Technology Policy - Future

Objective:

The Task Force is interested in recommendations related to:

- Managing evolving technology and policy development

Introduction:

The purpose of a "Policy" consist of two basic functions; 1. Protect the agency, individual & public and 2. Promote public trust. As technology advances, so does our desire to use these methods, but too often there is a disparity in the time and effort placed into acquisition and policy development. Co-evolution of policy and technology is critical to the promotion of public trust. Evolving technologies often force law enforcement to institute changes to their use and deployment, but too often there is a failing to adapt policy. Key factors toward accomplishing acceptance and understanding policy and implementation co-evolution are; communication, training and partnerships.

Significant technological advances occur rapidly, societal expectations of public safety provided by law enforcement demands that these tools are readily available. As a result, those responsible for crime prevention, reduction and resolution efforts are forced to implement, deploy and sustain ever changing technologies, often with limited funding, training or policy consideration.

> It is essential for law enforcement executives to stay current with ongoing technological developments. Today's executives need not only to be cognizant of developing technology but also to have a working knowledge of what this technology can do for their agencies. Executives must be skilled in acquiring technology through a variety of funding sources. (Paul D. Schultz, 2008)

The use of evolving technology adds a degree of excitement for the user, but also a level of concern by the recipient. The use of video recording devices (e.g. body worn cameras, in-car cameras, mobile phones) supports both public and law enforcement goals by providing an avenue toward transparency, thus creating an opportunity toward trust in policing services. The burden falls on law enforcement to establish clear and understandable policies for its use by their employees and the demand for community engagement has never been louder. When executives fail to clearly define policy based procedures the employee is left too much discretion for interpretation of intent and often offsets the technical benefit with unintended consequence.

> E.g. Establishing policies that address the three key areas: communication, training and partnerships, for the use of social media helps ensure a department is viewed in the most favorable light, ensures the integrity of investigations, safeguards evidence, maintains the anonymity of victims and ensures the dissemination of accurate/complete information. Failure to address the key areas has caused damage to agency image and distracted from the law enforcement mission, as in this example when the New York Police Department attempted to build relations with the public using social media by soliciting "pic" of public interaction with NYPD's Finest, "New York Police Department social media fail spreads to Los Angeles and Chicago (http://www.news.com.au, 2014).example.

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The promotion of public trust through well-developed partnerships and open communications must be codified in policy. It is a disappointing fact, born out by the current temperature of public opinion, that minimal time is devoted to this aspect when considering evolving technologies.

Managing Evolving Technology:

The implementation of technology which is not mutually beneficial to the public or an agency may deteriorate public trust, employee acceptance and inevitably fails to accomplish the crime reduction goals. To ensure mutually beneficial successes the implementation of evolving technologies begins with assessments: a clearly defined need or demand, understanding of existing policies and practices, lessons learned from early adopters, cost estimates, impact on the agency, partners, and the public. Beginning stages of adoption requires incremental goal setting and measured assessment periods.

Law enforcement strives to decrease the technology gap by developing strategies that enhance traditional policing methods with tools and resources afforded by evolving technologies such as:

- Analytics and ComStat Practices
- Biotechnology & Biometrics
- Crowdsourcing Information
- Cyber Crime Investigation
- Garment Technology
- Nanotechnology
- Near-Real Training Simulators
- Non-Lethal Weapons
- Robotics, Ground and Aerial
- Second Hand Property Management
- Video Evidence and Analytics

Crowdsourcing of information has evolved in such a way and with such speed that it is has permanently changed the way information is disseminated, received, and interpreted. It is requiring law enforcement professionals to evaluate their traditional methods of communicating with the public; one example is the use of social media. Social media is a type of crowdsourcing environment in which a large group of people contribute opinions or ideas to a topic and spread their interpretation of the information to many in a matter of seconds. The accuracy and credibility of the information is often overlooked by the reader, thus contributing to distrust. Law enforcement professionals then need to answer questions about the misinformation which gives the appearance of covering up. It is imperative law enforcement professionals recognize and utilize the technologies that the public has grown to rely on and trust.

Garment technology can enhance performance, protection and provide a real-time assessment of a person's vital signs. This is particularly valuable toward ensuring physical and mental readiness of law enforcement professionals in the performance of their duties. The military is working with this to evaluate soldiers for needed nutrients and seeking to introduce 3d printers that create food that meet a specific soldier's deficiency. Incorporating a cognitive process within a garment reduces the number of manual steps for ensuring operational readiness.

Some agencies seek to use unmanned drones to supplement limited policing resources and perform tasks that are not possible without expensive aviation units. This evolving technology has demonstrated the conflict that arises from the delays caused by careful policy deliberation and the public expectation that law enforcement will seek every avenue to reduce the cost of policing. In this example the delays are justified as the Federal Aviation Commission (FAA) has

maintained an open and considerate assessment of the impact of drones on public safety while the vocal public concern of privacy has been the leading issue when discussed by policing professionals. Where cameras routinely placed on city corners has become publicly accepted, the use of drones to supplement of patrol efforts is not accepted because policies have not openly addressed the concerns. So while enhanced patrol of targeted crime reduction areas with unmanned drones would greatly improve police resource deployment strategies this valuable policing strategy has already created a sense of distrust.

Often times, acceptance is shaped by an extreme event such as the terrorist attacks on 9-11 or the Boston Marathon bombing. But even in the face of such public pressure managing evolving technologies requires consideration of community expectations to encourage acceptance and reduce future regrets. For example; how willing would citizens be to having their mobile devices used surreptitiously by law enforcement as listening devices for a credible terrorist threat at a major sporting event? An excellent example of thoughtful policy consideration in the management of evolving technology would be the inclusion of codified review meant to consider the termination of a technology once the need has subsided. Repeated demonstration of this type of restraint helps to strengthen and support the public trust of law enforcement.

Addressing these issues, and more, will require paradigm shifts in law enforcement. A key requirement to effectively implementing evolving technologies will involve co-evolved recruitment, hiring and training strategies to enable this and future generations of law enforcement professionals. For example, the para-military linear promotional processes in most law enforcement agencies deters the continued development of non-traditional academic concentrations in our sworn law enforcement recruitment and training efforts; such as mathematicians, statistical analyst, computer science, cyber security professionals, computer programmers, data managers, etc. This type change is not easy or inexpensive, but neither is being on the wrong side of public opinion.

An example of why concepts such as this are critical to the management of evolving technologies is the volume of information collected by law enforcement. In some agencies this data goes unused, have no impact on crime reduction efforts. But today, due to the development of mature crime analysis and ComStat processes, this information is being used by law enforcement to effectively develop policy and deploy resources for crime prevention. Intelligence-led policing and predictive analytics are examples of these technologies. Unfortunately, the majority of law enforcement experiences a lack of uniformity in data collection and only patchwork methods of near real-time information sharing exist. Often, even though systems exist to share law enforcement information across agencies, information has already been posted to the most popular news and social media environments by the public.

> E.g. We have seen social media support policing efforts in gathering intelligence during active assailant incidents; Columbia Mall Shooting, MD and the Boston Marathon Bombing, MA. Social media allowed for a greater volume of information to be collected in an electronic format, single location, captured both audibly and visually. Traditionally, emergency communications (911) is used by both the public and

emergency services to collect critical incident information, but the amount of information which can be collected is dependent on the operator's ability to understand the caller's statements to direct the proper resources. The amount of information which can be collected is dependent on the speed, knowledge, skills and abilities of the communications operator.

Ultimately, when decision makers are confronted with evolving technologies they have to maintain the discipline to assess the technology methodically and patiently in the face of public opinion and agency resource pressures. When a decision is made they must to adopt an emerging technology the three keys to implementation have to be codified in policy: Communications, Training and Partnerships.

Emerging technologies are in abundance, but strategies for acceptance, implementation and sustainability lack structure across policing professional. An assessment of one owns priority obligations and current technology state is critical to ensure the best investment in technology. Policing professionals, like the Maryland State Police, providing policing services across a large geographic region, as such, would find more value in Global Positioning System (GPS) technologies. Prioritizing obligations, identifying greatest impact of investment and planning future needs for the identified technology should be codified within policy.

Policy:

Sound policies promote open communications, effective training and partnerships. Any law enforcement technology that impacts the security, privacy or rights of the public should be addressed in policy. Incorporating methods of accountability for the use of technology in law enforcement builds confidence in our partnerships with associated agencies and the public. These policies increasingly promote this trust through performance measurements.

> E.g. Managing for Results constitutes the overall framework within which planning, accountability, and continuous improvement in program performance and budgeting take place. (MANAGING FOR RESULTS IN MARYLAND STATE GOVERNMENT, 2004)

As we see law enforcement reaction to public expectations continue to shape public opinion, the demystification of policing practices and incorporating measures for open communications and partnerships within policy has never been more important, internally and externally. Communities and advocates are repeatedly demanding clear policies to guide the use of evolving technologies. Primarily this request is to gain the assurances of transparency and inclusion to help to create reasonable expectations.

> A popular image has been circulated the internet which depicts a man standing on a pile of ladders lying flat on the ground so he may see over a wall, here is the quote: "It doesn't matter how many resources you have – If you don't know how to use them, it will never be enough." This image suggests one properly placed ladder would have accomplished the objective of seeing over the wall. It is important to focus efforts and

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"resources to achieve meaningful results." (MANAGING FOR RESULTS IN MARYLAND STATE GOVERNMENT, 2004)

Methods for open communication must be incorporated into policies.

- Policies should clearly communicate the agency expectations for its operation.
- Ensure a clear process for meeting with leaders of the community and criminal justice partners.
- Establish methods by which both police and the community come together to communicate their expectations about the technology.

Transparency of intent and clearly defined methods of information sharing should be part of any policy; particularly with evolving technologies. When law enforcement fails to build a clear understanding how evolving technologies will be implemented it places the burden of interpretation on the public to discern intent. Misinterpretation makes it difficult to gain public support. Policy can help overcome these obstacles by establishing:

- Intervals for regular assessments
- Intervals for dissemination
- Methods of audit for public protection
- Methods of reporting to ensure transparency without violating privacy
- If applicable, methods by which a process may be decommissioned

Benchmarks are identified goals within defined and ordered time frames. Benchmarks provide assurances that the implementation of evolving technologies completed all of the steps required to 1) solve the problem identified 2) establish of the necessary policies 3) address the concerns of partner agencies 4) assure the public of a thorough and complete implementation. Some example benchmarks are the vetting of recommended policy with the public, the training of all relevant personnel and partners, and affirmation of adherence to established policy performance measurements. Successful projects that include the keys to implementation success help to foster public trust and confidence with the introduction of evolving technologies.

> E.g. Implementing new communication systems to support interagency interoperability is a complicated effort. The expectation of the agency, individual and public is that every law enforcement member can and should be able to communicate with each other in real-time. Unless we clearly communicate the complexity of the effort, we know this will take much longer to accomplish than an uninformed citizen or stakeholders would imagine, causing a lack of trust in the project itself.

The use of policy is often focused on defining acceptable behavior and protection of agency liability. Policy for evolving technology should focus on strategies to build a foundation and culture toward self-accountability through regular assessments for improvement of their use.

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Works Cited

http://www.news.com.au. (2014, April 24). *News.com.au*. Retrieved from
http://www.news.com.au/finance/work/new-york-police-department-social-media-fail-
spreads-to-los-angeles-and-chicago/story-fnkgbb6w-1226894609019

MANAGING FOR RESULTS IN MARYLAND STATE GOVERNMENT. (2004). Retrieved from
Department of Budget and Management (DBM):
http://www.dbm.maryland.gov/agencies/Pages/ManagingResultsMaryland.aspx

Paul D. Schultz, C. o. (2008). *Police Chief Magazine*. Retrieved from
http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&artic
le_id=1527&issue_id=62008