King County

Community Advisory Committee on Law Enforcement Oversight

June 18, 2020

Transmitted via: Melani Pedroza, Clerk of the Council, Metropolitan King County Council

Dear King County Councilmembers, Sheriff Johanknecht, and Director Jacobs,

We, the members of the Community Advisory Committee for Law Enforcement Oversight (CACLEO), are writing to provide comments concerning the evaluation, pilot study or possible implementation of body worn and/or vehicle dashboard cameras "police cameras" within the King County Sheriff's Office. All the advisory comments below must be considered in collecting data or input from the public and before making any recommendations or proposals, or before implementation of any body or dash cam policies and/or programs.

CACLEO Role and Authority
The King County Council created CACLEO to provide a resource that represents the interests of the county's diverse community by serving in an advisory role to the King County Council, the King County Sheriff's Office, and the Office of Law Enforcement Oversight (OLEO) on issues of policy and public perception as it relates to King County Sheriff's Office operations (inclusive of policy, practice, procedure, and culture). As such, it is within the scope of CACLEO's duty and authority to review and weigh in on actions and activities that could have a major impact on community trust in law enforcement, and relate to transparent and accountable leadership.

Issue Context
The use of body-worn and dashboard cameras ("police cameras") is a complex issue that presents an array of benefits and challenges. Their use can potentially create a timely and permanent record of what transpires during police-community interactions from the single point of perspective of the individual camera capturing the encounter. There is also value in the audio component of police cameras, which may capture important information outside of a camera's view. However, police cameras are not a remedy or solution for all difficulties faced within police accountability or police-community relations, and there may be competing community interests.

CACLEO Recommends Exploration
CACLEO believes this issue requires further study. We recommend that the Sheriff's Office carefully consider whether and how to use police cameras, and approach a study of police cameras with sensitivity to an array of experiences and perspectives. CACLEO recommends additional research including a full and transparent public process to assess the value and feasibility of a police camera program for the Sheriff's Office. A feasibility study should explore potential benefits and challenges and quantify their impact including:

- An exploration and assessment of expectations and outcomes, and potential benefits, concerns and considerations (identified further in Table 1 below) for police and the public.

- Goal to reduce police-community interactions rather than record them by assessing the cost and efficacy of investment in non-law enforcement community-based alternatives and make equal, equitable, or proportional investments.
- Impact of adoption and implementation of police cameras on all human and financial resources over time.
- Analysis of community needs and priorities in relationship to Sheriff's Office personnel needs and priorities.
- Public and law enforcement personnel privacy, use of data gathered, and freedom of public information and records concerns – including use of data gathered in the criminal justice and/or other legal systems.
- Law enforcement costs vs. benefits.
- Identification of changes to policies and practices needed to operationalize police cameras, and transparency about how those changes impact community-police interactions.

Table 1 -- Potential Benefits, Concerns and Considerations for "Police Cameras"	
The Perceived Benefits of Officer Body-Worn and Vehicle Dashboard Cameras	**Concerns and Considerations Regarding Officer Body-Worn and Vehicle Dashboard**
Increased transparency and legitimacy.	Community and Officers' privacy and civil liberties protections.
Improves accountability by addressing or improving police officer and/or community behavior or interactions.	Do police cameras address individual officer behavior or create systemic changes in police culture? Is there evidence that police cameras reduce misconduct?
Potential to reduce trauma within community related to psychologically stressful interactions with police.	Significant financial investment in a new "downstream" law enforcement system rather than an "upstream" social investment that may have more social justice impact.
The potential to expedite resolution of complaints and lawsuits.	Operational, training, and policy requirements: • Camera deployment and usage. • Camera and technology maintenance. • Recording protocols. • Downloading and storing footage. • Chain of custody documentation. • Data retention and privacy. • Process for assessing and reviewing data. • Process for managing public records and releasing recorded data, including redaction and timelines. • Use of third-party vendors within the program for things like training, data storage, etc. • Circumstances under which oversight staff, officers or command staff can view captured footage or data.
Improved evidence with respect to community complaints, critical incidents, and arrests and prosecutions.	Logistical and resource requirements, including data storage and retrieval.

Provides valuable information for training purposes and can be used as training tool.	Can potentially be turned off or obscured.

The Critical Importance of Community Perspectives

To advance fair, equitable, and just treatment of all potentially impacted communities, and understand the potential mutual interest and benefit, along with and legal considerations, that police cameras might offer King County, it's essential that any and all processes to assess and consider police cameras are inclusive, accessible, transparent, and requires robust community engagement and public participation.

- The community engagement process should build community understanding and awareness and facilitate a collaborative conversation in which equity impacts inform all related decisions.
- Community engagement and participation should occur at all stages, including during assessment and feasibility, prior to decision-making, and related to implementation of police cameras (if adopted).
    - Public participation should also inform non-law enforcement alternatives, as well as changes to related Sheriff's Office policies, practices, or protocols.
- Key stakeholders in the process should represent the diversity of King County Sheriff's Office communities, and at minimum include general public, community organizations and service provider stakeholders, commissioned and non-commissioned Sheriff's Office personnel, political decision-makers, and independent impartial technical experts in the field.

CACLEO has given significant thought to specific elements of an outreach plan and feasibility study for this issue. **See Appendix A** for further direction on topics to include in public education, engagement, and participation.

We look forward to being in dialogue as you explore the question of whether police cameras are the right tool for the Sheriff's Office.

Sincerely,

Community Advisory Committee for Law Enforcement Oversight:
Abiel Woldu, Chair

Vicente Omar Barraza	Anja Helmon	Nick Allen
Kimberly Lisk	Tamika Moss	Melodie Reece (Nominee)

cc:

Liz Rocca, KCSO Chief of Staff

Rhonda Lewis, Chief of Staff – Councilmember Girmay Zahilay

Deborah Jacobs, Director, King County Office of Law Enforcement Oversight (OLEO)

Jenna Franklin, Community Engagement Manager and CACLEO Liaison, OLEO

Appendix A

- Conduct a carefully considered a detailed feasibility study on police cameras in consultation and collaboration with the community and independent experts. The feasibility assessment, and community engagement and public participation effort, on police cameras should include and extend beyond the obvious concerns and issues where needed, and address things such as, but not limited to:
    1. The type of camera program is being considered, i.e., body-worn cameras, dashboard cameras, or both.
    2. How the cameras work, what technology is available and being considered, and what differentiates the various types of camera under consideration.
    3. Community and officer expectations and attitudes towards police cameras.
    4. The benefits and challenges of a police camera program and how it addresses community and/or officer interests and expectations.
    5. Police camera program concerns and limitations, such as but not limited to:
        a. How a police camera program would potentially impact community-police relations and interactions.
        b. Cameras do not follow officers or community members eyes or see as they see or what they hear.
        c. What is out of the field of view is missed, and cameras are a single point of perspective.
        d. Camera audio and video captured vs. real life, video speed and frames do not offer a full account of what has occurred.
        e. Cameras footage is 2-D and does not offer sophisticated time stamping.
    6. The impact of police cameras on daily practices and actions, and whether police cameras impact officer and public behavior – the reality versus expectation.
        a. As measured by complaints, use of force, or related to proactive and deescalating measures, or officer discretion, arrests, citations, and conduct.
    7. The impact of police cameras on criminal and internal investigations related to misconduct complaints.
        a. How police camera data might be used to assist with the prosecution of criminal cases and internal investigations of complaints.
        b. How use of cameras could decrease or increase arrests, pleas, duration of sentences or incarceration in general.
    8. The impact of police cameras on law enforcement oversight and on the law enforcement agency, i.e., training, systems, policies, practices, technology and privacy, accountability, supervision, management, budget, resources, use in oversight work.
        a. How new or existing KCSO policies, practices, and procedures will be examined, redeveloped, and/or revised in relationship to any technology selected.

      i. I.e., Camera deployment and implementation, including officer training; voluntary, compulsory and prohibited use requirements for use of the camera; how to download and store of video; how requests for the public record created in the recorded footage would be assessed and managed considering privacy.

     ii. I.e., operational setup that facilitates trust in the recording, downloading, and storage of video.

1. What prevents tampering of data and footage to preserve trust?
2. Who will have access and maintenance responsibilities due to privacy, integrity, and data sharing concerns, and should it be an entity other than KCSO?
3. What will KCSO be permitted to do with all the data that is collected though the gathering of footage if a police camera program is implemented?
4. How long will data and footage be retained?
5. Ensuring access to data and footage by the oversight agency, OLEO.

9. The initial and ongoing costs of a police camera program be if implemented and how will it be funded in balance with other non-law enforcement alternatives?

      i. Where does the money come from and at what cost?