

The President's Task Force on 21st Century Policing

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Policing a free society is complex, as it requires of the police and the public equal measures of restraint and submission to law and lawful authority. When police abuse power and discretion or when members of the public fail to submit to it, conflict thrives. But my experience tells me that the underlying cause of many of these problems is in the way we interact, and by that I mean the lack of understanding, compassion and respect that is often shown to one another. We have an obligation to manage our side of that problem more effectively than we do.

Police agencies are wildly inconsistent in how they collect and analyze and learn from complaint, use of force and early intervention data. Often, there are insufficient data or staff resources to produce a learning environment where analyses actually inform policies, practices and training. Since we don't fully trust our systems to work for us, body cameras have become more popular, serving as "independent" witnesses.

In Greensboro, we implemented police body cameras across more than 500 field officers in 2013. Our goal was to improve interactions and address complaints. We worked through a litany of privacy, legal, retention, training and financial concerns to ensure we met community expectations. Also in 2013, the Police Executive Research Forum (PERF) held a summit in Washington, DC, to discuss these issues and produced an incredibly insightful publication to guide decision making with body camera technology. We believe these systems add value by:

1. Elevating the quality of behavior on both sides of the camera; and,
2. Providing greater clarity to settle disputed facts.

But cameras and early intervention systems alone cannot produce the fair and impartial policing or the relationship development that this Task Force seeks to promote. While these systems can provide evidence of compliance with policies and training that promote fair and impartial policing, they cannot guarantee it. Through its funding programs, the federal government is uniquely positioned to influence systemic changes to produce this kind of environment. And so my recommendations are focused in that way.

Recommendation 1. *Avoid mandatory body-worn camera laws.* The many policy, legal, training and resource concerns vary by jurisdiction and must be locally resolved. Poor

implementation will create more problems than are solved. The marketplace will drive development and use, and growth can be encouraged through funding support and political process.

Recommendation 2. *Require grant funded agencies to adopt policies, practices and training that produce fair and impartial policing.*

Policies and practices include:

- a. Prohibiting the use of race, ethnicity and other class factors as general indicators of criminal activity and subsequent police action;
- b. Requiring open complaint processes and adoption of all biased-policing complaints for investigation;
- c. Track and review all stops and searches, and prohibit consent searches lacking reasonable suspicion;
- d. Require in-car or body worn video recordings of any encounter of an investigative nature.
- e. Incorporate review of video, stops and searches into the functions of an early intervention system.

Promote training on:

- f. Fair and impartial policing
- g. Conflict resolution
- h. Legitimacy and procedural justice

Recommendation 3. *Require state justice academies to integrate these three training programs into recruit and in-service programs.*

Recommendation 4. *Conduct longitudinal studies to determine body worn camera impact upon frequency of force and complaints.* Greensboro Police saw significant reductions early in its program, but complaints have risen in 2014, although it remains at lower levels than in the years prior to body worn camera implementation.

Recommendation 5. *Prior to implementing body worn cameras, police agencies must develop a comprehensive policy that addresses the variety of legal, retention and release, and privacy concerns.* Many of these concerns require significant dialogue among police, policymakers, educators and community members at the local level. Failure to comprehensively address these issues in advance of training and implementation create significant problems for the agency and can compromise public confidence in it.

One approach cannot resolve the tensions we are experiencing today around race, class and policing. But supporting comprehensive training and expectations with adequate supervision and technology can better control unacceptable behavior from occurring – on either side of the lens.