

Lights, Camera, Action! Body-worn Cameras: Challenges and Opportunities in Police Research

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In many countries, the use of police body-worn cameras (BWCs)¹ offer new access points and oversight mechanisms to monitor police–public interactions. BWCs offer researchers front-row seats in Hotel Criminology from the police officer’s perspective. This discussion aims to caution researchers about getting too comfortable in their hotel armchairs as a result of the introduction of BWCs. Questions arise as to whether these cameras offer police organizations a legitimate reason to refuse research access where, alternatively, BWC footage could be viewed. For many police commanders, it would be less demanding to supply BWC footage to researchers in lieu of sanctioning direct participant access. However, it is the off-camera events and conversations that contextualize the research and are often the greatest value in participant observations. The purpose of this discussion is not to convince individuals that BWCs will replace the ethnographer, but to consider the possible unintended consequences of the introduction of BWCs. Moreover, its aim is to encourage discussions about the possible opportunities and

limitations which may arise regarding BWCs from a research perspective.

The use of BWCs has been met with a mixed response by police organizations worldwide. Those who welcome them see a positive tipping point in the transparency and accountability offered in being able to view the front-stage actions of officers (Ready and Young, 2015; Scheindlin, 2015). Indeed, knowing that such incidents are being recorded has resulted in behavioural changes from both the public and the police (Farrar and Ariel, 2013; Miller and Tolvier, 2014; White, 2014). Research that monitored almost 2,000 officers across the USA and UK noted that complaints by members of the public against the police have been reduced significantly with BWCs, for example (Ariel *et al.*, 2016). As a result of these reductions in assault, civil claims against the police should also be significantly reduced. In South Africa, civil claims continue to rise based on alleged misconduct by South African Police Service (SAPS) officers (Dereymaeker, 2015). In 2015–16, the SAPS saw a 67% increase in the number of civil claims lodged

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¹ Body-worn cameras (BWCs) have many different nomenclatures. Body-worn videos (BWVs) and officer-worn cameras (OVCs)— refer to technological equipment which is remotely worn and has the ability to record from the wearers’ perspective.

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against the police from the previous year. This translates into 16,498 claims lodged in 2015–16 arising from unlawful arrests, collisions, assaults, and shooting incidents by the South African police compared with 877 the year previous (SAPS, 2015–16). In South Africa, where BWCs have yet to be introduced en masse, the benefits of these cameras would undoubtedly be welcomed to address the many concerns about ongoing allegations of corruption and violence in the SAPS. However, what current research also indicates is that with the introduction of BWCs there is no overall discernible decrease in the use of force by police (Ariel *et al.*, 2016). As such, one must question whether the introduction of such cameras would actually be of benefit to the SAPS.

In a country which is already plagued with high police mortality rates, the evidence that BWCs fail to reduce assaults on the police, as well as by them, is of little comfort to the SAPS. In 2013, a police officer in South Africa was six times more likely to die on duty than their American counterpart (GroundUp, 2015).

Some researchers and, indeed, some in police organizations also question the possible unintended consequences of BWCs in police investigations (Douglas and Goodmark, 2015). In many cases, such as domestic violence incidents, the police arrive after the incident has occurred. The demeanour of the aggressor changes upon the arrival of the police and the recorded version of the calmer situation can undermine the future credibility of the victim in court proceedings. In addition to this, the issue of privacy from both a public and police perspective has also been raised (Freund, 2015). Police officers have expressed concerns about the possible misuse of personal conversations

about superior officers hindering their promotions or conversations being used in disciplinary actions against them (Abdollah, 2014; Stanley, 2015). From a public privacy perspective, if police record all of their encounters with the public, they will inevitably record events that are embarrassing or would otherwise cause distress for the subject (Goode, 2011). In many of the states in America, where the introduction of BWCs is prolific, the agreement on the legislative framing of the cameras has yet to be determined for court admissibility purposes in conjunction with and evidential issues where footage is remotely stored (Letourneau, 2015). This contrasts sharply with the South African situation where the SAPS declined to be involved in a pilot scheme involving the use of smart technology to record police activities (Bruce and Tait, 2015).

In South Africa, many of the SAPS front-stage activities have been recorded and reproduced through independent mobile phone footage and CCTV images. Indeed, much of the footage presents SAPS officials abusing force or power. The images of Mr Mido Macia in 2013, handcuffed and being dragged behind a moving police vehicle were replayed around the world after he died of his wounds in police custody.² Similarly in 2015, a SAPS officer shooting dead at point blank range a fleeing armed robbery suspect, when he had already been incapacitated, highlighted the many concerns surrounding the ongoing practices of the SAPS.³ An independent survey of the public trust in the SAPS indicates that they are the least trusted institution in a group consisting of the army, the courts, and the Hawks⁴ (AfroBarometer, 2016). Contrastingly, the danger of the SAPS role has also been relayed where CCTV footage captured SAPS officers being pursued by an automatic rifle-wielding armed robber

² Shtvnews.(2013). (Mido Macia) Man dragged behind a police van in South Africa to death. https://www.youtube.com/watch?v=CO_Hej_Vw2g (accessed 20 September 2016).

³ Meadows, T. (2015). Krugersdorp police shoot suspect dead. <https://www.youtube.com/watch?v=lQur1y7OYu0> (accessed 20 September 2016).

⁴ The Directorate for Priority Crime Investigations in South Africa are referred to as the HAWKS. They are independent directorate within the SAPS in terms of section 17C of the SAPS Act, 1995 as amended by the SAPS Amendment Act, 2008 (Act 57 of 2008).

and subsequently shot dead.⁵ Undoubtedly, the introduction of BWCs would capture much of the mundane day to day and indeed the danger involved in the SAPS role.

BWCs are only one method of understanding police actions. How the police operate can be better understood in the examination of why they act in a certain manner. Hornbergers' (2011) insider research into the interpretation and understanding of human rights by SAPS members demonstrates the gap between issues of interpretation and implementation. The linkages between the how and why of police activities are often made by researchers, like Hornberger, who linked the backstage abuses to the front-stage façade of human rights policing. If BWCs are introduced and allowed to prevent researchers from performing participant observation, could they also prohibit movement to the backstage area weakening these linkages even further?

So what does the introduction and use of BWCs mean for police researchers in the long term? There is already a gulf concerning research conducted on the police as opposed to with the police (Beurger, 2010). Seasoned researchers with the police have long argued for a 'get out and do it' approach towards such research (Punch, 1986; Van Maanen, 1995; Marks, 2004). However, in order to 'get out and do it' researchers must first be able to 'get in to do it'. In South Africa, Monique Marks (2011), a well-established South African police ethnographer, noted the increased difficulty she had in being given access to conduct research with the police. Access issues remain as one of the main stumbling blocks in police research. BWCs should not be allowed to become another blocker to this important research.

In the USA, UK, and Australia, police partnership networks exist which are state-supported (Bradley and Nixon, 2009; Neyroud, 2009; Rojek *et al.*, 2012). For South African researchers, initial

access to research with the police is often negotiated on an individual basis. Researcher-cultivated relationships in the police with individuals who can support research applications can certainly expedite its approval. Indeed, less than a month after my own fieldwork was verbally sanctioned by a senior police officer, his arrest on fraud charges and immediate suspension cast a shadow of doubt over the research proceeding. Fortunately, relationships had been previously formed with individuals within the research department and the project continued, albeit with some minor negotiations.

However, even with such policing partnerships established, negotiating access to the police remains a difficult process for many researchers. Issues of liability, confidentiality, and the safety of the researchers are always a primary concern in admitting access and must be carefully negotiated. Ethnographic researchers relay their difficulties where often negotiating access reflects the secrecy and suspicions of the organizational culture itself (Skolnick, 1966; Young, 1994; Reiner, 2000; Loftus, 2009).

Even if access is negotiated, many police ethnographers subsequently adopt a confessional approach to highlight the reality of the challenges that they engaged with during the field work (Van Maanen, 2011). Indeed Monique Marks' (2004) depiction of being taught to use an Uzi sub-machine gun highlights some of the realities of her research with the SAPS. However, in the process of demonstrating the reality of the research process, are researchers inadvertently adding weight to the argument for refusing their access in the first place? Research in the USA has observed that three-quarters of all police who are murdered are as a result of officer-initiated actions (Konstantin, 1984; Kaminski and Marvel, 2002). As such, for a police commander who is responsible for the welfare of both the researcher and the researched it would make operational, strategic, and tactical

⁵ taiMedia (2015). Police shot in South Africa—hard to defend criminals who shoot at cops. <https://www.youtube.com/watch?v=TgmBgej6d9w> (accessed 29 August 2015).

sense to refuse a researcher access if footage can offer an alternative access point.

While BWCs may capture the actions of officers, the explanation of such actions is often better understood through off-camera engagement with the officers which is where the value of the ethnographic approach emerges. Researchers who are fortunate enough to navigate the access maze are often rewarded with rich insights into the police culture. Insight into the SAPS understanding of human rights issues (Hornberger, 2011), the continuous everyday use of police violence (Faull, 2010), and the realities of policing notoriously difficult environments in a South African context have all been brought sharply into focus by participant observation (Altbeker 2005; Brown, 2008; Steinberg 2008; Faull 2010, 2013a, b). The academic and police communities must begin working now to implement frameworks to allow this sort of research to continue regardless of BWC use.

Examining the real difficulties researchers face in accessing and partnering with police, organizations allows for an exploration of new challenges that may emerge as BWCs become more common. While BWCs could open up new opportunities for police researcher partnerships, they could also limit them. Often 'getting in to do it' poses as many challenges as the research process itself. Questions arise as to whether the introduction of BWCs offers police organizations a legitimate reason to refuse research access. BWCs offer a new frontier in police research, however, while researchers should support their introduction, we should also exercise caution so as to ensure that the 'get out and do it' methodology of police research does not become replaced by 'get in and view it'.

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