

## Staff Report

**BODY-WORN CAMERAS IN THE POLICE DEPARTMENT**

January 23, 2018

**BACKGROUND:**

Body-worn cameras were originally proposed for purchase in the FY 2017/18 budget approved by the City Council. At that time, camera technology was changing quickly in response to user dissatisfaction and failures in the field. The Police Department assembled an internal study committee to evaluate cameras, storage and reproduction technology, and policy issues. This committee met over a period of 18 months, meeting with vendors, testing camera systems, and evaluating policy and practice. During that time, camera technology advanced considerably. Key improvements that have occurred include:

- Image quality and light control.
- Battery life and reliability
- Systems to secure the device
- Downloading and storage
- Video management
- Integration with other camera systems

Similarly, the major policy questions involving body cameras have been examined across the country and some degree of consensus is developing.

**TECHNOLOGY ISSUES:**

Camera technology has improved considerably over the past two years. Cameras now handle low light more effectively and also have a broader field of view. These improvements allow camera images to better reflect what an officer might see at the scene. In addition, many body cameras now integrate their recording and storage with car cameras. This means that storage and image management happen in one system and both body camera and car camera images can be linked to an individual case. Finally, the overall reliability and safety of the units have improved. It is easier to tell if a camera is recording, camera mounts keep it positioned more effectively, and battery life is improving.

Storage of body camera images takes up a considerable amount of electronic storage space. Online storage options are available, but costly. Local storage is estimated to be a minimum of 12 TB for the Police Department body cameras. This is in addition to the 13 TB the Department currently uses to store car and interview video. City Information Technology staff will ultimately work with the camera manufacturer and department staff to determine the proper amount of storage. The potential for shared savings has been explored, but given the scale of storage required, there does not appear to be substantial savings available from sharing with another agency.

It appears that the duty life of a camera is approximately four years. Based on that, staff has projected a depreciation expense for future budget cycles. Because of the way cameras now function, staff is proposing that car cameras, body cameras, and interview rooms move to a common, integrated system. This should be done over time as the current units age out and come due for replacement. There may be value in accelerating car camera replacement in some future years if the system functions as effectively as anticipated.

The cameras were originally requested as part of the FY 2017/18 budget process. Based on the information we obtain from two possible vendors, it appears that the \$64,000 that was allocated for the cameras will be sufficient. In addition, \$25,000 was allocated for maintenance, storage, and related support costs. We have learned that these ongoing costs will be approximately \$12,000 per year if we approve a four year agreement.

### **POLICY CONSIDERATIONS:**

Body-worn camera policies are becoming increasingly similar as police agencies gain more experience with this technology. The Ames Police Department Policy will be based on a model policy from the International Association of Chiefs of Police. Key policy considerations include:

#### **1. Who wears a body camera?**

All Ames Police Officers in uniform will wear a body camera. Investigators and others with special assignments may be assigned a body camera when investigating criminal activity. Story County Sheriff's Office (SCSO) and ISU Police follow a similar policy. At this time, Animal Control Officers and Community Safety Officers will not routinely wear body cameras. It is possible that a camera could be assigned to one of these individuals if a specific situation warrants recording.

**2. When are cameras activated?**

Ames Police Officers will activate the camera when interacting with citizens in the normal performance of their duties. If citizens ask, the officer will explain they are being recorded. In areas where a citizen has a reasonable expectation of privacy, for example, in their own home, the officer may discontinue recording unless the recording is part of an investigative process. ISU Police and SCSO function in a similar manner.

**3. When are cameras turned off?**

Ames Officers may deactivate cameras in situations where there is no criminal investigation and the citizen has a reasonable expectation of privacy. Cameras may also be turned off when interviewing certain victims, during routine interactions with other staff, during non-criminal medical events, training, breaks and other time not involving law enforcement actions. ISU Police and SCSO function in a similar manner.

**4. Who has access to recordings?**

Recordings are Police Department property and retained and managed according to departmental electronic evidence standards. Case-related recordings are retained with case materials. Recordings not associated with a case may be retained for training, complaint investigation, discipline, accident investigation, or other administrative tasks. All other recording not retained for these reasons will be deleted. Defense and prosecuting attorneys may request video as part of a case. Citizens may request video under the terms of the Iowa Open Records Law in Chapter 22 of the Iowa Code and the City procedures for release of information. The Sheriff's Office and ISU Police function in a similar manner.

**5. How long is the video stored?**

Ames PD records retention policy indicates that recordings will be retained for 90 days unless they are associated with a case, complaint, accident, or training event. In general, video will be deleted after approximately 90 days. Accidental, unintended, or test recordings may be deleted after evaluation of the circumstances. ISU Police do not state a retention period in their policy. SCSO retains recordings in alignment with their records retention policy which is currently two years. This portion of their policy is under review.

## **CONCERNS WITH CAMERAS:**

The American Civil Liberties Union (ACLU) has been supportive of body camera use by police officers but noted several general areas of concern in its updated 2015 position paper on the matter (Ames PD comments are indicated in bold below):

1. The ACLU defaults to a “continuous record” philosophy but in practice, has noted that the camera should be turned off at times. These situations include interviews of sensitive crime victims who may be intimidated or discouraged from reporting. Many non-criminal interactions in a citizen’s private space may not be suitable for recording. For example, conversations about a non-criminal juvenile incident with the person’s parents may not be appropriate for recording. The ACLU statement also notes that not every routine, private, or semi-private action of a police employee is suitable for recording. Finally, the cameras should not be employed for mass surveillance by recording and analyzing public spaces or public traffic. Incidents involving use of force or other interactions likely to trigger a complaint are suitable for recording. **Ames PD Policy is generally consistent with this position.**
2. The ACLU recommends that police policy on recording be clear and that officers be expected to comply and be held accountable. **Ames PD Policy is a written directive and, like other Police Department policies, guides the actions of employees.**
3. Utilization of body cameras in a manner that constitutes an “invasion of privacy” should be discouraged. This means that in practice, non-criminal investigative actions or utilization in private spaces should be limited. Further, it means that review, retention, and redistribution be limited. **Ames PD Policy is generally consistent with this position although Chapter 22 of the Iowa Code guides public access to information.**
4. The ACLU advocates that citizens be notified when they are being recorded. **Ames PD Policy guides officers to explain camera use if they are asked. Much like car cameras, the policy does not require every citizen to be notified of the body cameras due to the practical challenges of introducing this into every officer interaction.**
5. The ACLU advocates limited retention periods for non-criminal recordings that are not associated with a complaint. **Ames PD Policy limits retention periods for non-criminal events.**

6. The ACLU advocates redaction of private information where feasible. **Ames PD Policy will follow state law in redaction of certain types of personal identifiers.**
7. The ACLU advocates security protections for recorded police video. **Ames PD Policy limits recordings to secure storage and official use.**
8. Finally, the ACLU advocates that only police officers with arrest powers use body cameras, excluding other police department employees. **Ames PD Policy allows use by Animal Control Officers and Community Safety Officers under special circumstances. For instance, investigations of animal cruelty or trafficking in fighting dogs may benefit from recording some situations. Similarly, CSOs transport prisoners and assist with traffic control and other police duties. It is possible that a body camera may aid in analysis of some of these situations. Any employee of the Police Department who utilizes a body camera will receive training before using the device.**

#### **STAFF COMMENTS:**

After testing several generations of the leading camera systems, experience suggests that the current camera systems have matured in their reliability and performance. This has also allowed officers to gain experience with body worn cameras in the field. This field experience has served as a reminder that the police response to a call is a complex, multifaceted event for the officer. Radio communications, incident type, facts and context of the call, previous history, and department policies all come into play as the officer responds. Adding yet another set of tasks to this response further complicates what the officer has to process. While it will likely be of value over the long term, the initial deployment of cameras will require some time as officers establish this new routine.

A Police Department policy has been developed based on models from national associations, concerns raised by advocacy groups, and the implementation practices of other local law enforcement agencies. **The Council does not normally review administrative policies within the Police Department. In this case, the policy is generally consistent with the recommendations of national organizations and the operations of other local law enforcement agencies.**

**Staff is not seeking approval for the department policy, but wants to make sure the Council is in support of the overall concepts reflected in the new policy. However, the Staff is requesting a Council motion to proceed with the acquisition phase of the camera project using funds carried over to this year's budget.**