



**BODY-WORN
CAMERA**
TRAINING & TECHNICAL ASSISTANCE

DOES AGENCY SIZE MATTER? KEY TRENDS IN BODY-WORN CAMERA POLICY AND PRACTICE

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March 2020



This project was supported by Grant No. 2015-DE-BX-K002 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Summary

This report serves as an addendum to our more extensive four-year policy analysis report [<https://bwctta.com/key-trends-body-worn-camera-policies>]. Refer to the larger report for a more detailed description of the methodology, selection of policy issues, and general policy trends. In this report, we explore whether there is variation in body-worn camera (BWC) policy positions across agencies of different sizes. For example, do departments with fewer than 25 officers address BWC policy issues such as activation and de-activation the way much larger agencies do?

In this report, we examine 22 specific issues across 10 general policy areas. Our review focuses on 250 policies of agencies that received funding from the Bureau of Justice Assistance (BJA) Body-Worn Camera Policy and Implementation (PIP) Program in FY 2016, FY 2017, and FY 2018.

We created a four-level classification of agencies based on the number of sworn officers:

- Extra-small: 1–24 sworn (n=68)
- Small: 25–99 sworn (n=88)
- Medium: 100–499 sworn (n=59)
- Large: 500 or more sworn (n=35).

Three general findings emerged from the policy analysis by agency size.

1. Overall, there is a high degree of consistency in policy positions across agencies of different sizes. For the most part, agency size does not affect BWC policy.
2. There are a handful of notable differences across policy issues, but there is no clear or consistent relationship between policy positions and agency size. Extra-small and small agencies did not always align. Medium and large agencies did not always align.
3. When there were notable differences on an issue, extra-small agencies (1–24 sworn) were usually the outlier.

The consistency in positions across agency size bodes well for identifying best practices in body-worn camera policy.

Detailed Findings

We identified 22 key BWC policy trends across 10 important BWC issues. We describe each of those issues below. Table 1 provides a summary of the findings.

Activation

- (1) Nearly all agencies mandate or prohibit activation in certain types of encounters. There are no notable differences by agency size.
- (2) Most agencies allow for some form of discretionary activation under certain circumstances (68 to 78 percent). The biggest difference in discretionary activation is between small agencies (78 percent) and extra-small and medium agencies (both 68 percent).

Deactivation

- (3) All agencies provide definitive guidance for BWC deactivation, both for encounters that have ended and for encounters where BWC recording is no longer permitted. There are no notable differences by agency size.
- (4) Nearly all agencies give officers authority to deactivate under certain circumstances (e.g., in the interest of privacy of victims, when entering a hospital). There are no notable differences by agency size.
- (5) Less than half of agencies allow for officer discretion in deactivation (34 to 45 percent; officers may deactivate their BWCs when they feel the event has concluded, avoids “shall” language). The biggest difference in discretionary deactivation is between small agencies (45 percent) and medium agencies (34 percent).

Citizen Notification

- (6) Few agencies mandate citizen notification of the BWC (17 to 24 percent). The biggest difference in mandatory citizen notification is between extra-small agencies (24 percent) and medium and large agencies (both 17 percent).

Officer Authority to Review

- (7) The vast majority of agencies allow officers to review their own BWC footage for routine report writing (90 to 99 percent). There are no notable differences by agency size.
- (8) Few agencies allow an officer unrestricted access to BWC footage during an administrative investigation (12 to 23 percent). Common stipulations include first completing an interview or report, or the policy authorizes the chief to limit access. The biggest difference in unrestricted access is between extra-small (12 percent) and small (23 percent) agencies.

Supervisor Authority to Review

- (9) Nearly every single agency allows supervisors to access BWC for administrative review (98 to 100 percent). There are no notable differences by agency size.
- (10) Most agencies give supervisors authority to review line officers' BWC footage to determine compliance with BWC policy and procedures (89 to 97 percent). The biggest difference in supervisor review for BWC policy compliance is between extra-small (97 percent) and large (89 percent) agencies.
- (11) Most agencies give supervisors authority to review line officers' BWC footage for general performance evaluation (89 to 99 percent). The biggest difference in supervisor review for general performance is between extra-small (99 percent) and large (89 percent) agencies.

Off-Duty Assignment

- (12) Most agencies address the use of BWCs during off-duty assignments (60 to 70 percent). The biggest difference in this policy issue is between extra-small (60 percent) and small (70 percent) agencies.
- (13) Of those agencies that do address the issue, mandating use of BWC during off-duty assignments is the most common policy stance (51 to 73 percent). The biggest difference in this policy position is between extra-small (51 percent) and small (73 percent) agencies.

Activation During Demonstrations

- (14) Relatively few agencies address BWC use during public demonstrations (24 to 40 percent). The biggest difference in this policy issue is between medium (24 percent) and large (40 percent) agencies.
- (15) Of the policies that do address BWC use during public demonstrations, the majority mandate activation (60 to 90 percent). This policy position is far more common among medium agencies (93 percent mandate) than extra-small, small, and large agencies (60 to 64 percent).

Temporary Deactivation (and Muting)

- (16) The majority of agencies allow for some form of temporary deactivation of the BWC during specific circumstances (e.g., during strip searches, employee breaks; 90 to 98 percent). There are no notable differences by agency size.
- (17) Few agencies address muting of BWC audio (13 to 32 percent). The biggest difference in this policy issue is between extra-small (13 percent) and small (32 percent) agencies.

Frequency of Supervisory Auditing

- (18) Most agencies specifically address how often (e.g., monthly, weekly) supervisors may review BWC footage of subordinate officers for purposes of policy compliance, performance review, and/or administrative investigations (57 to 67 percent). The biggest difference in this policy position is found among extra-small (57 percent) and small (67 percent) agencies.
- (19) Of those policies that address how often supervisors should audit their officers' BWC footage, the most common interval across agencies of all sizes is monthly (53 to 65 percent). The biggest difference in this policy position is between medium (53 percent) and large (65 percent) agencies.
- (20) The majority of agencies do not specify how many videos are to be reviewed during each supervisory audit (19 to 31 percent). The biggest difference in this policy position is between extra-small (19 percent specify) and large (31 percent specify) agencies.

Mentions of Non-Patrol Units Wearing BWCs

- (21) Approximately half of agencies address BWC deployment for non-patrol units. The biggest difference in this policy position is between extra-small (49 percent) and medium (68 percent) agencies.
- (22) Of the policies that mention non-patrol use of BWCs, most mandate use (52 to 73 percent). The biggest difference in this policy position is between extra-small (52 percent) and medium (73 percent) agencies.

Table 1 Summary Results of Policy Issues by Agency Size

Policy Issue	Extra-Small (1-24; n=68)	Small (25-99; n=88)	Medium (100-499; n=59)	Large (500+; n=35)
Activation–Mandatory/Prohibited	100%	100%	100%	100%
Activation–Discretionary	68%	78%	68%	71%
Deactivation–General Guidance	100%	100%	100%	100%
Deactivation–Authority	100%	98%	97%	100%
Deactivation–Discretionary	41%	45%	34%	40%
Citizen Notification–Mandatory	24%	19%	17%	17%
Officer Review–Routine	93%	99%	90%	94%
Officer Review–Unrestricted	12%	23%	22%	14%
Supervisor Review–Administrative	100%	100%	98%	100%
Supervisor Review–BWC Compliance	97%	92%	90%	89%
Supervisor Review–General Performance	99%	94%	92%	89%
Off-Duty–Addressed	60%	70%	69%	66%
Off-Duty–Mandatory*	51%	73%	71%	61%
Demonstrations–Addressed	28%	34%	24%	40%
Demonstrations–Mandatory**	63%	60%	93%	64%
Temporary Deactivation–Allowed	97%	90%	98%	91%
Muting of Audio–Allowed	13%	32%	20%	20%
Auditing–Frequency Specified	57%	67%	58%	66%
Auditing–Monthly***	62%	59%	53%	65%
Auditing–Number of Videos	19%	30%	24%	31%
Non-Patrol–Addressed	49%	57%	68%	51%
Non-Patrol–Mandated****	52%	54%	73%	72%

*Sample sizes are: extra-small (n=41), small (n=62), medium (n=41), large (n=23).

**Sample sizes are: extra-small (n=19), small (n=30), medium (n=14), large (n=14).

***Sample sizes are: extra-small (n=39), small (n=59), medium (n=34), large (n=23).

****Sample sizes are: extra-small (n=33), small (n=50), medium (n=40), large (n=18).

About the Authors

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Michaela Flippin is a doctoral student in the School of Criminology and Criminal Justice at Arizona State University. In 2015, she graduated magna cum laude and as a member of Phi Beta Kappa from the University of South Carolina with a Bachelor of Arts degree in sociology. Ms. Flippin worked as a TTA analyst from 2016 to 2018 and served multiple police agencies and sheriff's offices in the BJA BWC grant process. Currently, she works as a research analyst for Phoenix Police Department on its Crime Gun Intelligence Center project with Arizona State University. Her research interests include procedural justice, perceptions of the criminal justice system, crime and public policy, and the role of technology in crime and policing.

Dr. Aili Malm is a Professor in the School of Criminology, Criminal Justice, and Emergency Management at California State University, Long Beach. She is also a subject matter expert for BJA's Body-Worn Camera Policy and Implementation Program. Dr. Malm is interested in the assessment and evaluation of policing strategies and intelligence. In this capacity, her research requires an ability to blend theory with advanced methodologies, including social network analysis (SNA). She was one of the pioneers in applying SNA to help understand illicit networks and has used social network analysis to examine several different types of markets, including arms, drugs, art, and human trafficking. She routinely trains law enforcement in the use of SNA for intelligence analysis. She has worked as a principal investigator (PI) or Co-PI for over \$5 million in grants. Along with Dina Perrone, she is the external evaluator for the Law Enforcement Assisted Diversion pilot in Los Angeles County and San Francisco. She is also currently leading grants researching drugs on the darknet and human trafficking networks. She has published over 40 research articles and two books, including *Disrupting Criminal Networks* with Gisela Bichler and *Cops, Cameras and Crisis* with Michael White.