

The Denver Police Department's Body Worn Camera Pilot Project: A Focus on Policy and Lessons Learned

March 2015

Policy Highlight

BACKGROUND

The Office of the Independent Monitor (“OIM”) is charged with monitoring the disciplinary systems in the Denver Police and Denver Sheriff Departments (“DPD” and “DSD” respectively), making policy recommendations to those departments, and conducting outreach to communities throughout Denver. By ordinance, the OIM reports annually about its work, as well as information about complaints, investigations, and discipline of sworn police and sheriff personnel during the previous year. A key component of the OIM’s oversight is proactively identifying policy and training issues, conducting analysis, and recommending solutions. This policy highlight presents a brief summary of the OIM’s analysis of the DPD’s Body Worn Camera (“BWC”) Pilot Project, which is covered in greater depth in the OIM’s 2014 annual report.

Both locally and nationally, in the wake of several incidents involving the use of deadly force against unarmed black and/or Latino community members, citizens have voiced the need for greater police accountability and better mechanisms for transparency in law enforcement. The citizens of Denver have been active participants in these conversations, and BWCs represent one important step taken by the DPD to address the concerns of communities across Denver.

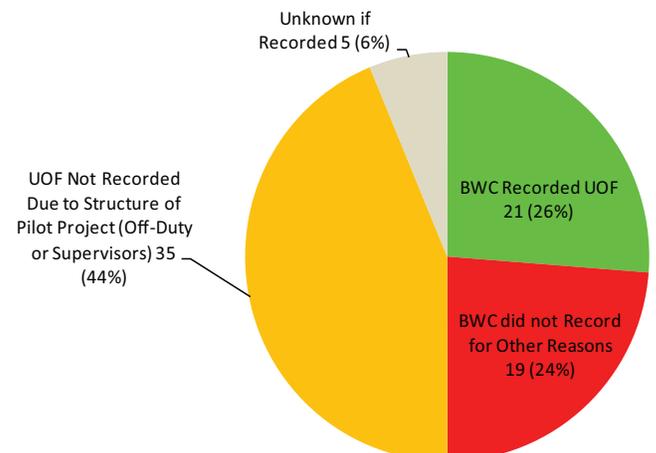
Many have suggested that BWCs may be one solution to a perceived lack of police accountability. BWCs, small, digital cameras that can record officers’ interactions with the public, may improve relationships between citizens and police, and may even contribute to reductions in use of force and citizen complaints against the police. For this reason and others, the OIM commends Police Chief Robert White’s decision to begin using them on a small scale in 2014, as well as his commitment to deploy them more extensively in 2015.

The DPD launched the BWC pilot project in June 2014, outfitting 102 patrol officers in District 6 (most of downtown Denver) with BWCs to test their use on a small scale over the course of approximately six months.

The OIM conducted an assessment of the use of BWCs by District 6 patrol officers during the pilot project, specifically by reviewing documents created by police supervisors who investigated uses of force. This included all 80 uses of force that either occurred in District 6 or involved District 6 officers during the pilot period. We sought to understand how frequently BWCs recorded uses of force, as well as some of the challenges experienced by officers during the pilot project. While the initial findings were encouraging, we noted several opportunities for improvements, both in policy and in practice, and offer nine recommendations for the DPD to consider as they implement the BWC program on a larger scale.

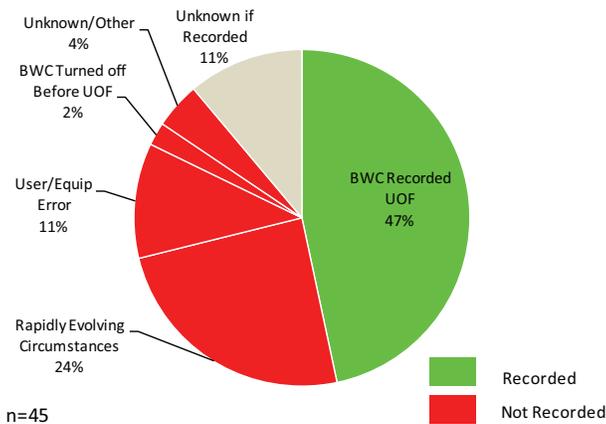
KEY FINDINGS FROM THE OIM’S ANALYSIS

- BWCs did not record a majority of the uses of force that occurred during the pilot project in District 6. 21 of 80 uses of force (26%) were recorded by BWCs, according to supervisors’ reports.
- Many (44%) were excluded due to the structure of the pilot project, which did not require supervisors or officers working off-duty to wear BWCs. Almost half of the remaining 45 incidents were recorded.



n=80

- Almost half of the remaining 45 incidents were recorded. In 24% of incidents (11 of 45), officers reported that they did not have time to activate their BWCs safely because the encounters escalated or deteriorated rapidly. An additional 11% were not recorded due to user- and/or equipment errors.
- BWCs raise important privacy issues, such as whether and how to record in hospitals and other areas where privacy is expected, and how long to store footage with no evidentiary value.
- Officers and community members can make valuable contributions to the development of the DPD's BWC policy going forward.



RECOMMENDATIONS

With the OIM's findings and lessons from the pilot project in hand, the DPD is engaged in the process of developing its final BWC policy. The OIM looks forward to continuing to work with the DPD as it begins deploying BWCs to officers working throughout Denver. We offer nine actionable recommendations for improvements in policy and practice:

1. Provide additional training on the importance of activating BWCs prior to the initiation of citizen contacts rather than after-the-fact, when situations may escalate or deteriorate too quickly to permit BWC activation.
2. Evaluate possible equipment issues that arose during the pilot project before selecting a vendor for department-wide deployment, and provide

additional training to officers in an attempt to avoid future technical or user errors.

3. Assign BWCs to all uniformed officers who interact with the public, regardless of rank, and whether they are working on- or off- duty, including officers in specialized units such as Metro/ SWAT.
4. Require officers to keep BWCs activated until the actual conclusion of encounters, regardless of whether or not the officer perceives the situation to have "stabilized."
5. Require officers to notify citizens that encounters are being recorded by BWCs, whenever possible.
6. Require supervisors to provide thorough documentation of the reason for the use/non-use of BWCs.
7. Provide officers with notice of possible disciplinary penalties for failing to adhere to the BWC policy.
8. Provide clear and specific guidance on when recording in private places (homes, restrooms, locker rooms, places of worship, certain businesses, and patient care areas) is authorized and when it is not. Provide clear retention guidelines for BWC footage that do not allow for the storage of footage with no evidentiary value for an unreasonable period of time.
9. Solicit officer and community input on the BWC policy and use that input to inform of the policy that will be in effect once the BWCs are deployed department-wide.

The findings presented here are discussed in greater depth in the OIM's 2014 Annual Report. Access our annual report here: <http://www.denvergov.org/oim/OfficeoftheIndependentMonitor/Reports/tabid/433998/Default.aspx>

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