community for further feedback. An advisory body such as the Citizen Review Committee should be kept up to date on the implementation of the cameras and related policies.

2--The community has to be involved in setting any rules if the Bureau decides to get cameras. The Bureau must publish responses to community recommendations that are not adopted.

3--As many of the policies as possible should be included in an ordinance or resolution passed by City Council to improved oversight, community input, and consistency.

4--The City must find a system that ensures secure access and integrity of the footage. This may involved a third party Oregon company, which can provide affidavits regarding the chain of custody.

5--The Bureau must provide timely access to footage to persons who are the subject of force. If there are criminal charges, the release should come no later than the time of arraignment. If there are not criminal charges, the release should be immediate upon the request of the subject.\*-4

6--If civilian subjects who are in the video ok its being released, the footage should be publicly released. To the extent possible under state law, the images should not be blurred out of those civilians, including the subjects, who have given release permission. The officers' faces should never be blurred out.

7--State law requires that cameras be turned on upon reasonable suspicion of criminal activity. We do not support any efforts to find loopholes to this policy that allow the cameras to be shut off. However, policy may be needed to address concerns of rape/abuse victims and others based on safety/privacy concerns. PCW does not have suggestions at this time.

8--PPB policy should require officers to turn cameras on before interacting with any community member if the purpose is to gather information, even in an absence of reasonable suspicion.

9--There must be increasing, structured disciplinary measures depending on the seriousness of violations, including failing to record interactions or turning cameras off during contact.

10--Officers should not be allowed to review the footage before giving statements/writing reports so that they don't use the footage to change their statements.

11--Police must inform community members that they are being recorded, and inform them of their rights to remain silent, the right not make incriminating statements, and the right to walk away if applicable.

12--Police cannot use footage to gather data on people's lawful activity in violation of state law (ORS 181.575).

13--As per state law, PPB shall not tie the video to facial recognition software to pull up information on people when they have no suspicion of criminal conduct. Body cameras should also not be linked to other databases such as license plate databases.

14--Footage should primarily\*-5 be used to hold police accountable for officer misconduct/ criminal activity and, when the subject has given a release, to improve training and policy.

15--Footage should not be used to prosecute community members for minor misdemeanors or infractions; and footage should not be used to retroactively go back and find minor crimes to prosecute.

Thank you and we look forward to your reply.  
Dan Handelman  
and other members of Portland Copwatch

## FOOTNOTES

\*-1 From People's Police Report #64 (January 2015)  
<<http://www.portlandcopwatch.org/PPR64/CopCams64.html>>

\*-2 *ibid.*

\*-3 <<http://wecopwatch.org/police-cameras-quick-fix-for-police-misconduct-or-counter-surveillance-tool/>>,

<<http://stoplapdspy.org/body-worn-cameras-an-empty-reform-to-expand-the-surveillance-state/>>,

<<http://www.cuapb.org/wp-content/uploads/2012/08/Police-Community-Relations-Body-Cams-and-the-Cooptation-of-the-Community-Agenda.pdf>>.

\*-4 Depending on technical ability to do so.

\*-5 We had debate here about whether to say footage should "only" be used to hold officers accountable. That is our preferred overall policy should the cameras be adopted. However, as that is an unlikely scenario we have included these many other recommendations for consideration as well.