



FACT SHEET: Police Body Cameras on Long Island

Body cameras have become the most popular political response to incidents of police misconduct and brutality, including in Nassau and Suffolk counties. But they aren't a universal fix, and can only be effective if deployed with robust community input and clear regulations focused on transparency and community safety.

BACKGROUND

In recent years, shocking video footage has helped spark a national awareness of a deeply-rooted system of police violence, a system that disproportionately affects communities of color: one in four police shootings in recent years has involved a white officer killing a black person.¹ For Walter Scott in Charleston, Eric Garner in Staten Island, Kyle Howell in Westbury, and many others, video has been a key tool in the effort to demand justice and police accountability.

Video alone cannot guarantee justice – as recent cases have shown – but police on-body cameras have the potential to be a win-win. Body camera footage can both serve as a check against the abuse of power by police officers, and help protect police against false accusations of abuse. A 2012 study evaluating the use of body-worn cameras by the Rialto, California police department over a period of 12 months suggests more than a 50% reduction in the total number of incidents of use-of-force. Force was twice as likely to have been used by officers who were not wearing cameras. Complaints about police officers fell 88% compared to the previous year.

But body cameras can only be a win-win if they are used within a framework of strong policies to ensure they protect the public without becoming yet another system for routine surveillance of the public, and maintain public confidence in the integrity of those privacy protections. In a recent survey by the Department of Justice, one-third of departments had no written policy at all for the use of cameras.² This spring, the Obama administration announced a \$75 million pilot program to test the effectiveness of cameras, and use is certain to increase.³ The need for advocacy from grassroots community members – the communities most affected by police practices – is more important than ever.

WHERE WE ARE NOW

In 2015, political leaders in both Nassau and Suffolk Counties have taken steps to begin introducing body cameras on Long Island.

In May, Nassau County Executive Ed Mangano announced that he would set aside \$150,000 for a pilot program with 31 officers in the three police precincts covering most of the county's African-American and Latino population, including Baldwin, Elmont, Great Neck, New Cassel, Roosevelt, Uniondale and Westbury.⁴ The program was set to launch in August, with corporate backing from vendors like TASER International, but is delayed without explanation. In July, Suffolk Executive Steve Bellone's administration applied to the Department of Justice for a grant; it plans to launch a pilot program if funded.⁵

Yet police and elected officials in both counties have taken few steps to consult with the communities affected by police violence, and have done none of the truly collaborative community planning that is essential for a win-win outcome. Although Nassau County is set to debut its program, no policy on the use of cameras and accessibility of footage has been made publicly available.

WHERE WE'RE GOING

Long Island officials appear to be making an effort to increase police accountability, and that's a good thing. But communities must be involved in the development of departmental protocols to shape when body cameras are mandated for use. With Nassau set to roll out their pilot, policies should be drafted immediately, including provisions developed with robust community input outlining when cameras must be activated and a provision applying a presumption of police misconduct if footage is unavailable.

To realize benefits, a body camera mandate must be preceded or accompanied by additional policies that support a community-centered culture shift and increased accountability with timely and appropriate discipline for misconduct and abuse in police departments. Otherwise, officers and departments may utilize body cameras only when it advantages them or exclusively as a surveillance tool to monitor community activity. A few of the hallmarks of a truly community-oriented policy are:

- **Control over recordings.** Purely from an accountability perspective, the ideal policy for body-worn cameras would be for continuous recording throughout a police officer's shift, eliminating any possibility that an officer could evade the recording of abuses committed on duty. The balance that needs to be struck is to ensure that officers can't manipulate the video record, while also placing reasonable limits on recording in order to protect privacy. Police tampering of cameras or footage should carry criminal penalties.
- **Limiting the threat to privacy.** Body cameras should generally be limited to uniformed police officers and marked vehicles, so people know what to expect. Officers should be required, wherever practicable, to notify people that they are being recorded. It is especially important that the cameras not be used to surreptitiously gather intelligence information based on First Amendment protected speech, associations, or religion.
- **Retention & use of recordings.** There must be clear procedures for access to body camera footage, which both protect the privacy of subjects and ensure public accountability for officers involved in misconduct. Retention should be measured in a matter of weeks, not months, and recordings should only be saved if flagged – because of a use of force, or through an open process accessible to the subject of recordings as well as officials. Technological controls must be robust to prevent tampering or unauthorized access.

References

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