ARIZONA STATE SENATE
RESEARCH STAFF

TO: MEMBERS OF THE LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

AMBER WITTER
LEGISLATIVE RESEARCH ANALYST
JUDICIARY COMMITTEE
Telephone: (602) 926-3171
Facsimile: (602) 926-3833

DATE: December 31, 2015

SUBJECT: Study Committee Final Report

Attached is the final report of the Law Enforcement Officer Body Camera Study Committee. This report has been distributed to the following individuals:

Governor of the State of Arizona
The Honorable Douglas A. Ducey

President of the Senate
Senator Andy Biggs

Speaker of the House of Representatives
Representative David Gowan

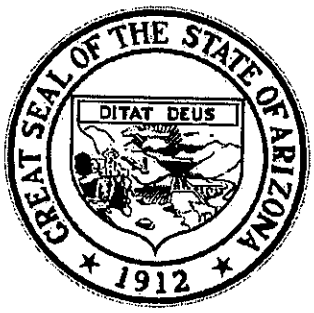
Members of the Study Committee
Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher
Representative Sonny Borrelli, Co-Chair
Sean Mattson
Director Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Chief Terry Young

Arizona State Library, Archives & Public Records

Senate Majority Staff
Senate Research Staff
Senate Minority Staff

House Majority Staff
House Research Staff
House Minority Staff

ARIZONA STATE LEGISLATURE



Law Enforcement Officer Body Camera Study Committee

Final Report
December 31, 2015

Committee Members:

Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher
Representative Sonny Borrelli, Co-Chair
Sean Mattson
Director Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Chief Terry Young

TABLE OF CONTENTS

Legislative Study Committee Final Report

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Background

Body-worn cameras are devices that police officers may wear as part of their uniforms to record what they see as they perform their duties. According to the National Conference of State Legislatures, in 2015 at least 37 states considered legislation on some aspect of body-worn cameras for law enforcement officers. A total of 19 states have laws regarding police cameras. One state requires all officers to use cameras, contingent on state funding, while the others: 1) allow their use in certain circumstances; 2) require studies; 3) provide guidelines for the release and retention of videos; 4) require notice when a camera is in use; or 5) provide funding mechanisms.

Laws 2015, Chapter 161 established the Law Enforcement Officer Body Camera Study Committee (Committee) consisting of 15 people, including law enforcement, prosecutors, university faculty and members of the Legislature, a news gathering organization, the state bar and the public. The Committee may request information, data and reports from political subdivisions, hold hearings and take testimony. The legislation requires the Committee to recommend policies and laws on the use of police body cameras. The Committee terminates on July 1, 2016.

Committee Activity

The Committee held four public meetings on October 7, November 5, November 19 and December 10, 2015. Please refer to the Committee minutes for a list of the presentations and public testimony.

Committee Recommendations

The Committee considered 17 recommendations but did not vote to adopt any. Please see the minutes of the December 10, 2015, meeting for more information regarding the proposed recommendations.

APPENDIX A:

October 7, 2015

Agenda, minutes and handouts

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE
OPEN TO THE PUBLIC

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Date: **Wednesday, October 7, 2015**

Time: **1:00 P.M.**

Place: **SHR 109**

AGENDA

1. Call to Order
2. Roll Call
3. Member Introductions
4. Committee Overview
5. Overview of Police Body Cameras
   a. Phoenix Police Department, Assistant Chief Michael Kurtenbach
   b. Lake Havasu City Police Department, Lieutenant Troy Stirling
   c. Arizona's Use of Police Body Cameras, Senate Staff
   d. Arizona Peace Officer Standards and Training Board - Current and Potential Future Involvement with Police Body Cameras
6. Committee Discussion on Body Cameras, the Committee and Future Meetings
7. Public Testimony
8. Adjourn

Members:

Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher
Representative Sonny Borrelli, Co-Chair
Sean Mattson
Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Terry Young

9/30/15
sa

For questions regarding this agenda, please contact Senate Research Department. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Minutes of the Meeting
October 7, 2015
1:00 p.m., Senate Hearing Room 109

Members Present:
Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher
Representative Sonny Borrelli, Co-Chair
Sean Mattson
Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Terry Young (via telephone)

Staff:
Brandi Lease, Senate Research Assistant Analyst
Rick Hazelton, House Research Analyst

Co-Chairman Kavanagh called the meeting to order at 1:01 p.m. and attendance was taken.

MEMBER INTRODUCTIONS

Senator Kavanagh requested that the members introduce themselves.

COMMITTEE OVERVIEW

Senator Kavanagh gave an overview of the purpose of the Committee and his plan for how the Committee would proceed. Senator Kavanagh explained a PowerPoint presentation entitled "Police Body Cameras; A Double-Edged Sword" (Attachment A).

OVERVIEW OF POLICE BODY CAMERAS

Phoenix Police Department, Assistant Chief Michael Kurtenbach

Mike Kurtenbach, Assistant Chief, Phoenix Police Department, spoke about the pros and cons of police officers wearing body cameras and explained a PowerPoint presentation entitled "Evaluating the Impact of Officer Worn Body Cameras in the Phoenix Police Department" (Attachment B). Assistant Chief Kurtenbach answered questions posed by the Committee.

Lake Havasu City Police Department, Lieutenant Troy Stirling

Troy Stirling, Lieutenant, Lake Havasu City Police Department, explained a PowerPoint presentation entitled "Officer Body Camera Program" (Attachment C) and the policies that have been enacted. Lieutenant Stirling answered questions posed by the Committee.

Arizona Peace Officer Standards and Training Board - Current and Potential Future Involvement with Police Body Cameras

Lyle Mann, Executive Director, Arizona Peace Officer Standards and Training Board (AzPOST), gave a brief overview of the Board and explained a PowerPoint presentation entitled "Arizona Peace Officer Standards and Training Board" (Attachment D). Mr. Mann answered questions posed by the Committee.

Committee Discussion on Body Cameras, the Committee and Future Meetings

Senator Kavanagh distributed a handout entitled "Police Body Camera Committee Issues" (Attachment E) and a handout entitled "A Primer on Body-Worn Cameras for Law Enforcement September 2012" (Attachment F). Senator Kavanagh recommended having the next meeting in three weeks and what he would like to discuss at the next meeting.

Mr. Riches made suggestions of who might come speak before the Committee.

Senator Kavanagh requested staff find a criminal defense attorney to speak before the Committee.

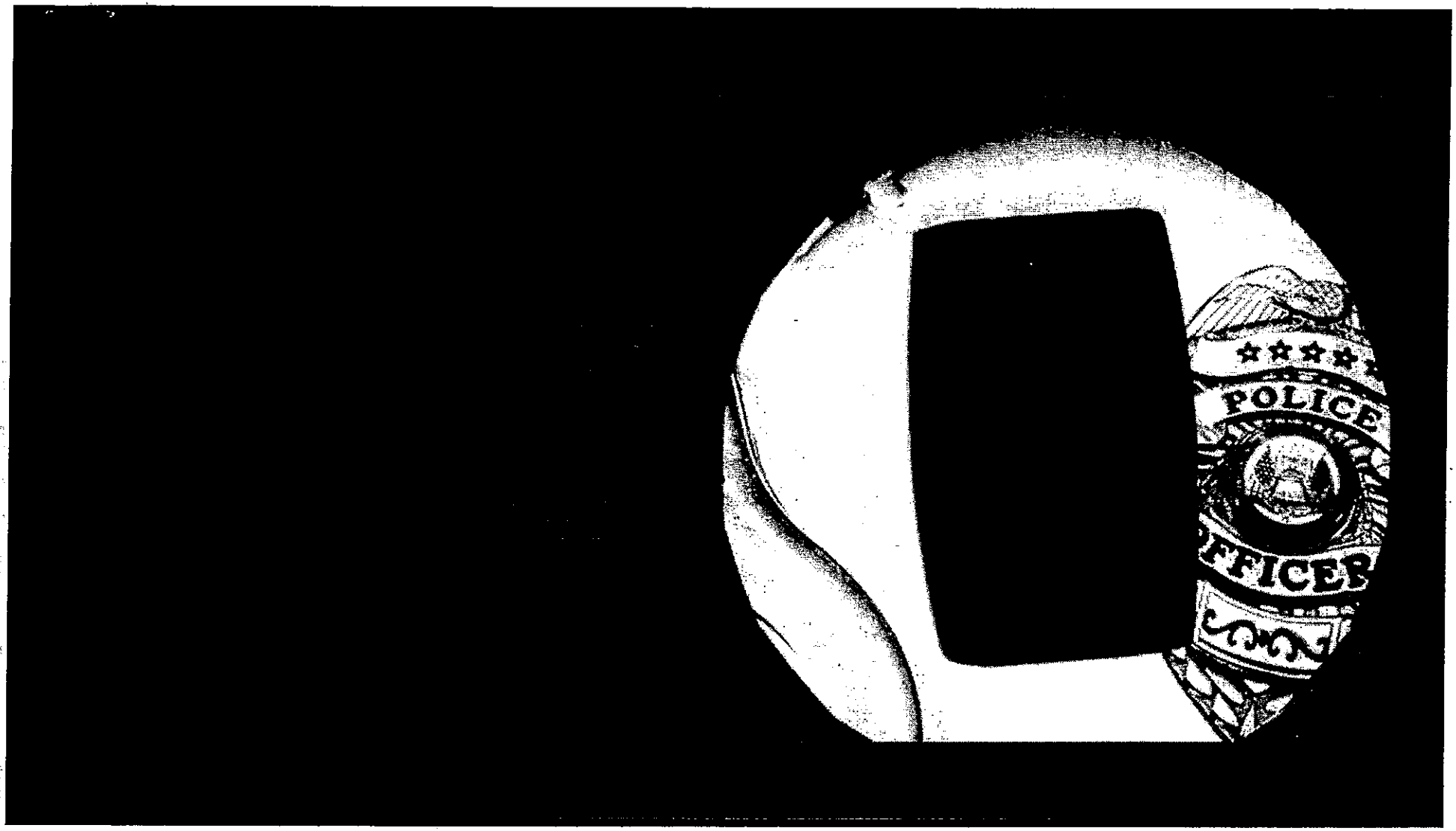
There being no further business, the meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Shelley Ponce

Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at http://www.azleg.gov)



John Kavanagh PhD

State Senator, Arizona

Professor of Criminal Justice and Program Director, Scottsdale Community College

Co-Chair, Special Arizona Legislative Police Body Camera Study Committee

Retired Detective Sergeant, Port Authority of N.Y. & N.J Police Dept.

[redacted]

Education

- BA N.Y.U. Liberal Arts
- MA St. John's University Government
- Ph.D. Rutgers University Criminal Justice

Occupations

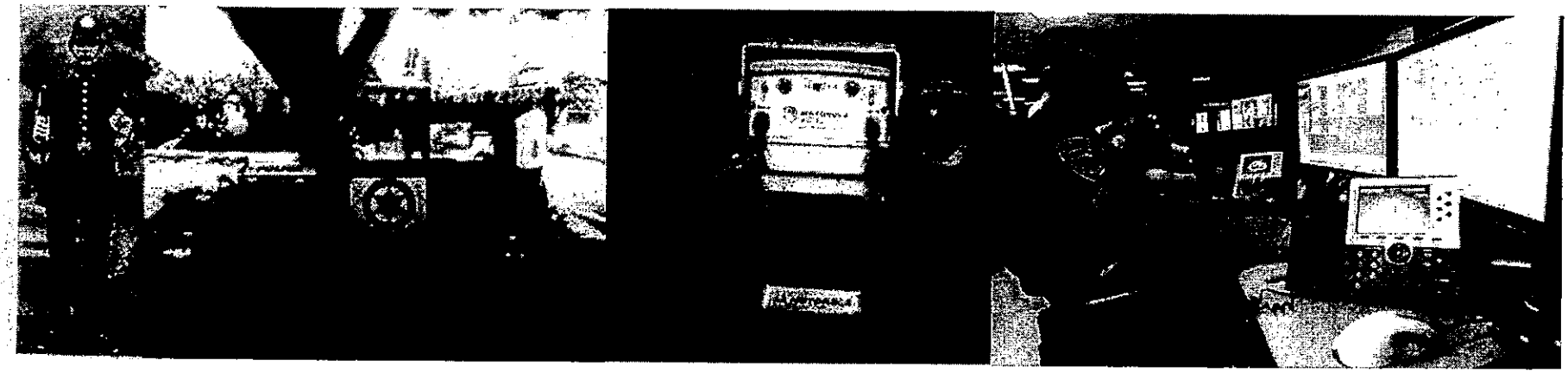
- Detective Sergeant (Retired) - Port Authority of N.Y. & N.J. Police
- Instructor, Justice Studies (Former) - Arizona State University
- Professor and Program Director of Criminal Justice (Current) - Scottsdale Community College
-

Elected Offices

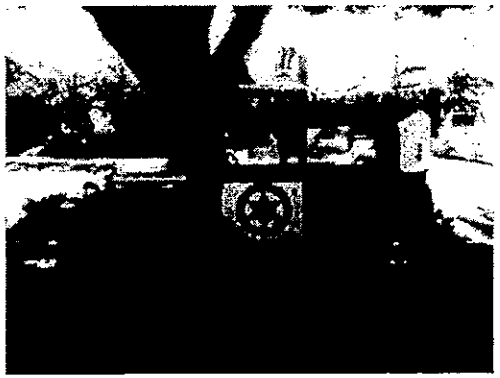
- Town Councilman - Lafayette N.J. (3 years)
- Town Councilman - Fountain Hills AZ (6 years)
- State Representative - Arizona House of Representatives (8 years)
- State Senator - Arizona State Senate (Current)

The introduction of new technology can cause monumental changes in policing.

Such change can can be for the better, for the worse or both.



The introduction of the police car coupled with the invention of the two-way car radio made police patrol faster and far more efficient.



However, it also took the cop off the street and away from the people.

That physical separation of police officers from the public contributed to the alienation and mistrust that developed between the two groups, especially among minority group members, which peaked in the 1960s and that today's community policing programs are attempting to reverse.

[redacted]

For the Better	For the Worse
1. Help resolve high-profile controversies	1. Present a distorted and misleading view of incidents and create suspicion about incidents that are not recorded
2. Have a "civilizing effect" on police officers and citizens	2. Violate the privacy of officers and citizens alike and reduce police-citizen interaction
3. Reduce citizen complaints and lawsuits	3. Lower police morale
4. Provide courtroom evidence and reduce the number of hearings and trials	4. Reduce police discretion and giving offenders breaks
5. Improve police training (individually and departmentally)	5. Create the "Ferguson effect"
6. Investigative and report writing assistance	6. Drain funding away from other areas
7. Tool for supervision	7. Become a tool for supervisory harassment

The primary purpose of the study committee is to gather information and make recommendations.

The information will be used by:

- Legislators in Arizona and other states to draft bills
- Municipalities and police departments to create policy
- The general public to better understand police body cameras

Study committee members are encouraged to continue influencing any and all body camera legislation by testifying before any and all committees that the bill or bills are assigned to.

Study committee members are also able to lobby legislators and engage in public discussion in the media and elsewhere.

[redacted]

1. A bill's sponsor must feel comfortable placing his or her name on a bill and a group effort can rarely meet that criteria.

2. An introduced bill often must contain compromises negotiated with many stakeholders.

3. Most bills undergo significant change as they move through the political process. Thus, a committee bill would be unlikely to avoid considerable revision, especially a bill dealing with with so many issues.

4. The information and commentary generated by this committee will inevitably influence the creation of bills and member votes.

Legislation can be drafted by any individual member or group of members of the legislature.

Multiple bills can be drafted by one or more members

This committee will not draft legislation for a variety of reasons.

Voting on specific issues will be a two step process.

- Step One: Is this issue something that the committee should weigh in on?

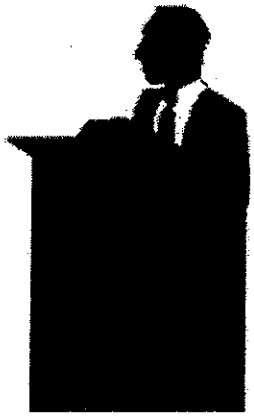
- Step Two: If yes, then should it be a recommendation or legal mandate?

Note: Because some members represent organizations, votes will be delayed to allow those members to consult with their organization and abstentions will be allowed as will votes with the stipulation that it is the personal opinion of the member.

The committee will affect legislation by:

- Gathering and disseminating information
- Offering individual member opinion
- Voting on specific issues relating to body cameras






The information will be disseminated:

- Live over the legislative broadcast channel
- Via archived video accessible from the legislative websites (www.azleg.gov)
- Via media coverage

Attachment B

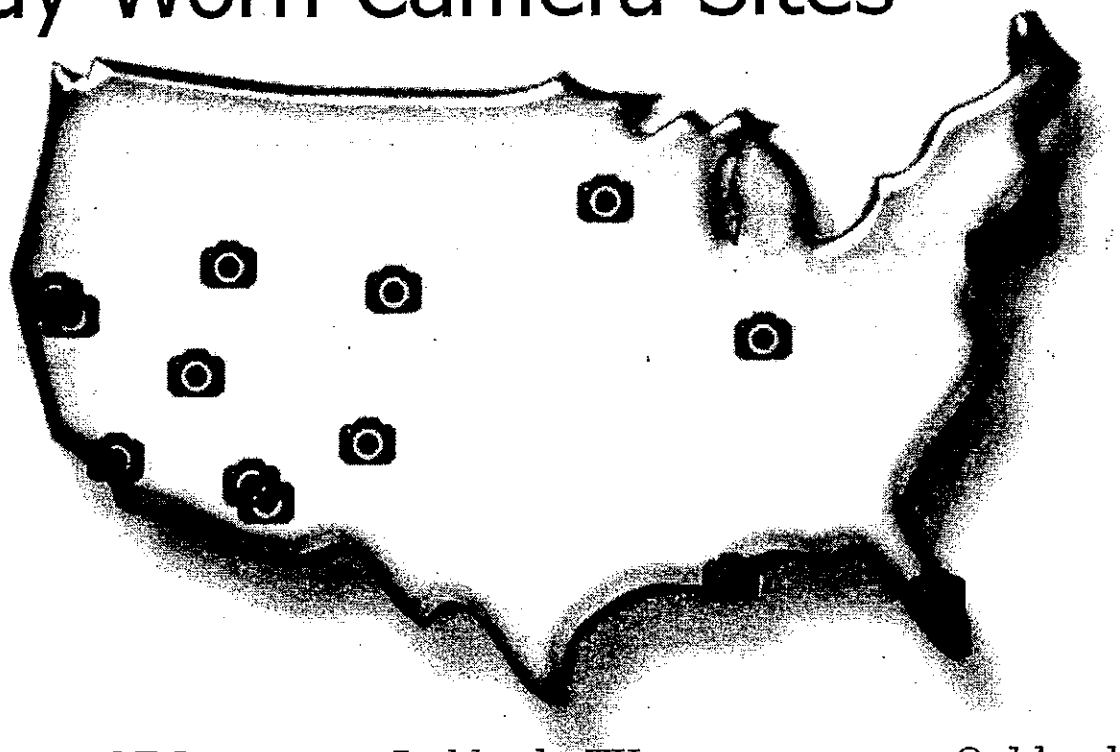
Evaluating the Impact of Officer Worn Body Cameras in the Phoenix Police Department

Charles Katz, Mike Kurtenbach, David Choate, Justin Ready

October 7, 2015

This project was supported by Grant No. 2013-DP-BX-K006 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Results from a 5-minute Google Search for Body Worn Camera Sites



- Albuquerque, NM
- Cincinnati, OH
- Denver, CO
- Fort Worth, TX
- Las Vegas, NV
- Los Angeles, CA
- Lubbock, TX
- Mesa, AZ
- Minneapolis, MN
- New Orleans, LA
- New York City, NY (pending)
- Oakland, CA
- Orlando, FL
- Phoenix, AZ
- Salt Lake City, UT
- San Jose, CA

UNDERSTANDING THE BASIC FACETS OF BODY WORN CAMERA TECHNOLOGY

Learning Objectives

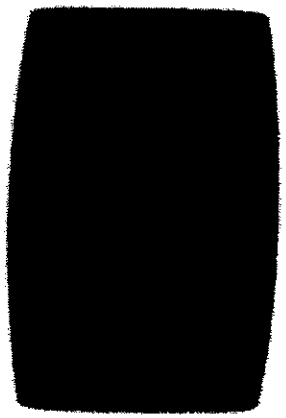
1. Understand the **basic facets** of body worn camera technology.
2. Discuss the **benefits** of body worn cameras.
3. Discuss **common concerns** about body worn cameras.
4. Review the **Phoenix evaluation** of body worn cameras.

Variations in Body Worn Cameras

- Mounting
- Video resolution
- Video and audio format
- Still-photo capable
- Field of view (72-180 degrees)
- Night mode
- Playback screen
- Wireless
- Cost
- Video safeguards
- Pre-event record
- Event marking
- Battery type
- Recording life (1.5-12 hrs)
- Charging time (2-6 hrs)
- GPS
- Size, weight, etc.
- Police radio interface
- Vehicle mountable

The Hardware

- Camera
  - Head or body camera
  - User controls, push to record, touch screen controls
  - Video/audio feed and playback in field



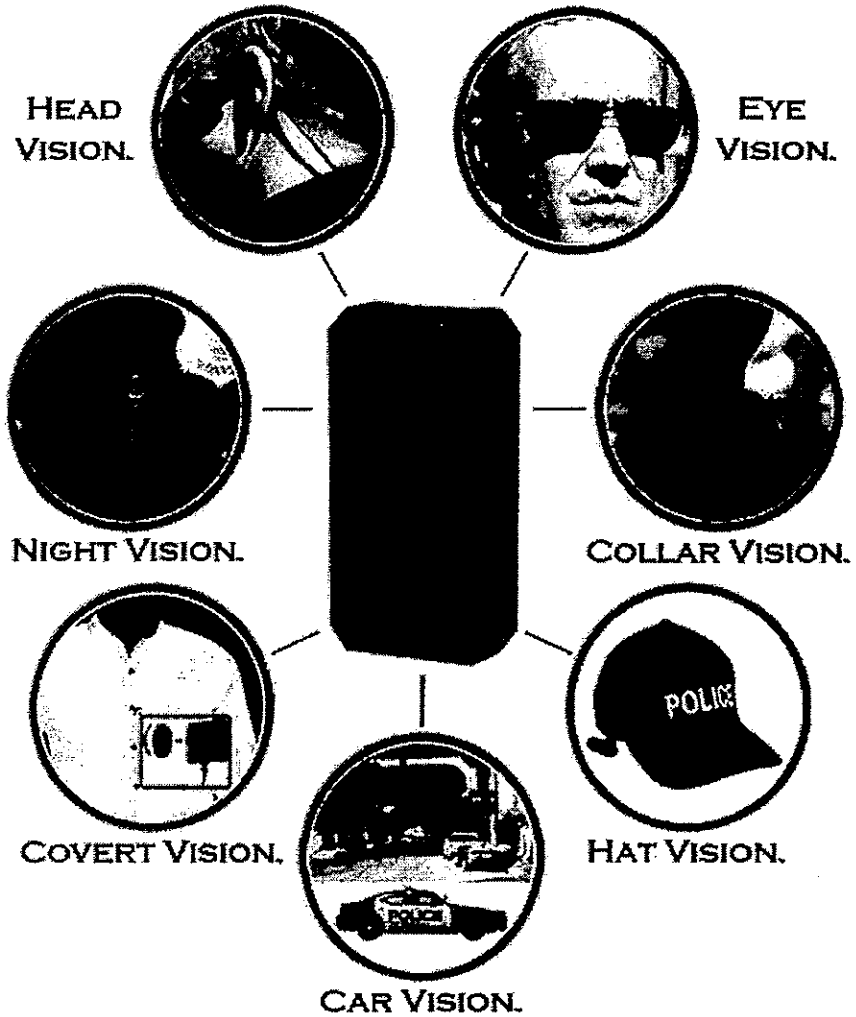


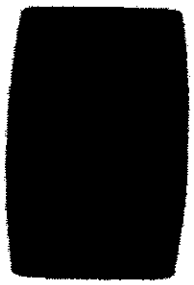
Image from:
http://www.wolfcomusa.com/wolfcom_vision_police_body_worn.html

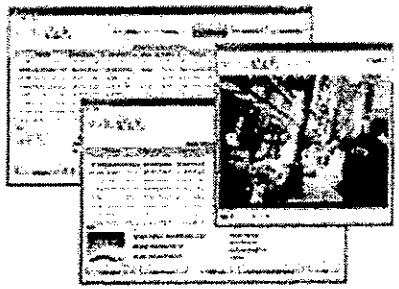
The Software

- Retrieval, storage, and management of video files
- Can be uploaded to an online web-based digital media storage platform
- Encrypted data
- Some have smartphone apps

Field Review Technology

1. Download video to VERIPATROL Watch, add details and review





2. VERIPATROL holds the video locally to allow for immediate review at no cost

3. After 1 hour, VERIPATROL transfers the video to the Cloud for permanent storage

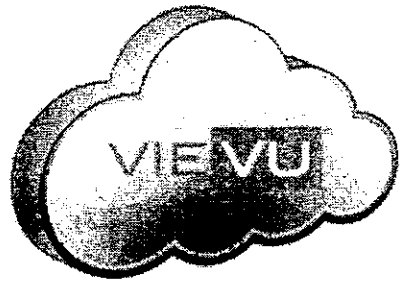


Image from: http://www.cloudmaxa.com/vievu.htm

THE PERCEIVED BENEFITS OF BODY WORN CAMERAS

Perceived Benefits

- Increases transparency
- Cuts through divergent views of an incident
  - Protects against police misconduct
  - Protects against false allegations by the public
- Increases public confidence in the police
- Improves accountability
- Increases evidentiary quality
- Saves time
- Facilitates critical incident review
- Enhances professional development

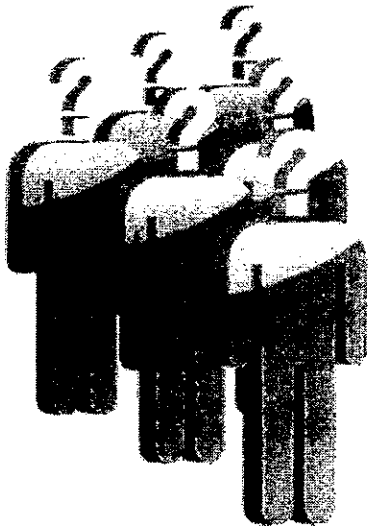
Goals

- Decrease unjustified force
- Decrease false allegations against the police
- Increase confidence/trust in the police
- Decrease litigation costs
- Decrease time spent on report writing
- Increase civility of both the officer and citizen
- Expedite resolution of citizen complaints

Theoretical Premises

1. Socio-cognitive reaction: being observed typically affects behavior in a positive way
2. Deterrence theory: swift, certain, severe
   - Specific deterrence
   - General deterrence
3. However, research suggests people revert back to old behaviors*

*Ariel, Barak (2013). Tracking police performance. Unpublished manuscript.



CONCERNS ABOUT BODY WORN CAMERAS

Common Concerns

- Privacy of the public
  - Enter people's homes and record them at their worst (e.g., victims, suspects, bystanders)
- Privacy of police officers
  - Might be used by supervisors against whistle-blowers.
- Officer health and safety
  - Equipment harming officer
- Requires substantial investment in training, policy development, and product acquisition
- Logistical requirements

Sample Costs

- Approximately $900/camera
  - Full Patrol deployment: 1,400 x $900 = $1,260,000
- Dedicated storage
  - 200TB (effective storage): $1,196,000
- Recurring Personnel Costs
  - PD Admin Aides (1 / 100 cameras) $35,000/yr.
  - Legal Assistant (1 / 100 cameras) $71,000/yr.

$2,562,000

Evaluating the Impact of Officer Worn Body Cameras in the Phoenix Police Department

ASU
ARIZONA STATE UNIVERSITY
Center for Violence Prevention and Community Safety

City Manager Task Force

- Created in April 2010 to address residents' concerns about Phoenix Police Department interactions with the community
- Developed 34 recommendations designed to increase community access to, communication with, and confidence in the Phoenix Police Department
- One recommendation called for a pilot program involving the deployment of dashboard cameras

Targeted Problems

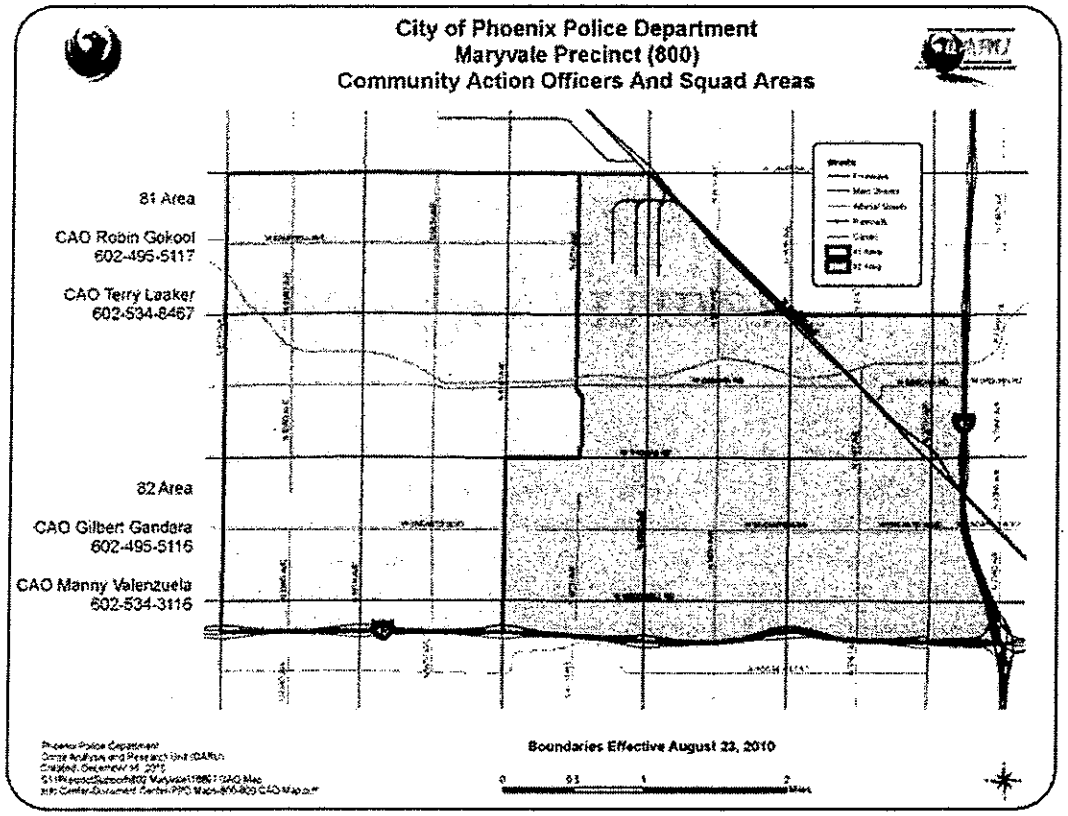
- Violence in general has declined in Phoenix, but domestic violence has remained problematic
  - Approximately 40,000 incidents of domestic violence are dispatched per year
  - Domestic violence is one of the top five call types
- Shift in relationship with residents
  - Police community relations are complex in some communities
  - High-profile events involving police-resident encounters have and continue to occur in these same communities

The Technology

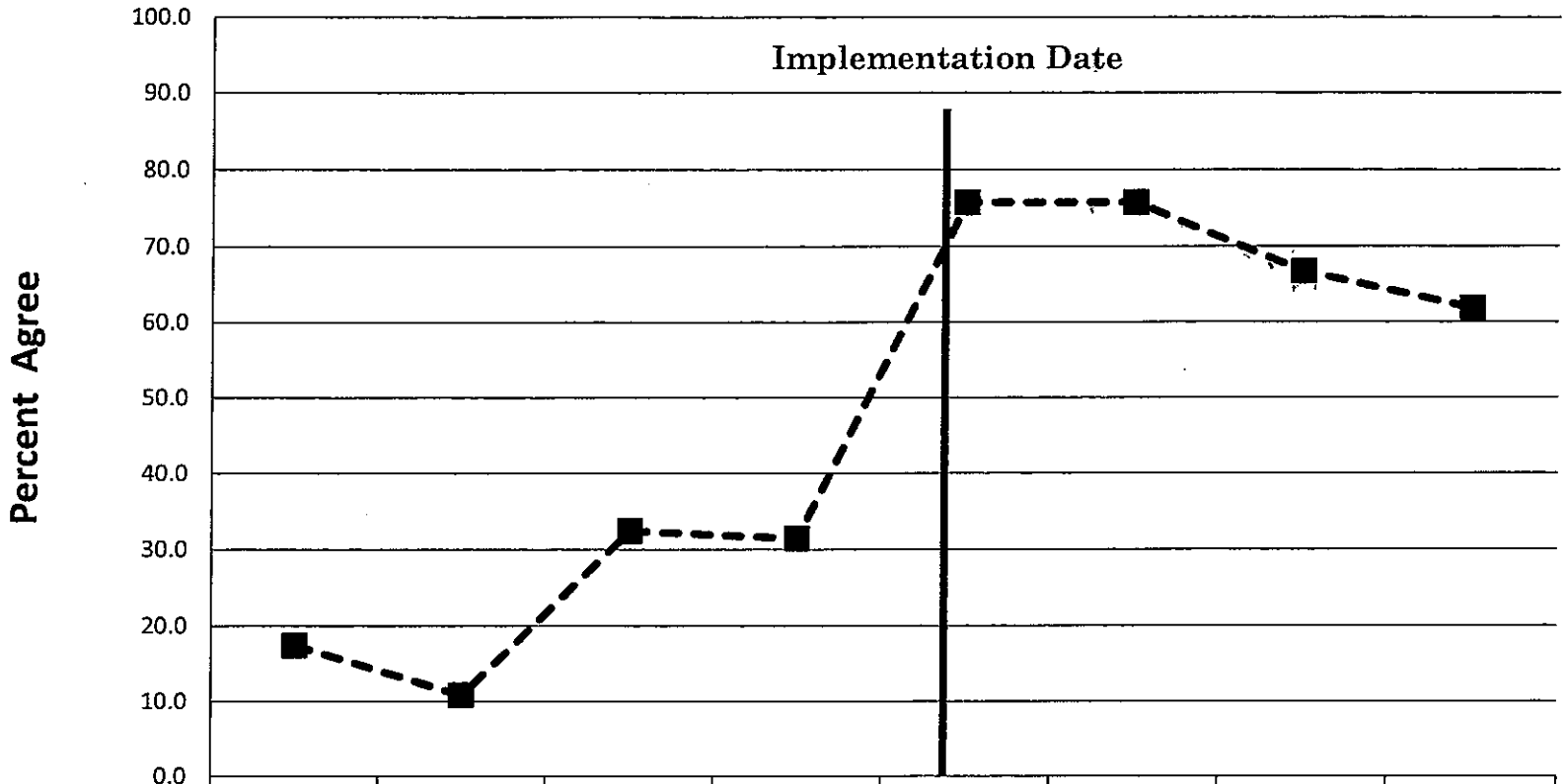
- Selected Vievu
  - Self-contained device worn on the torso
    - Size of a pager
  - Docking station
  - Uploaded to Phoenix Police Department servers

Quasi-Experimental Design

- Repeated measures from the sources below
  - Police/court data
  - Administrative records
  - Officer self-report surveys
  - Meta-data from cameras
  - Interviews with officers



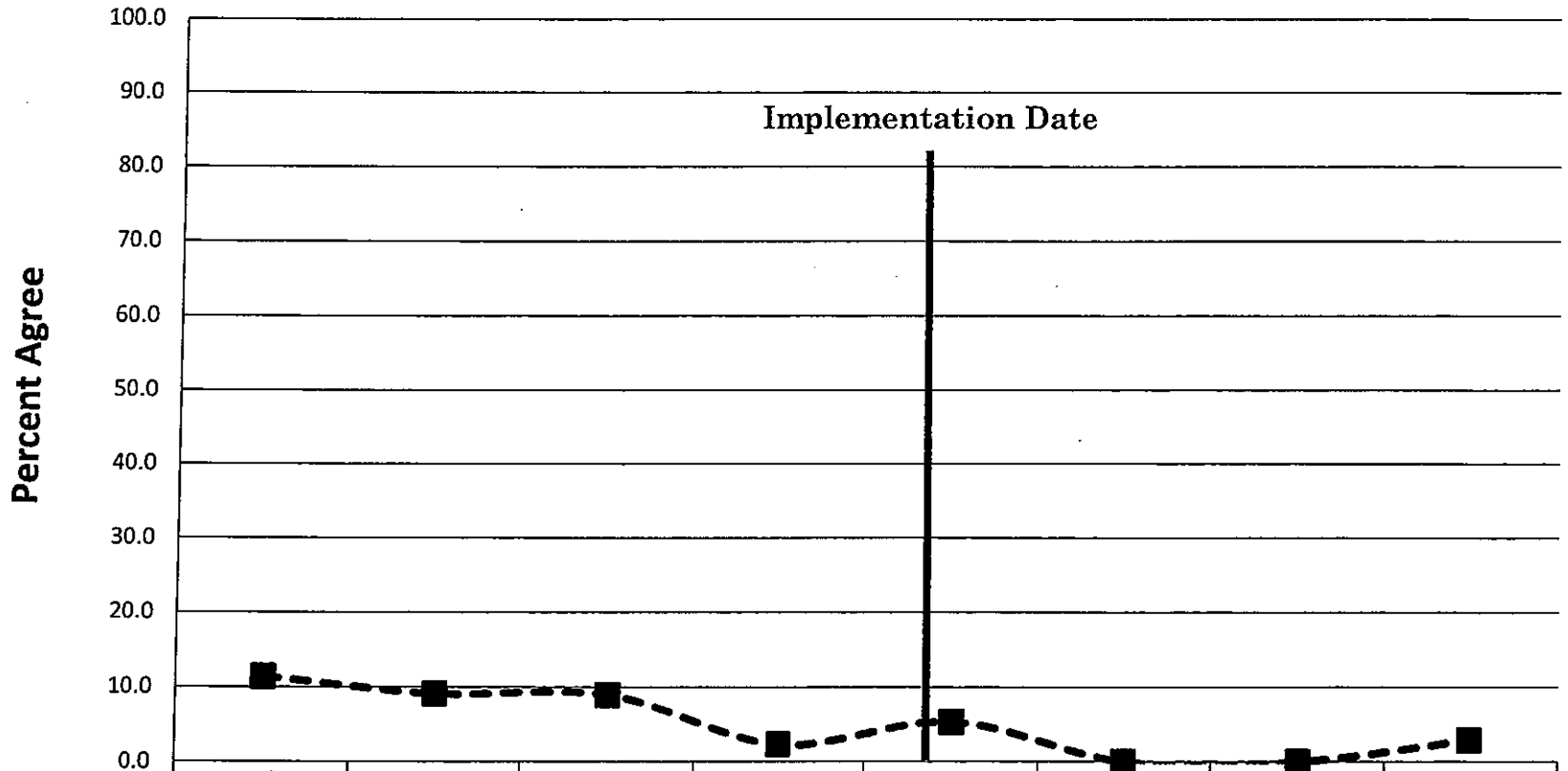
Equipment Is Easy to Use



	October 2012	December 2012	January 2013	March 2013	April 2013	July 2013	October 2013	June 2014
Area 82	17.4	10.8	32.4	31.4	75.7	75.7	66.7	61.8

Key takeaway: After implementation, officers found the cameras easier to use than they expected.

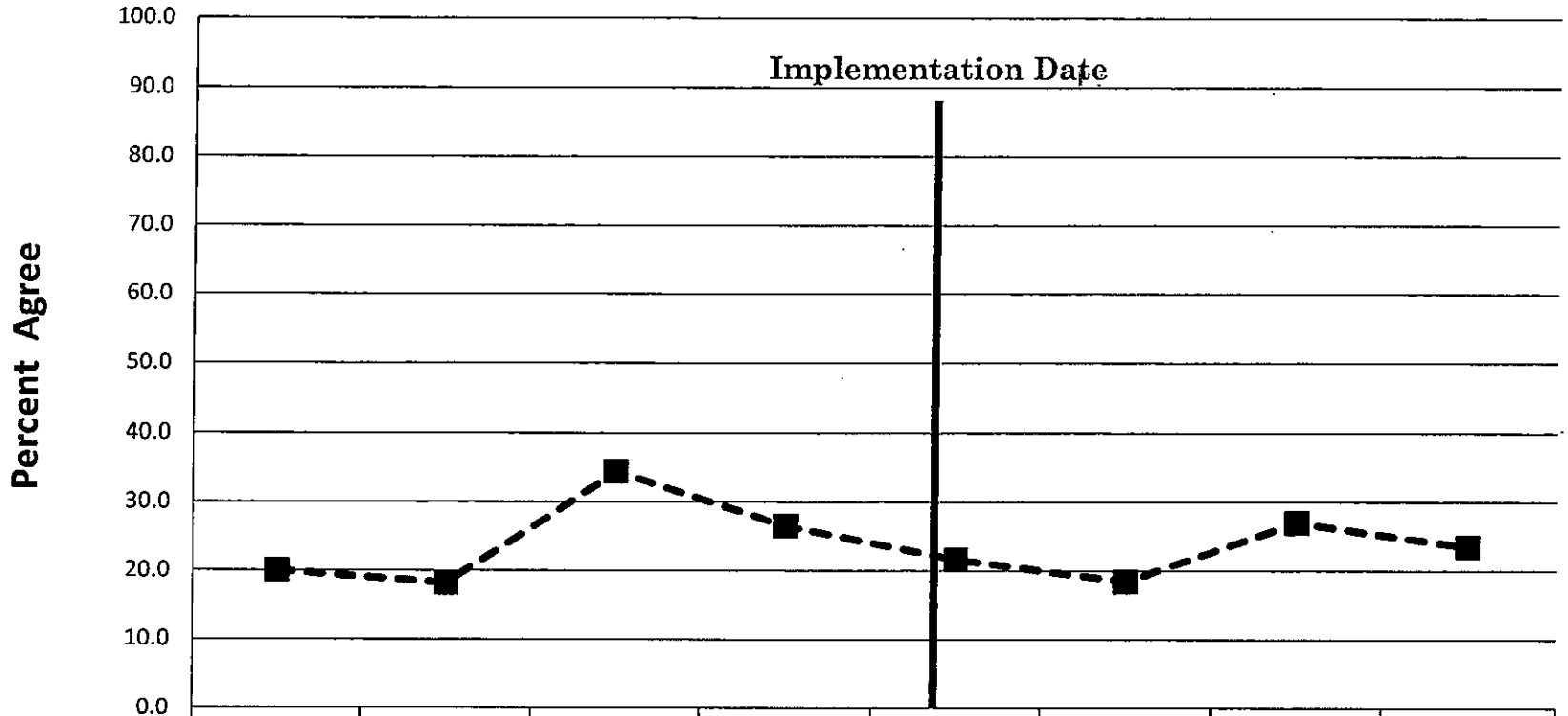
Incident Reports: Less Time Spent On Paperwork



	October	December	January	March	April	July	October	June
	2012		2013					2014
Area 82	11.4	9.1	8.9	2.3	5.3	0.0	0.0	2.9

Key takeaway: Camera implementation did not decrease the time officers spent on paperwork.

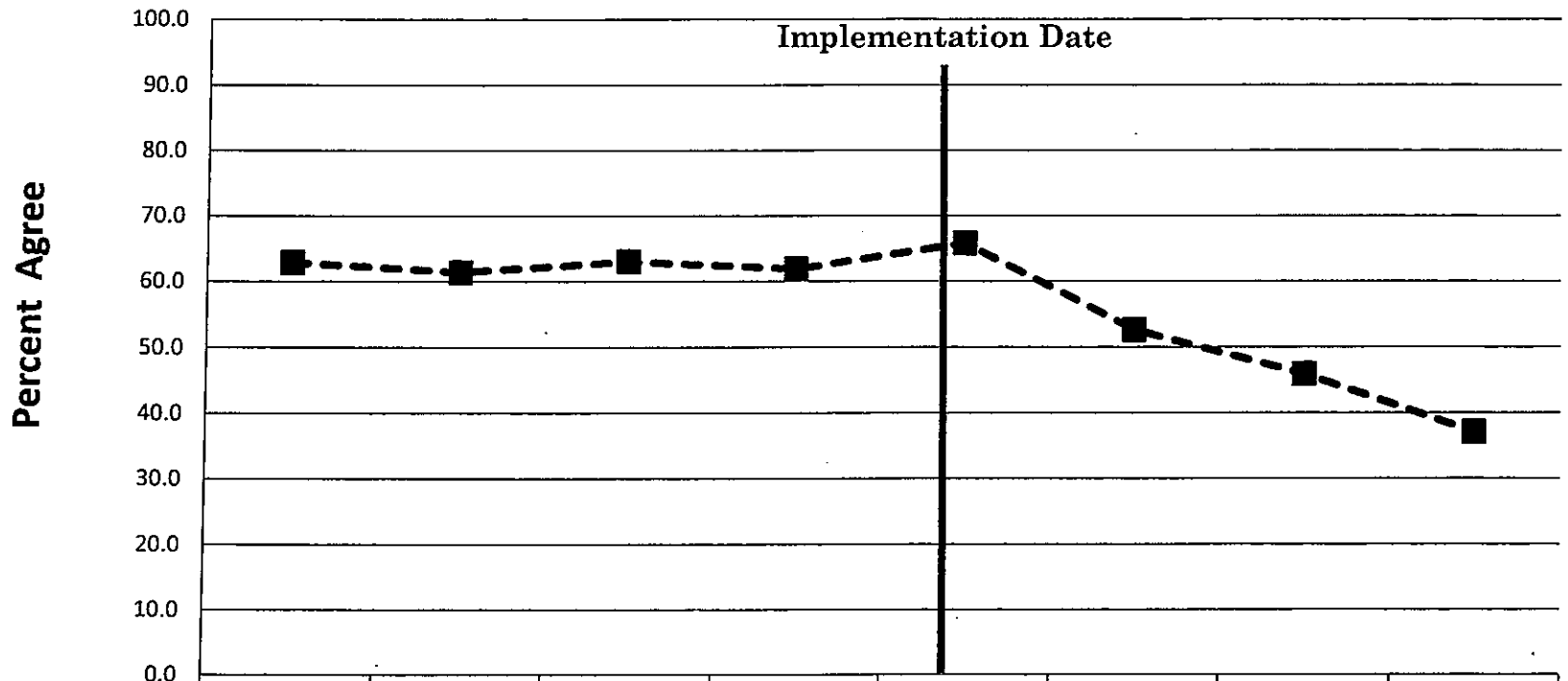
Easy to Download Data



	October	December	January	March	April	July	October	June
	2012		2013					2014
Area 82	20.0	18.2	34.4	26.5	21.6	18.4	27.0	23.5

Key takeaway: After implementation, officers were slightly less likely to agree that downloading data was easy.

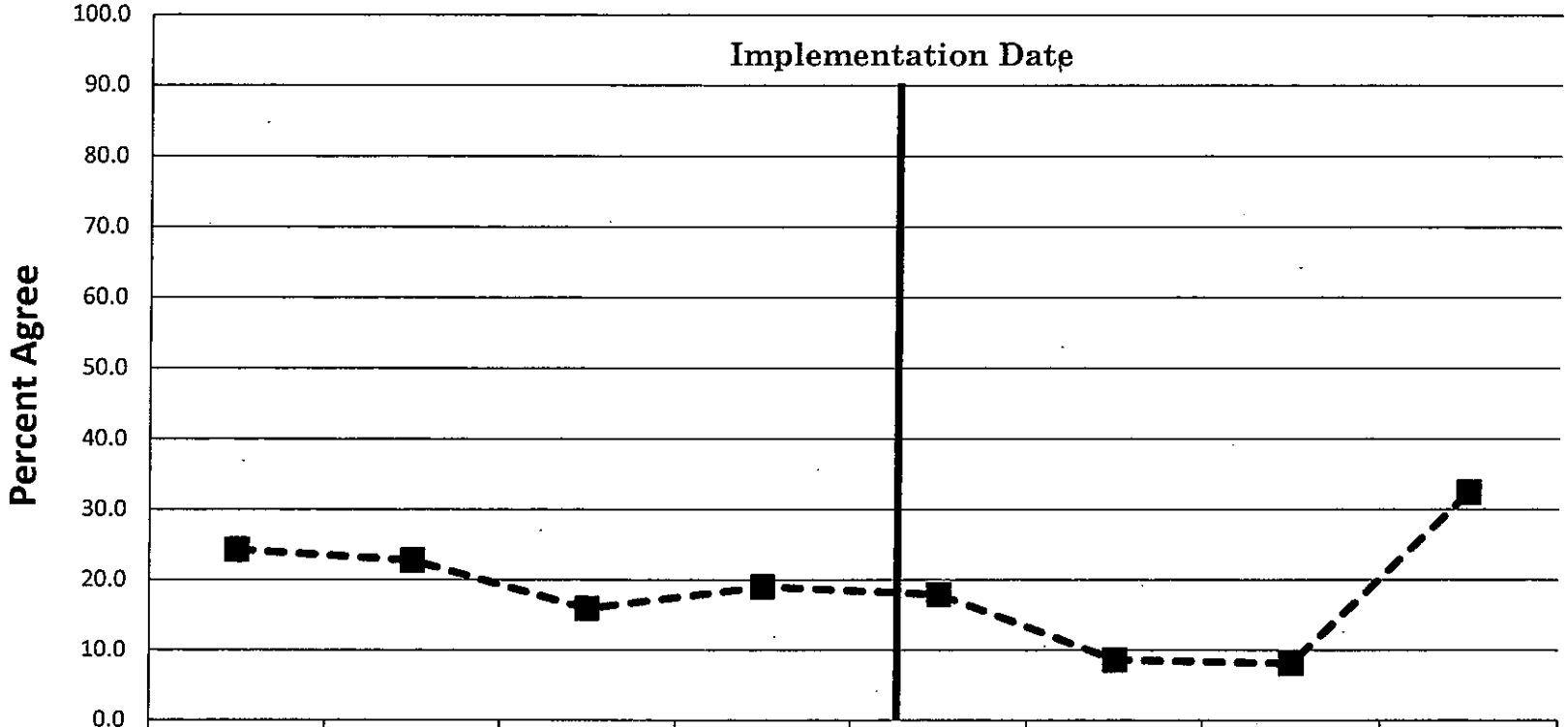
Will Have Fewer Contacts With Citizens



	October	December	January	March	April	July	October	June
	2012				2013			2014
Area 82	62.9	61.4	63.0	61.9	65.8	52.6	45.9	37.1

Key takeaway: Prior to implementation, officers felt that camera use would lead to decreases in their contact with citizens, but after implementation, the level of agreement with that statement steadily declined.

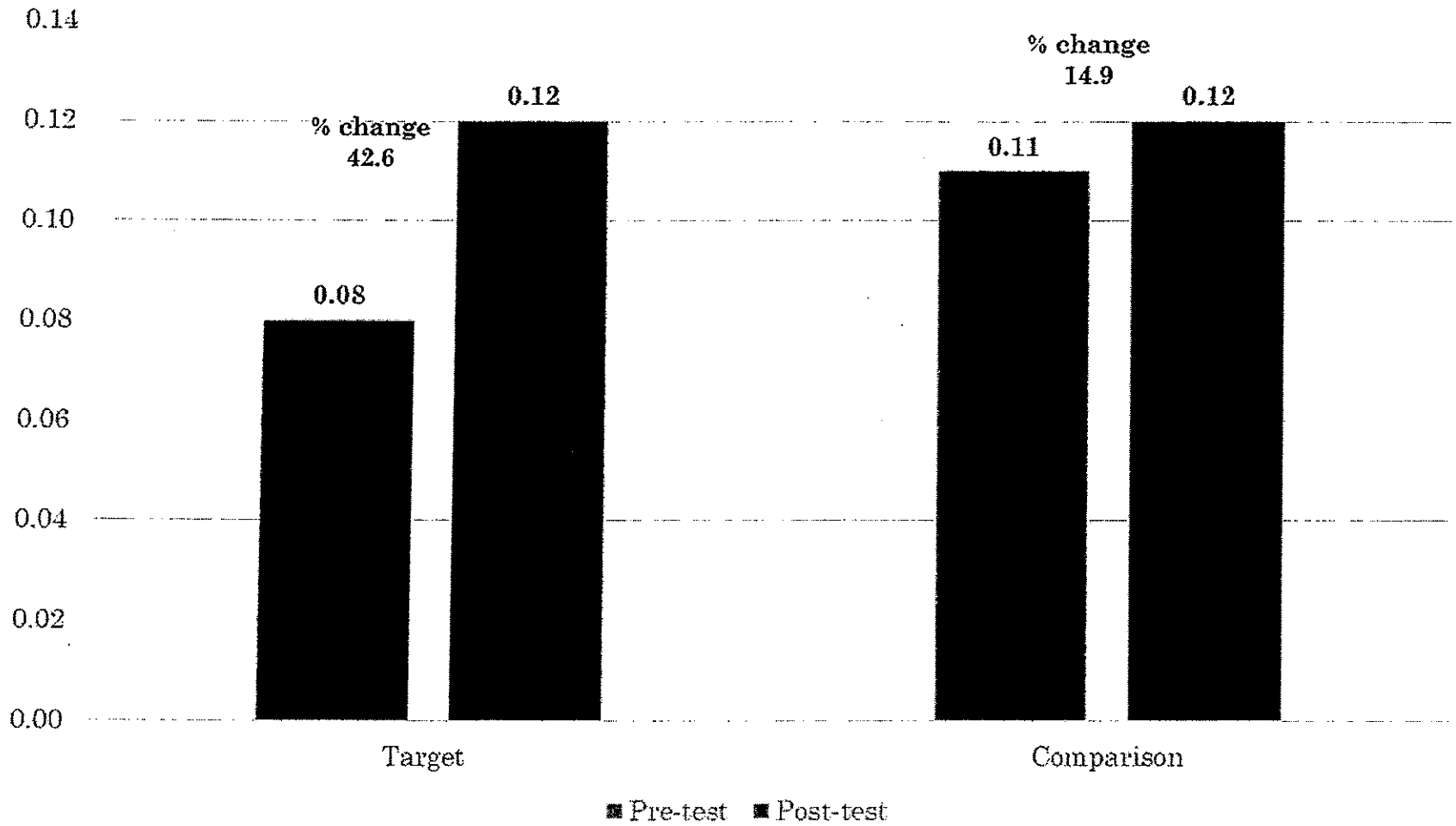
Cameras Should Be Expanded to Other Departments



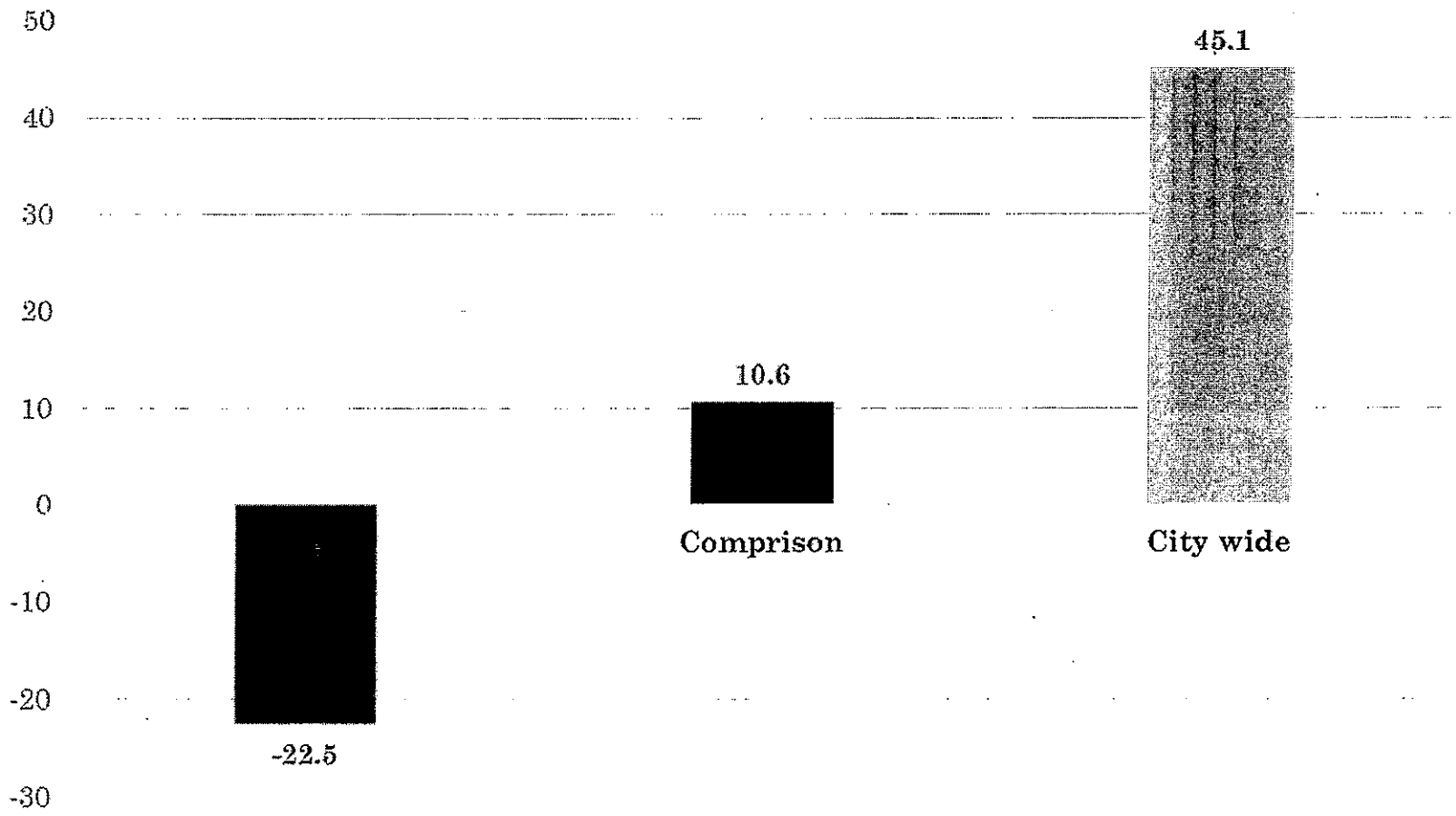
	October 2012	December 2012	January 2013	March 2013	April 2013	July 2013	October 2013	June 2014
Area 82	24.2	22.7	15.9	19.0	17.9	8.6	8.1	32.4

Key takeaway: Officers were more likely to agree camera use should be expanded into other departments after several months of implementation.

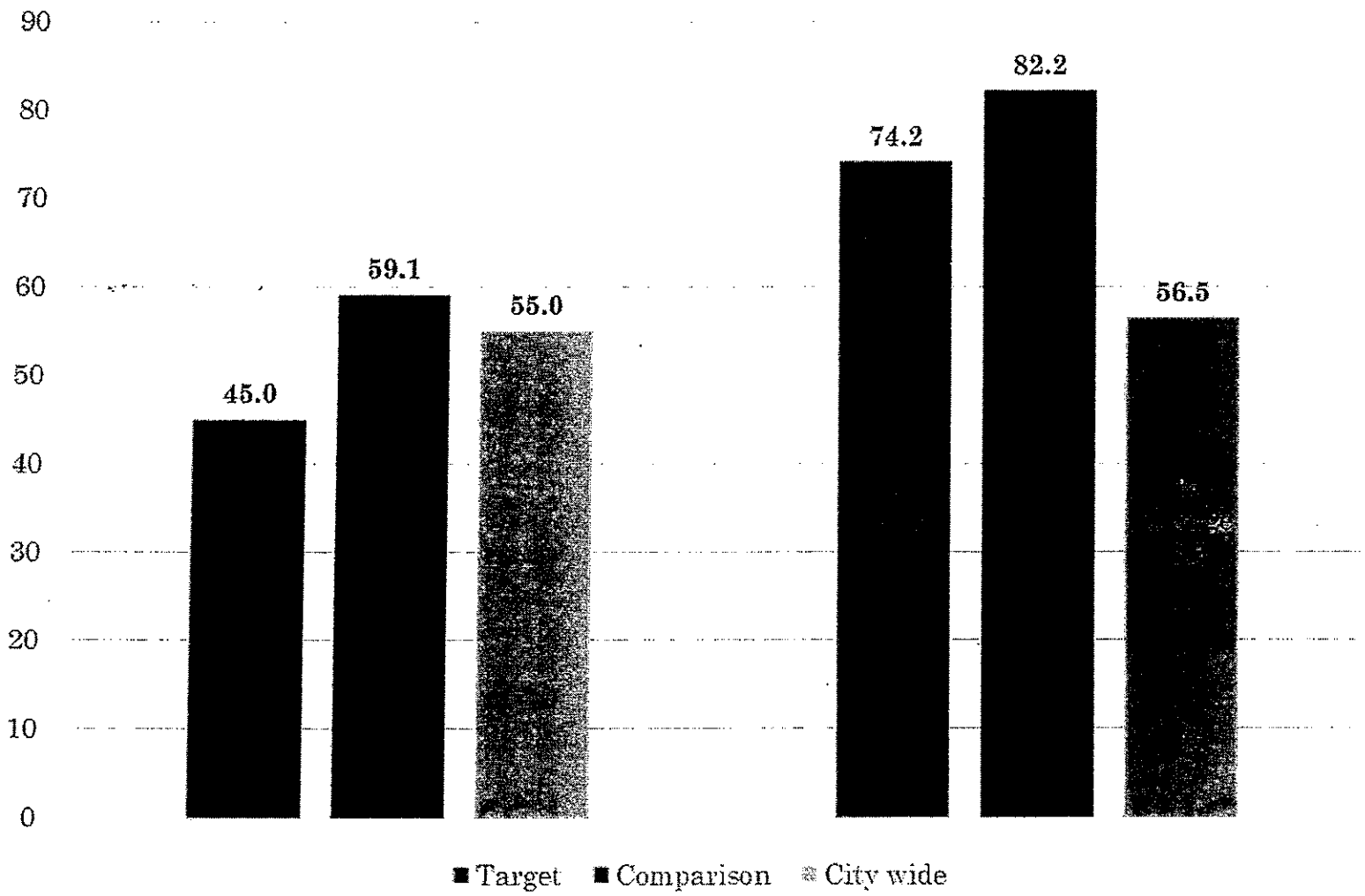
Productivity: Mean Number of Arrests



Percentage Change in Complaints Before and After Body Worn Cameras



Percentage of Complaints That Are Unfounded



Use of Body Camera Evidence in Court for Domestic Violence Offenses

- Investigator use
- Evidence storage (information technology)
- Prosecutor tracking and review
- Court liaison officer

Domestic Violence (DV) Case Flow Pre & Post Camera Deployment

	Pre-Test Case		Post-Test Comparison		Post-Test Camera	
	n	%	n	%	n	%
Number of DV-Related Contacts [a]	878	100.0	933	100.0	252	100.0
Cases Initiated	369	42.0	320	34.3	103	40.9
Charges Filed	333	37.9	243	26.0	90	37.7
Case Furthered (Not Dismissed)	131	14.9	58	6.2	32	12.7
Plead Guilty	27	**3.1**	11	1.2	11	**4.4**
Guilty at Trial	25	**2.8**	9	0.9	11	**4.4**

[a] The number of contacts is derived from the DV pocket cards, which included data on 2,063 unique incidents from January 1, 2012, through July 31, 2014, from the Maryvale Precinct.

Conclusions

[illegible]

- Decrease in complaints
- Increase in unfounded incidents
- Increase in arrests (+/-)
- Prosecution of domestic violence

Challenges

- Officer resistance
- Information technology costs
- Increase time spent on officer paper work
- Prosecutor capacity
- Redaction

OFFICER BODY CAMERA PROGRAM
LIEUTENANT TROY STIRLING

Attachment

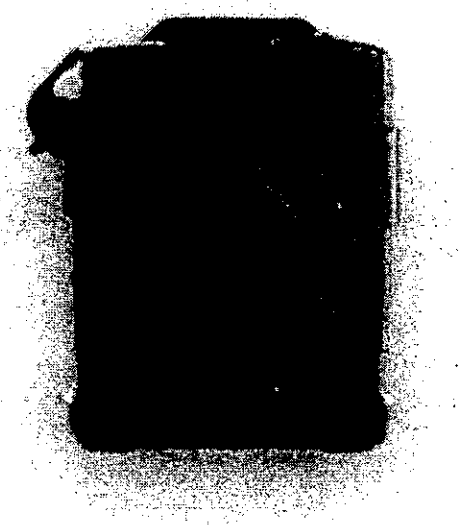
TEST & EVALUATION

- **2009 began testing BWC's.**
- 2010 began a pilot program using Taser BWC's.
- **Jan. 2011 a departmental policy became effective.**
- 2011 partnered with AZPOST to obtain additional cameras (up to 24) in exchange for sharing videos for training.
- **December 2012 City Council approved 5-year lease-purchase, warranty and equipment replacement agreement with Taser International to outfit agency with 58 cameras & 92 Taser X2 devices.**

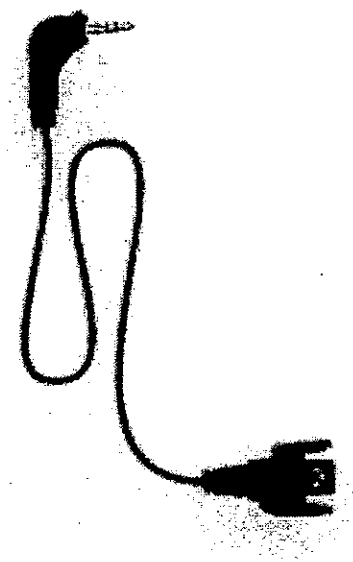
FLEX COMPONENTS

Camera

Controller/Battery Pack

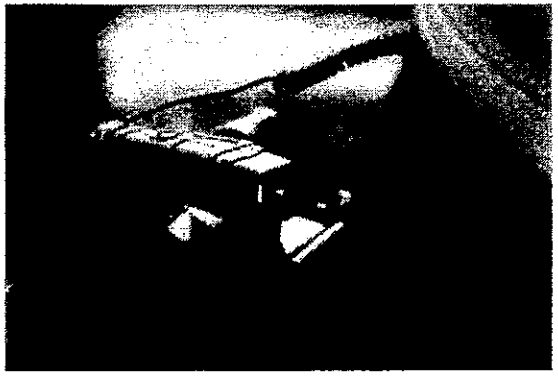


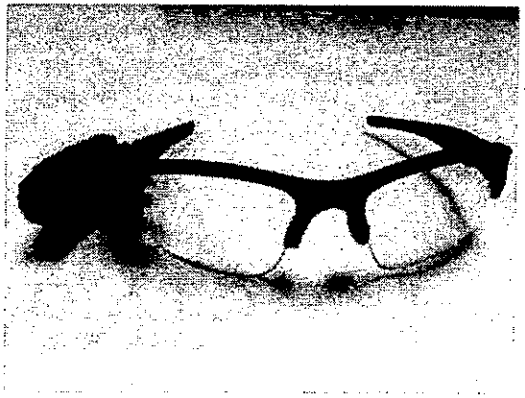
Connector Cable



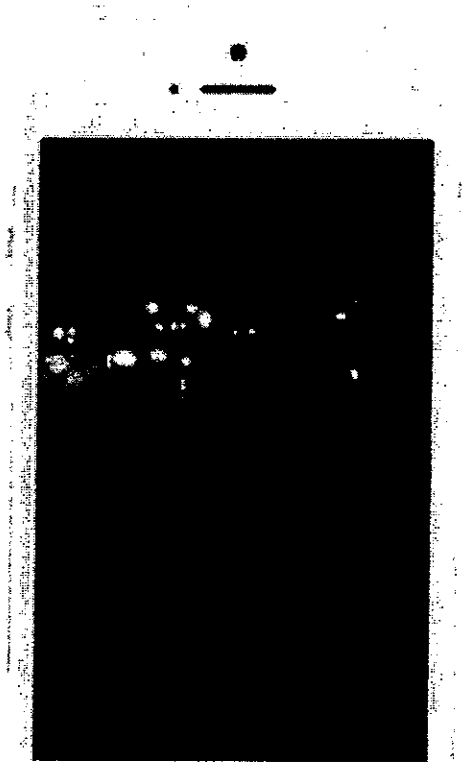
IMPLEMENTATION

- Initially all uniformed patrol officers outfitted.
- Attend user training.
- Completed June 2013.



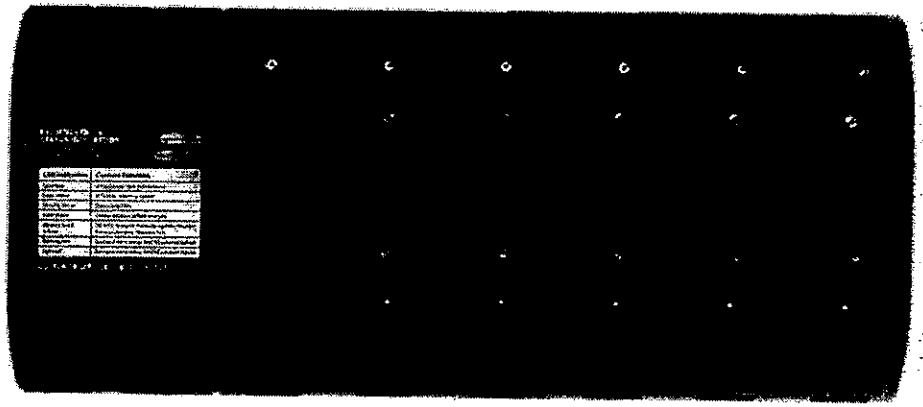


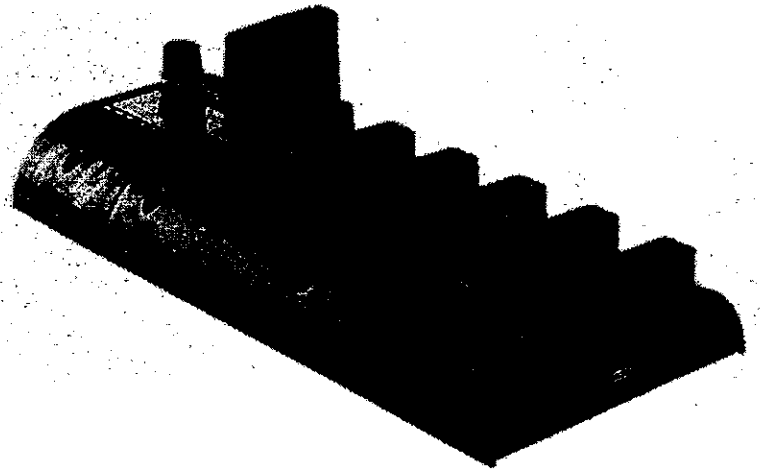
LIVE VIEWING



ADDING METADATA

DOCKED CAMERA





LAKE HAVASU CITY POLICE DEPT

Don't recognize this agency?

SIGN IN REGISTER

You have signed out.

USERNAME

PASSWORD

SIGN IN

Forgot your username or password?

EVIDENCE | CASES | DEVICES | REPORTS | ADMIN | HELP

2

STIRLING, TROY (133)
Last login 05 Oct 2015
[SIGN OUT]

ALL EVIDENCE | MY EVIDENCE | EVIDENCE MAP | SHARED EVIDENCE | IMPORT EVIDENCE

ID: | TITLE: | OWNER: | UPLOADED BY: | TAG: | GROUP:

DATE: Recorded Date | FROM: | TO: | CATEGORY: Any | FILE TYPE: Any | STATUS: Active

FLAGGED: Any

SEARCH

UPDATE ID | ADD CATEGORY | REASSIGN | REDACT | SHARE | DOWNLOAD | DELETE | RESTORE | EXPORT

98098 Files Found | 0 files selected

PAGE LAYOUT: Table

	ID	CATEGORY	TITLE	FILE TYPE	OWNER	UPLOADED BY	UPLOAD DATE	RECORDED DATE	STATUS	DURATION
	Add	None	Axon Flex Video 2015-10-05 1525	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 15:56:07	05 Oct 2015 - 15:25:19	Active	10:35
	2015278089	01. No Action	Cameron Manchester	Video	Erhart, Joe	Erhart, Joe	05 Oct 2015 - 15:56:58	05 Oct 2015 - 14:22:53	Active	12:55
	15-07926	14. LHC Incident ...	Kayla Sierra	Video	Erhart, Joe	Erhart, Joe	05 Oct 2015 - 15:52:55	05 Oct 2015 - 13:34:26	Active	12:16

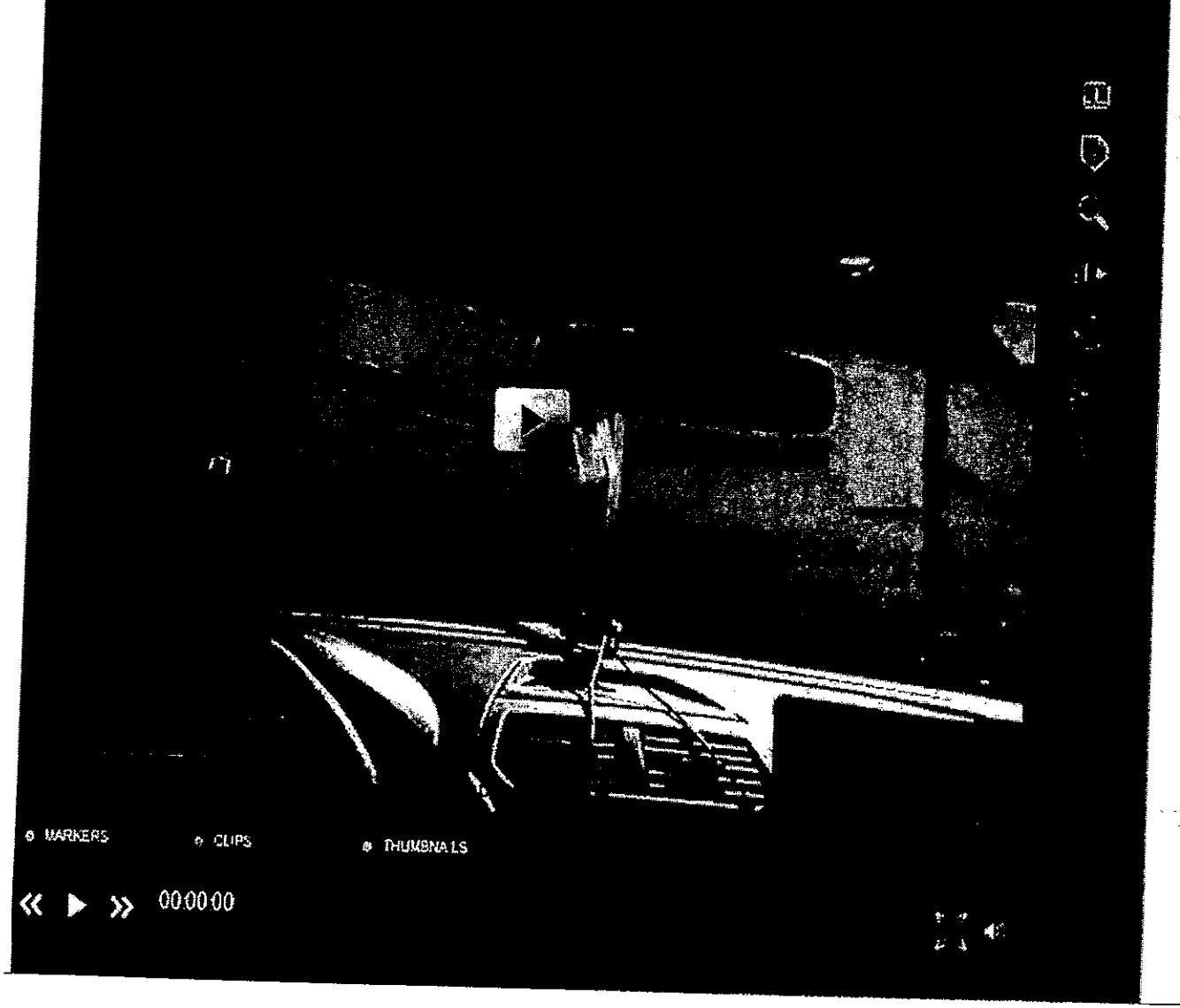
	Add	None	Axon Flex Video 2015-10-05 1525	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 15:56:07	05 Oct 2015 - 15:25:19	Active	10:35
	2015278089	01. No Action	Cameron Manchester	Video	Erhart, Joe	Erhart, Joe	05 Oct 2015 - 15:56:58	05 Oct 2015 - 14:22:53	Active	12:55
	15-07926	14. LHC Incident ...	Kayla Sierra	Video	Erhart, Joe	Erhart, Joe	05 Oct 2015 - 15:52:55	05 Oct 2015 - 13:34:26	Active	12:16
	Add	None	Axon Flex Video 2015-10-05 1317	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 15:52:08	05 Oct 2015 - 13:17:36	Active	1:07
	Add	None	Axon Flex Video 2015-10-05 1242	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 15:52:58	05 Oct 2015 - 12:42:51	Active	2:42
	Add	None	Axon Flex Video 2015-10-05 1216	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 16:02:54	05 Oct 2015 - 12:16:51	Active	11:18
	Add	None	Axon Flex Video 2015-10-05 1152	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 16:07:37	05 Oct 2015 - 11:52:29	Active	15:40
	Add	None	Axon Flex Video 2015-10-05 1101	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 16:13:25	05 Oct 2015 - 11:01:46	Active	19:09
	Add	None	Axon Flex Video 2015-10-05 0748	Video	Murdock, Joe	Murdock, Joe	05 Oct 2015 - 15:59:31	05 Oct 2015 - 07:48:23	Active	11:27
	15-08102	06. Arrest Misd	Trespass Citrus Ln	Video	Hayden, Frank	Hayden, Frank	05 Oct 2015 - 05:57:22	05 Oct 2015 - 05:57:22	Active	21:53
	2015277106	02. Field Interview	Drunk Guy	Video	Hayden, Frank	Hayden, Frank	05 Oct 2015 - 05:51:17	05 Oct 2015 - 05:51:17	Active	8:35
	15-08102	06. Arrest Misd	Trespass Citrus Ln	Video	Hayden, Frank	Hayden, Frank	05 Oct 2015 - 05:48:55	05 Oct 2015 - 05:48:55	Active	9:06
	Add	01. No Action	AXON Flex Video 2015-10-05 0547	Video	Hayden, Frank	Hayden, Frank	05 Oct 2015 - 05:47:18	05 Oct 2015 - 05:47:18	Active	3:51

Dis Con

ID: 15-07947

Click here to switch to the new media player.

DOWNLOAD FLAG SHARE ADD TO CASE REASSIGN VIEW AUDIT TRAIL EXTEND RETENTION PERIOD DELETE



MARKERS CLIPS THUMBNAILS

00:00:00

METADATA

Assigned To:	Stirling, Troy (133)
Recorded:	26 Sep 2015 10:14:55 -07:00
Uploaded On:	26 Sep 2015 17:14:21 -07:00
Uploaded By:	Jones, Andrew (275)
Deletion scheduled for:	25 Sep 2017 10:14:55 -07:00
File Size:	225.9 MB

SOURCE

Serial#:	x78039892
Model:	Axon Flex

CASES

CATEGORIES

- 14. LHC Incident Report

TAGS

LOCATION

PROSECUTOR ACCESS

- City Prosecutor's Office was provided access to evidence.
- County Prosecutor Office would receive evidence burned to a disc upon request.
- Moving towards Prosecutor Platform for both.

POLICY HIGHLIGHTS

- The Axon shall be utilized during all investigative or enforcement contacts (i.e., pedestrian and vehicle stops, consensual encounters, calls for service, on-view events).
- The Axon shall be turned on as soon as practical at the onset of a given situation and continue until the completion of the event or they leave the scene.
- Dock Axon at the end of shift for uploading.
- Digital media will only be uploaded to Evidence.com

POLICY HIGHLIGHTS

- Events must be categorized (retention periods).
- Video will only be used for official purposes only.
- Officers may use media to complete reports.
- Significant use of force incidents: officers will be permitted, but will not be required, to review their own recordings prior to providing a recorded statement or completing reports.

POLICY HIGHLIGHTS

- Training purposes (AZPOST, FTO and Scenario).
- Unintentional activation.
- Use of Axon noted in reports and on citations.
- All digital media captured using the AXON will be considered property of LHCPD. Accessing, copying or releasing any media for other than official law enforcement purposes is prohibited.

COMPLAINT STATISTICS

Formal Citizen Complaints

- 2004-2011 Averaged 19 per year
- 2012: 16 and Axon used in 2 investigations
- 2013: 15 and Axon used in 3 investigations
- 2014: 10 and Axon used in 5 investigations (Axon used 4 additional times that resulted in no complaint being filed).

COMPLAINT STATISTICS

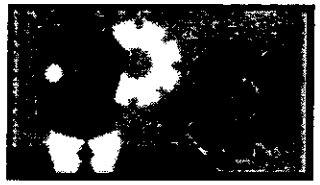
- 2015: 16 to date (due to administrative changes)
  - 9 exonerated and 1 unfounded due to Axon video (62.5%)
  - 7 of these handled by direct supervisor by watching AXON.
  - Patrol supervisors are able to investigate basic citizen complaints in a timely manner.

PUBLIC RECORDS REQUEST

- Support and promote openness in government by releasing non-confidential video recordings to the public upon request.
- Case by case review (2014:38 and 2015:39 to date).
- Time consuming process to ensure the privacy of victims, witnesses and suspects is maintained whenever possible.

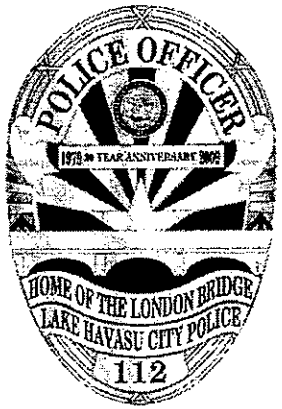
WHERE WE ARE NOW

- Animal Control
- S.W.A.T. Team
- Nightshift Lieutenant
- Professional Standards Sergeant
- Lexipol policy
- Use of blur feature for public records request
- Moving towards the prosecutor platform
- Options for personnel not assigned AXON



QUESTIONS

???


POLICE OFFICER
1978 30 YEAR ANNIVERSARY 2008
HOME OF THE LONDON BRIDGE
LAKE HAVASU CITY POLICE
112


Blue
Courage


PEACE OFFICER STANDARDS AND TRAINING BOARD
ARIZONA

Attachment D

Arizona Peace Officer Standards and Tr

Re

Created by Arizona legislature in 1968

The Board stands to foster public trust and confidence by establishing and maintaining standards of integrity, competence, and professionalism for Arizona peace officers and correctional officers.

We are committed to producing and maintaining the most professional law enforcement officers in America.

- Establish minimum standards for peace officer selection, recruitment, retention and training
- Provide curriculum and the associated standards for law enforcement training;
- Administering the Peace Officer Training Fund
- Approve state correctional officer training and establishing minimum [illegible] correctional officers.

163 law enforcement agencies,

over 14,500 sworn peace officers,

6,500 correctional officers, and

14 police training academies.

Prescribe reasonable minimum qualifications for officers to be appointed to enforce the laws of this state;

Certify officers in compliance with these qualifications.

Qualifications shall require citizenship, shall relate to physical, mental and moral fitness and

[illegible] recruitment, appointment and

[illegible] officers and police

[illegible] division of this

Prescribe minimum courses of training and minimum standards for training facilities:

Basic Academy – 585 Hours Minimum most are over 600 hours

Must include
(a) Hate Crimes
(b) Unexplained infant death (SIDS)

Advanced Officer Training Requirements

- 8 Hours Annually of Continuing Training
- 8 Hours Every Three Years for Perishable Skills
- Agency Discretion as to Subject Matter

Three Parts to Being a Peace Officer

- Meet the Background Requirements (Morally Fit)
- Successfully Complete the Basic Training
- Be Appointed by an entity that the Legislature has empowered to enforce the Law.
- Certification Carries No Authority, Officers have no Authority But That Which the Legislature Has Given

dge, It is Yours.

Public Trust in Law Enforcement

Approximately 145 Cases of Serious Police Misconduct the Calendar Year

Agency Action of Termination is Sufficient on About Half

Board Action on Approximately Half,

en Approximately Half of Those

Current Use of Body Camera Footage

- Grant to Lake Havasu
- Cover footage for digital media
- Specific Discussion of the Handling of Incident
- [illegible]d action based on Body Camera

Thoughts And Considerations

Accountability Tool

Citizens, Officers, System

If the Concern Expressed Involves Hardware or Software, that Concern is Already Being Dealt With.

on the Digital Information, and

Government and therefo

Police Body Camera Committee Issues

by State Sen. John Kavanagh

I. Scope

1. What aspects of police body camera usage, including equipment standards, operation, data storage, data viewing and data release, should be regulated and uniform throughout the state?

2. What aspects of police body camera usage should be recommended?

3. What aspects of police body camera usage should be left up to the discretion of local departments without regulation or recommendation?

II. Equipment

1. What standards should be promulgated concerning camera speed, low light ability, resolution (Should the cameras be able to pick up more than the human eye can see?), and recording capability (continuous run, officer controlled or continuous run with only one minute or so of video saved prior to the officer activating the recording.)?

2. Where should the cameras be mounted – head, shoulder or chest?

3. What recording capacity and battery life capabilities should the cameras possess? How wide a field of view?

4. Should cameras have a visual display denoting that they are recording?

III. Issuance

1. Which officers should be issued cameras – all, patrol, high-risk incident teams, plainclothes and/or undercover?

2. Should cameras be issued to officers based upon their assignments or prior behaviors (high complaint officer) or both?

IV. Usage

1. When should cameras be recording? Should they always be on, never be activated or only sometimes be recording?

   Continuum of Usage (Incidents included actual and anticipated incidents):

Attachment E

VI. Public Records

1. Are the videos public records?

2. If so, what is their release criteria:

   Always
   Only when public's need to know is greater than the privacy rights of those on the video
   Use of force incidents
   Deadly force incidents?

4. Should video taken in private places be non-public records?

3. If not, what is their release criteria?

VII. Other Issues

1. Will the use of police body cameras:

   a. Enhance the "Ferguson Effect?"
   b. Reduce police discretion?

   ...and what steps can be taken to avoid such possible negative unintended consequences

2. Training standards for officers, supervisors and technicians.

3. Possible warning at start of all videos released to public and court stating differences in observing, perception, lighting and depth of field between the viewer and the officer.

A Primer on

September 2012

NIJ

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

Sensor, Surveillance, and
Biometric Technologies (SSBT)
Center of Excellence (CoE)

Prepared by

ManTech Advanced Systems International, Inc.
1000 Technology Dr., Ste. 3310
Fairmont, WV 26554

Phone: (304) 368-4120
Fax: (304) 366-8096

Jonathan Hayes
Lead Engineer

Dr. Lars Ericson
Director of Advanced Technologies

A Primer on

September 2012

UNCLASSIFIED
This project was supported by Award No. 2010-IJ-CX-K024, awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect those of the Department of Justice.

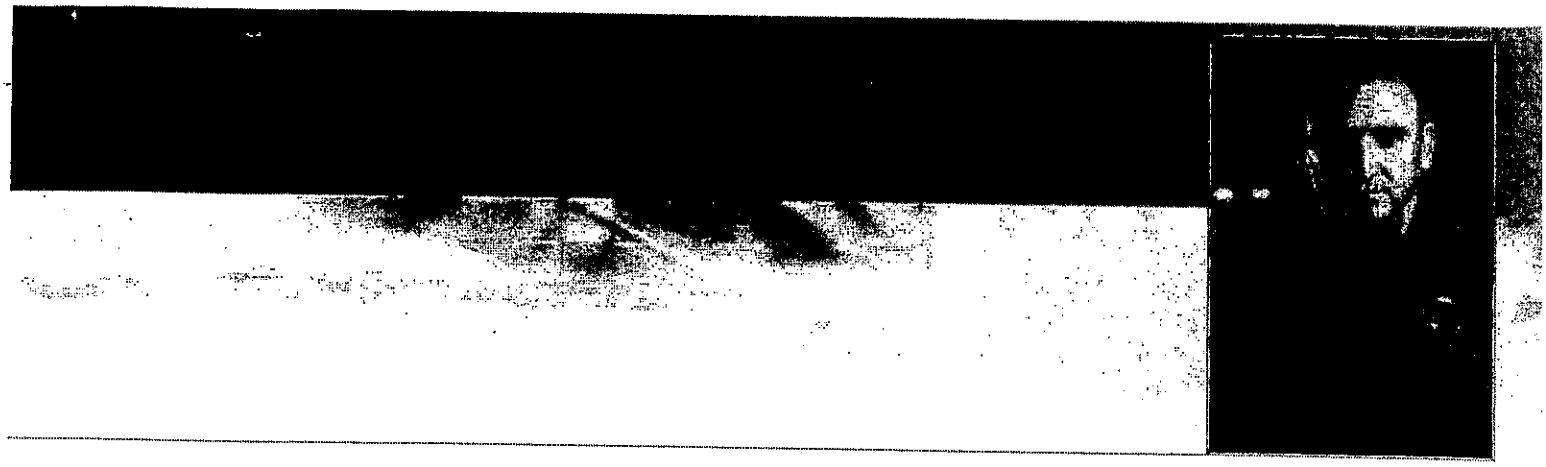


Table of Contents

APPENDIX B:

November 5, 2015

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at http://www.azleg.state.az.us/InterimCommittees.asp

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE
OPEN TO THE PUBLIC

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Date: **Thursday, November 5, 2015**

Time: **1:00 P.M.**

Place: **SHR 109**

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Arizona's Use of Police Body Cameras
   - Senate Staff
5. Effectiveness of Police Body Cameras
   - Dr. Jacob Young
6. Equipment Variations
7. Officer Issuance
8. Comment by Assistant Chief Michael Kurtenbach and Lieutenant Troy Stirling
9. Public Testimony
10. Discussion
11. Adjourn

Members:

Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher

Representative Sonny Borrelli, Co-Chair
Sean Mattson
Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Terry Young

10/20/15
sh

For questions regarding this agenda, please contact Senate Research Department.
Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Minutes of the Meeting
November 5, 2015
1:00 p.m., Senate Hearing Room 109

Members Present:
Senator John Kavanagh, Co-Chair
David Bodney
Vicki Hill
Honorable Scott Mascher
Sean Mattson
Representative Sonny Borrelli, Co-Chair
Frank Milstead
Luis Santaella
Terry Young

Members Absent:
Kurt Altman
Levi Bolton
Cloves Campbell
Dr. Justin Ready
Jon Riches

Staff:
Amber Witter, Senate Research Analyst
Jeffrey Ong, Senate Research Assistant Analyst
Rick Hazelton, House Research Analyst
Mike Hans, House Research Assistant Analyst

Co-Chairman Kavanagh called the meeting to order at 1:20 p.m. and attendance was taken.

APPROVAL OF MINUTES

Senator Kavanagh stated that without objection, the minutes of October 7, 2015 were approved.

PRESENTATIONS

Arizona's Use of Police Body Cameras

Amber Witter, Senate Research Analyst, distributed a handout entitled "Body Camera Use in Arizona" (Attachment A) and gave a PowerPoint presentation.

Senator Kavanagh commented on Arizona's use of police body cameras and the momentum that use is gaining.

Effectiveness of Police Body Cameras

Dr. Jacob Young, Assistant Professor, School of Criminology & Criminal Justice, Arizona State University (ASU), gave an overview of the PowerPoint presentation entitled "The Impact of On-Officer Video Cameras on Police Work" (Attachment B) and answered questions posed by the Committee.

Senator Kavanagh stated what topics will be discussed in future meetings.

Equipment Variations and Officer Issuance

Senator Kavanagh gave a PowerPoint presentation entitled "Police Body Cameras: A Double-Edged Sword" (Attachment C) and facilitated discussion and questions posed by the Committee.

Troy Stirling, Lieutenant, Lake Havasu City Police Department, gave comments during Senator Kavanagh's presentation and answered questions posed by the Committee.

Michael Kurtenbach, Assistant Chief, Phoenix Police Department, introduced Kevin Johnson, Sergeant, body wearing camera unit, Phoenix Police Department, gave comments during Senator Kavanagh's presentation and answered questions posed by the Committee.

Discussion

Mr. Mattson clarified his support for body cameras on police officers and stated his concerns regarding the need for careful implementation of policy, especially regarding privacy/records retention, public records and media as well as discretion.

Ms. Hill requested a presentation regarding how the videos will be used as evidence in court.

Senator Kavanagh further discussed the topics for the next meetings.

There being no further business, the meeting was adjourned at 2:42 p.m.

Respectfully submitted,

Imee L. Andrew
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at http://www.azleg.gov)

Senate Research

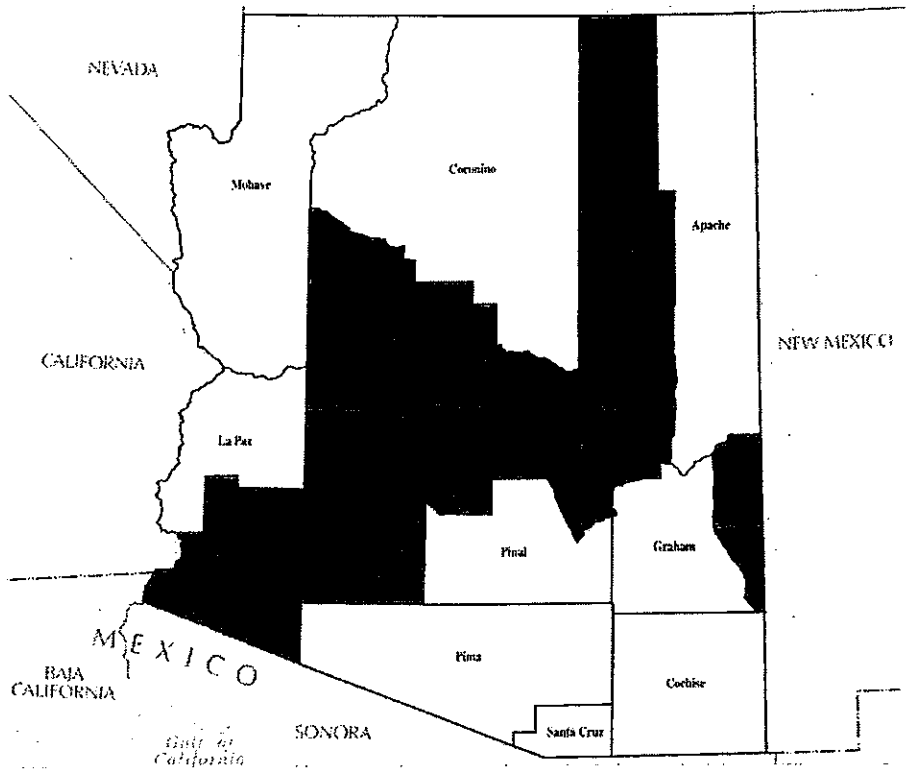
Law Enforcement Officer Body Camera Study Committee

November 5, 2015

Attachment A

Body Camera Use by County Sheriffs

County	Estimated number of deputies equipped with body cameras
Apache	0
Cochise	0
Coconino	0
Gila	6*
Graham	N/A
Greenlee	22
La Paz	N/A
Maricopa	400**
Mohave	0
Navajo	39
Pima	0
Pinal	0
Santa Cruz	0
Yavapai	63
Yuma	96
TOTAL	626



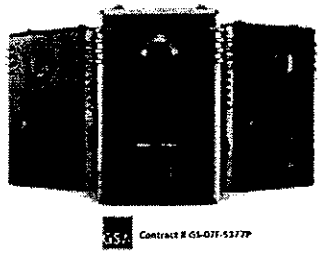
*Body cameras are personally purchased and utilized by deputies
**Maricopa County Sheriff's Office is required to equip deputies with body cameras under court order

Body Camera Use by City/Town Police Departments

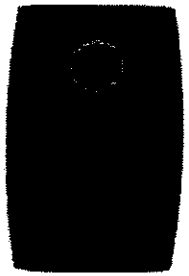
1) Chandler PD – Taser AXON
2) Clarkdale PD – Digital Ally
3) Cottonwood PD – WatchGuard Vista
4) Eagar PD – Taser AXON
5) El Mirage PD – Taser AXON
6) Flagstaff PD – Taser AXON
7) Gilbert PD – Taser AXON
8) Kingman PD – Taser AXON
9) Lake Havasu PD – Taser AXON
10) Maricopa PD – Taser AXON
11) Mesa PD – Taser AXON
12) Oro Valley PD – Taser AXON
13) Page PD – VIEVU
14) Paradise Valley PD – L3 Mobile-Vision
15) Parker PD – VIEVU
16) Peoria PD – Taser AXON
17) Phoenix PD – VIEVU
18) Pima PD – Taser AXON
19) Safford PD – Taser AXON
20) Salt River PD - WatchGuard
21) Scottsdale PD – Taser AXON
22) Show Low PD – WatchGuard
23) Sierra Vista PD - VIEVU
24) Springerville PD – Taser AXON
25) St Johns PD – Taser AXON
26) Surprise PD – Taser AXON
27) Tempe PD – Taser
28) Thatcher PD – Taser AXON
29) Tucson PD – Taser AXON
30) Winslow PD – Taser AXON

Camera Providers

Taser AXON

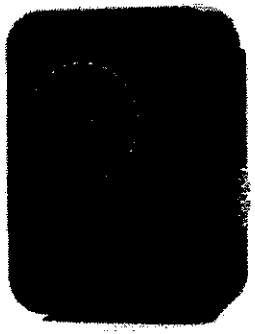


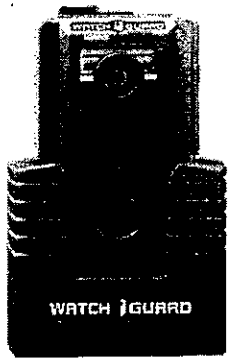
L3 Mobile-Vision



VIEVU

Digital Ally





WatchGuard

THE IMPACT OF ON-OFFICER VIDEO CAMERAS ON POLICE WORK

Findings from the Mesa Field Experiment

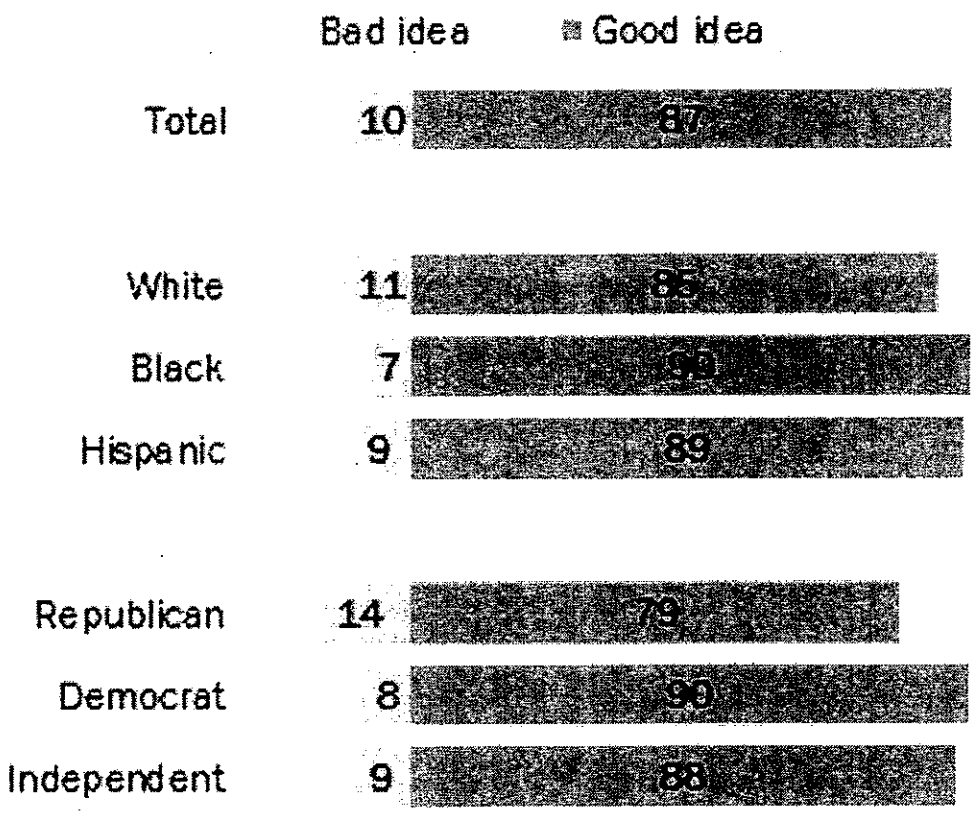
Jacob T.N. Young & Justin T. Ready
School of Criminology and Criminal Justice
Arizona State University

Thanks to Chief Milstead,
Asst. Chief Anthony Filler,
Lt. Lee Rankin & Sgt. Ryan Stokes
Mesa Police Department

Attachment B

Bipartisan Support for More Body Cameras on Police Officers

More police officers wearing body cameras to record interactions would be ... (%)

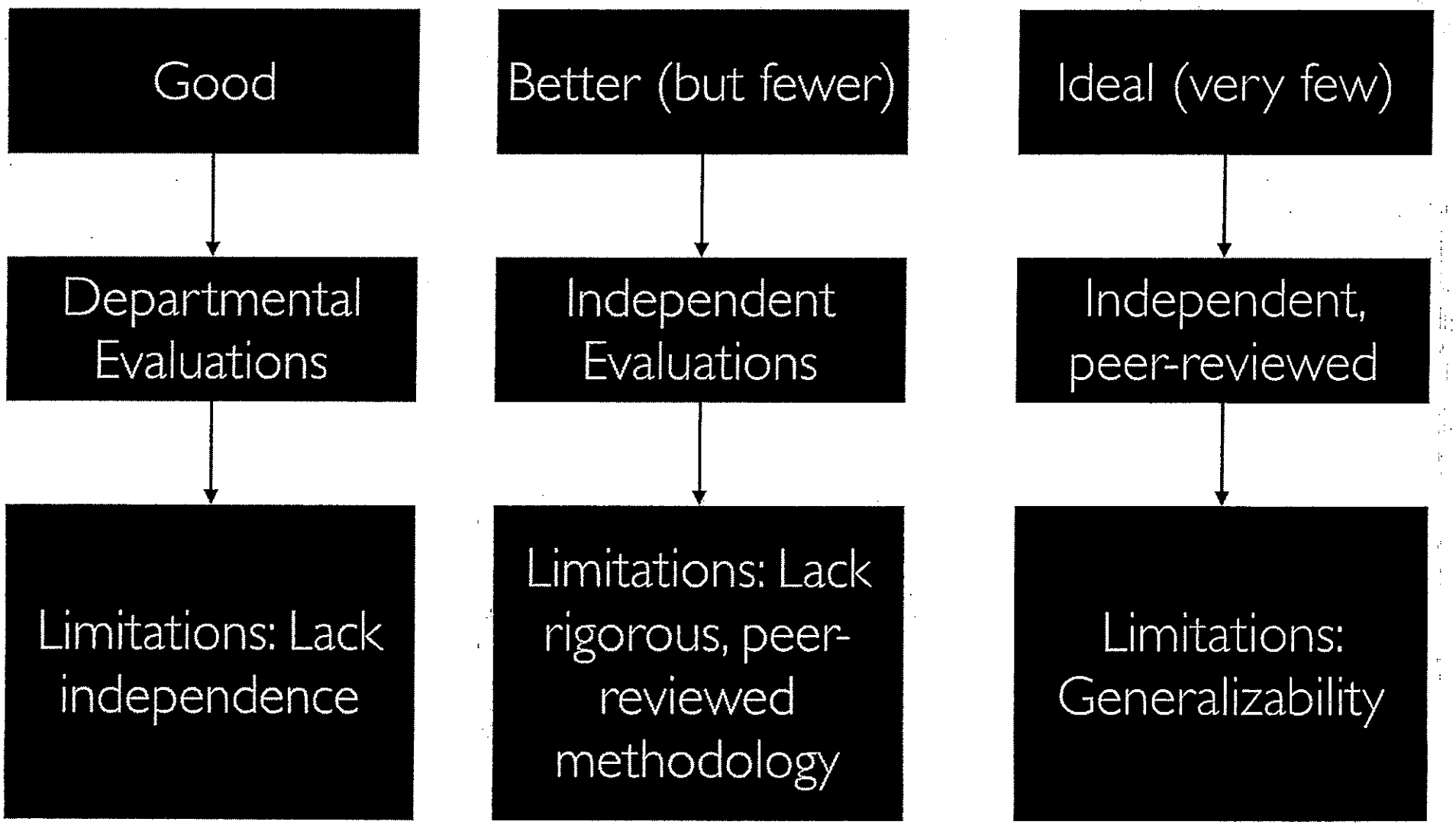


Survey conducted Dec. 3-7, 2014. Don't know responses not shown. Whites and blacks include only non-Hispanics; Hispanics are of any race.

PEW RESEARCH CENTER/USA TODAY

- On-officer video cameras (OVCs) are <u>expected</u> to:
  - increase transparency and improve views of police legitimacy
  - have a "civilizing" effect, improving citizen-officer relations
  - have evidentiary benefits
  - improve officer training

WE "*KNOW*" A LITTLE…



WE "***KNOW***" A LITTLE…

- Community Oriented Policing Services (COPS) Report (White, 2014)

- "Unfortunately, there have been few balanced discussions of the merits and drawbacks of police officer body-worn cameras and even fewer empirical studies of the technology in the field…The overwhelming theme…is the lack of available research on the technology…Independent research on body-worn camera technology is urgently needed. Most of the claims made by advocates and critics of the technology remain untested…independent research, with rigorous methodologies, is required…"

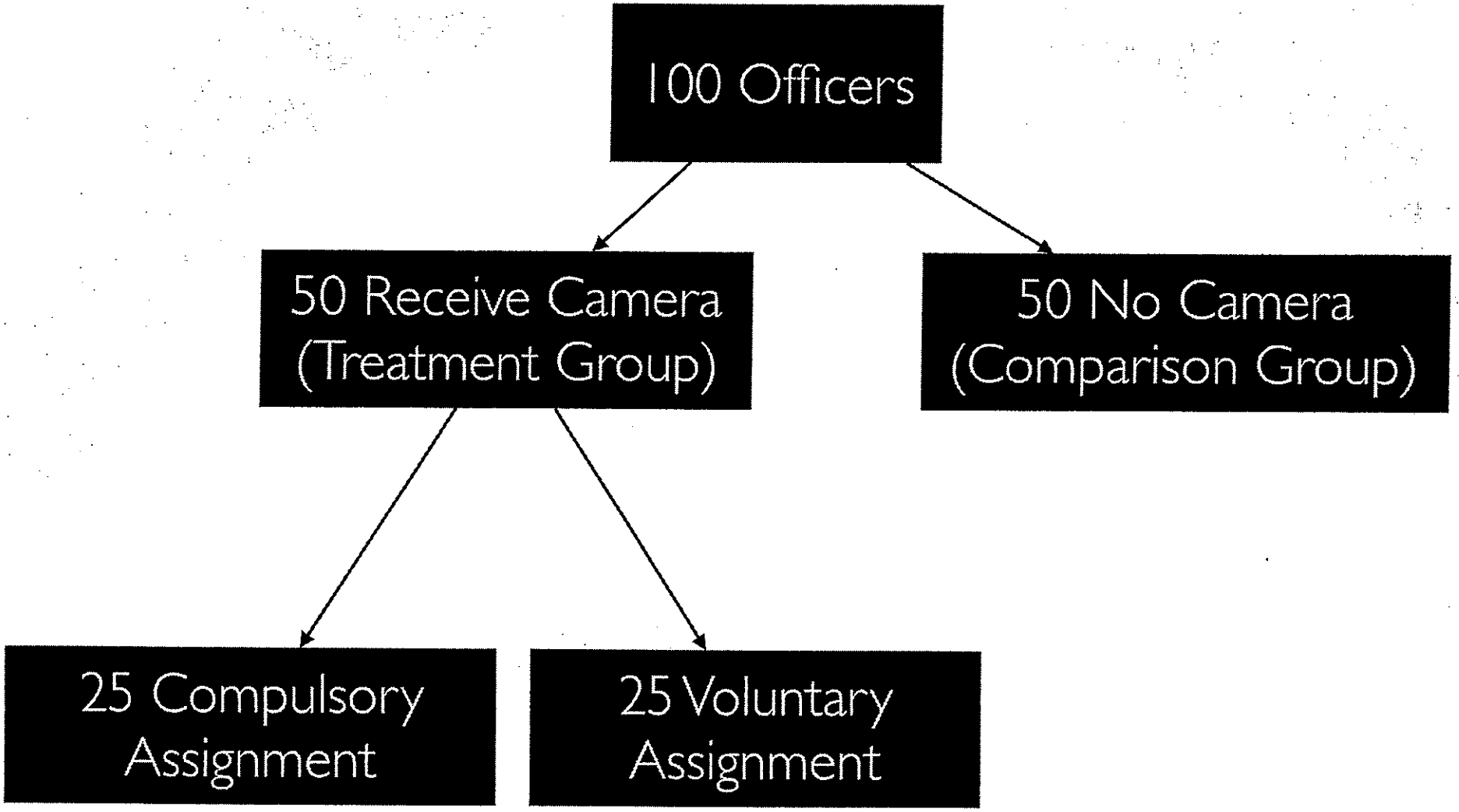
MOTIVATION

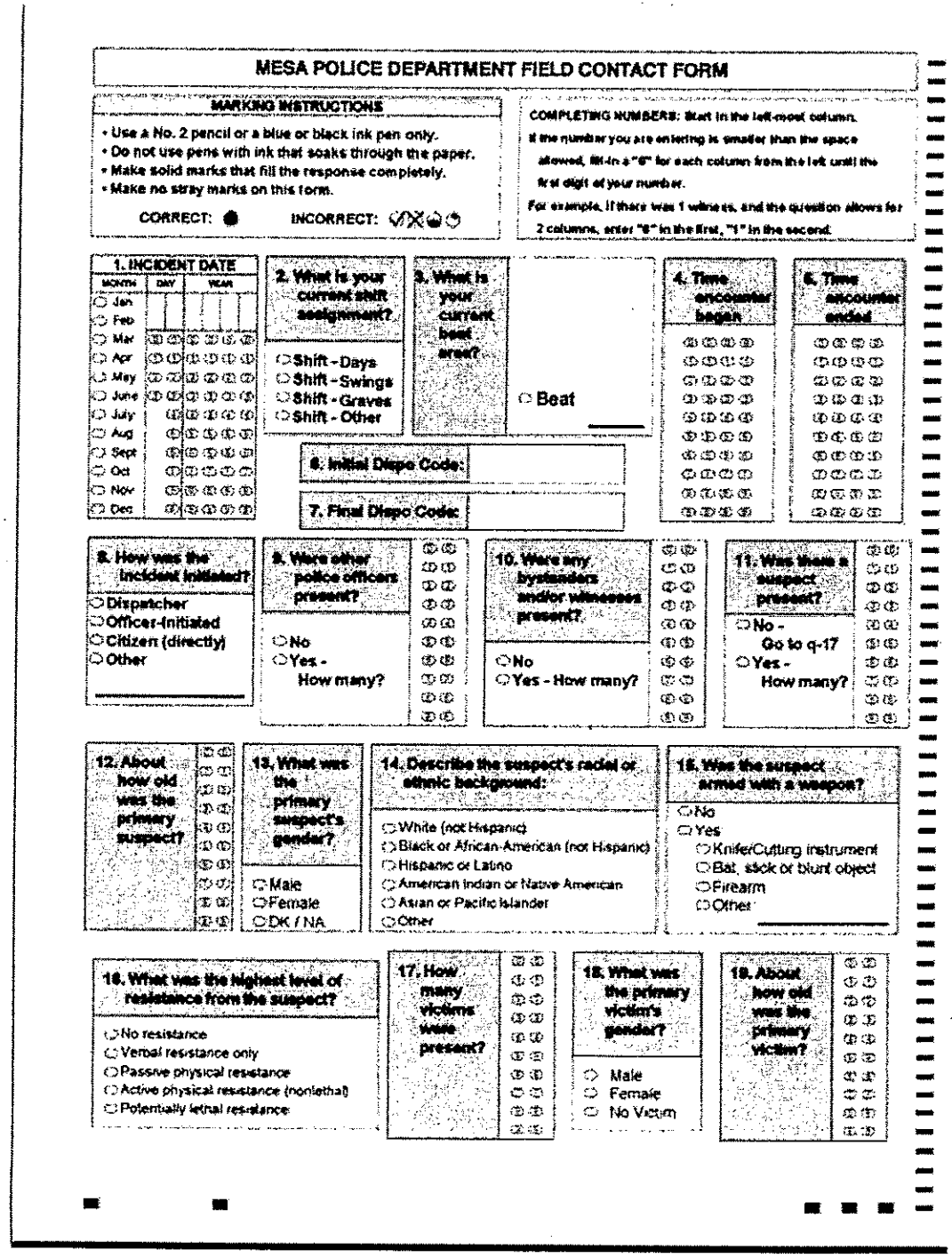
- Conduct **Independent** and **Methodologically Rigorous** empirical research to address questions pertaining to OVCs.
  - Specific Questions:
    - 1. Is officer behavior influenced by wearing a camera?
    - 2. Do officer perceive cameras to be useful?
    - 3. Does departmental policy influence officer activation of cameras?

RESEARCH SETTING

- In November 2012, the Mesa Police Department initiated a 12 month evaluation of the Axon Flex on-officer video camera (OVC) system.
- In terms of research, we were interested in how the technology influenced police-citizen interactions and officers' perceptions of the cameras.

RESEARCH DESIGN





MESA POLICE DEPARTMENT FIELD CONTACT FORM

MARKING INSTRUCTIONS

- Use a No. 2 pencil or a blue or black ink pen only.
- Do not use pens with ink that soaks through the paper.
- Make solid marks that fill the response completely.
- Make no stray marks on this form.

CORRECT: ● INCORRECT:

COMPLETING NUMBERS: Start in the left-most column. If the number you are entering is smaller than the space allowed, fill-in a "0" for each column from the left until the first digit of your number. For example, if there was 1 witness, and the question allows for 2 columns, enter "0" in the first, "1" in the second.

1. INCIDENT DATE — MONTH: Jan, Feb, Mar, Apr, May, June, July, Aug, Sept, Oct, Nov, Dec; DAY; YEAR

2. What is your current shift assignment? — Shift - Days; Shift - Swings; Shift - Graves; Shift - Other

3. What is your current beat area? — Beat

4. Time encounter began

5. Time encounter ended

6. Initial Dispo Code:

7. Final Dispo Code:

8. How was the incident initiated? — Dispatcher; Officer-Initiated; Citizen (directly); Other

9. Were other police officers present? — No; Yes - How many?

10. Were any bystanders and/or witnesses present? — No; Yes - How many?

11. Was there a suspect present? — No - Go to q-17; Yes - How many?

12. About how old was the primary suspect?

13. What was the primary suspect's gender? — Male; Female; DK / NA

14. Describe the suspect's racial or ethnic background: — White (not Hispanic); Black or African-American (not Hispanic); Hispanic or Latino; American Indian or Native American; Asian or Pacific Islander; Other

15. Was the suspect armed with a weapon? — No; Yes: Knife/Cutting instrument; Bat, stick or blunt object; Firearm; Other

16. What was the highest level of resistance from the suspect? — No resistance; Verbal resistance only; Passive physical resistance; Active physical resistance (nonlethal); Potentially lethal resistance

17. How many victims were present?

18. What was the primary victim's gender? — Male; Female; No Victim

19. About how old was the primary victim?

DATA

- **Field contact forms** completed by officers on 160 randomly selected days.
  - Over 3,600 contact forms collected.

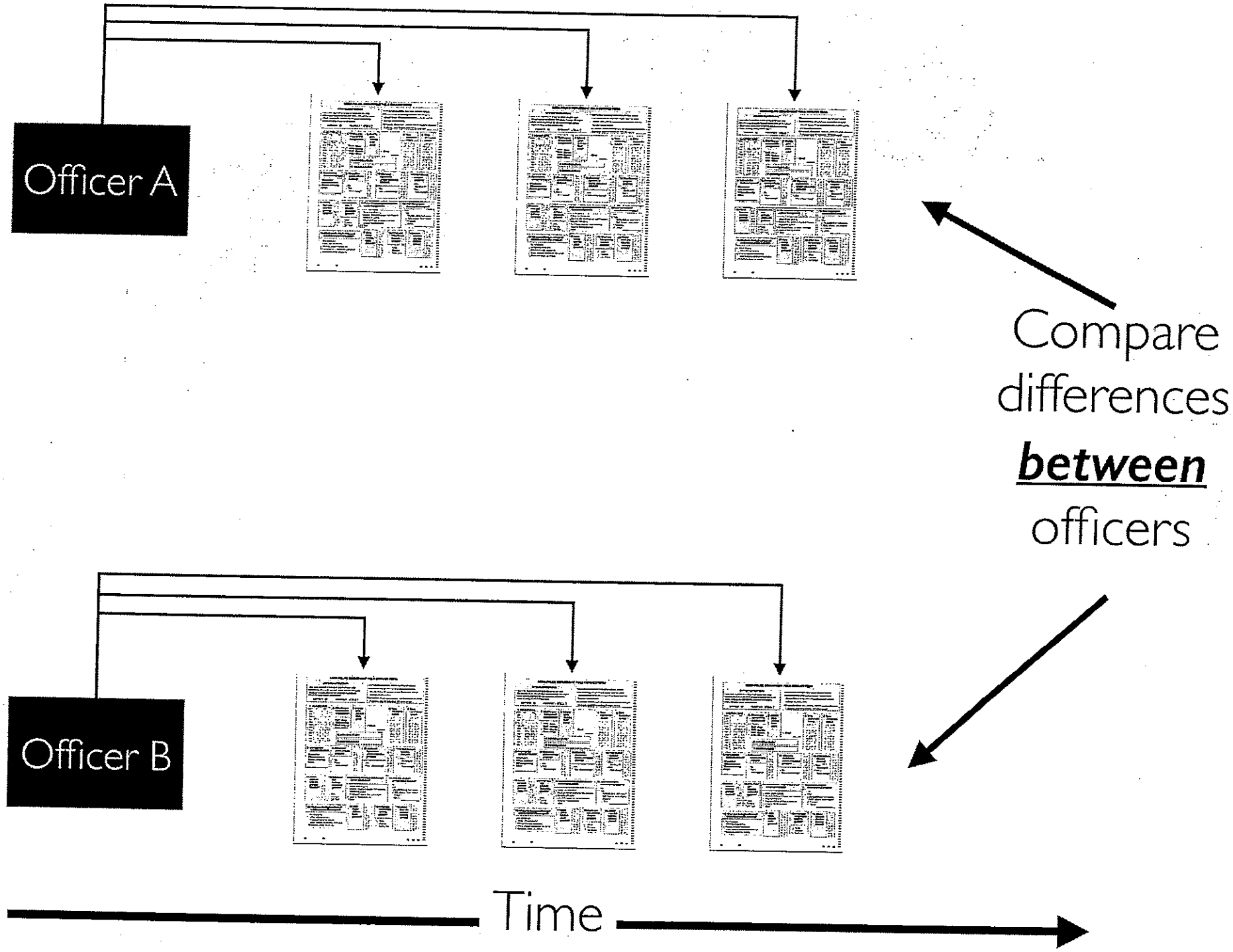
DEPARTMENTAL POLICY ON THE USE OF CAMERAS

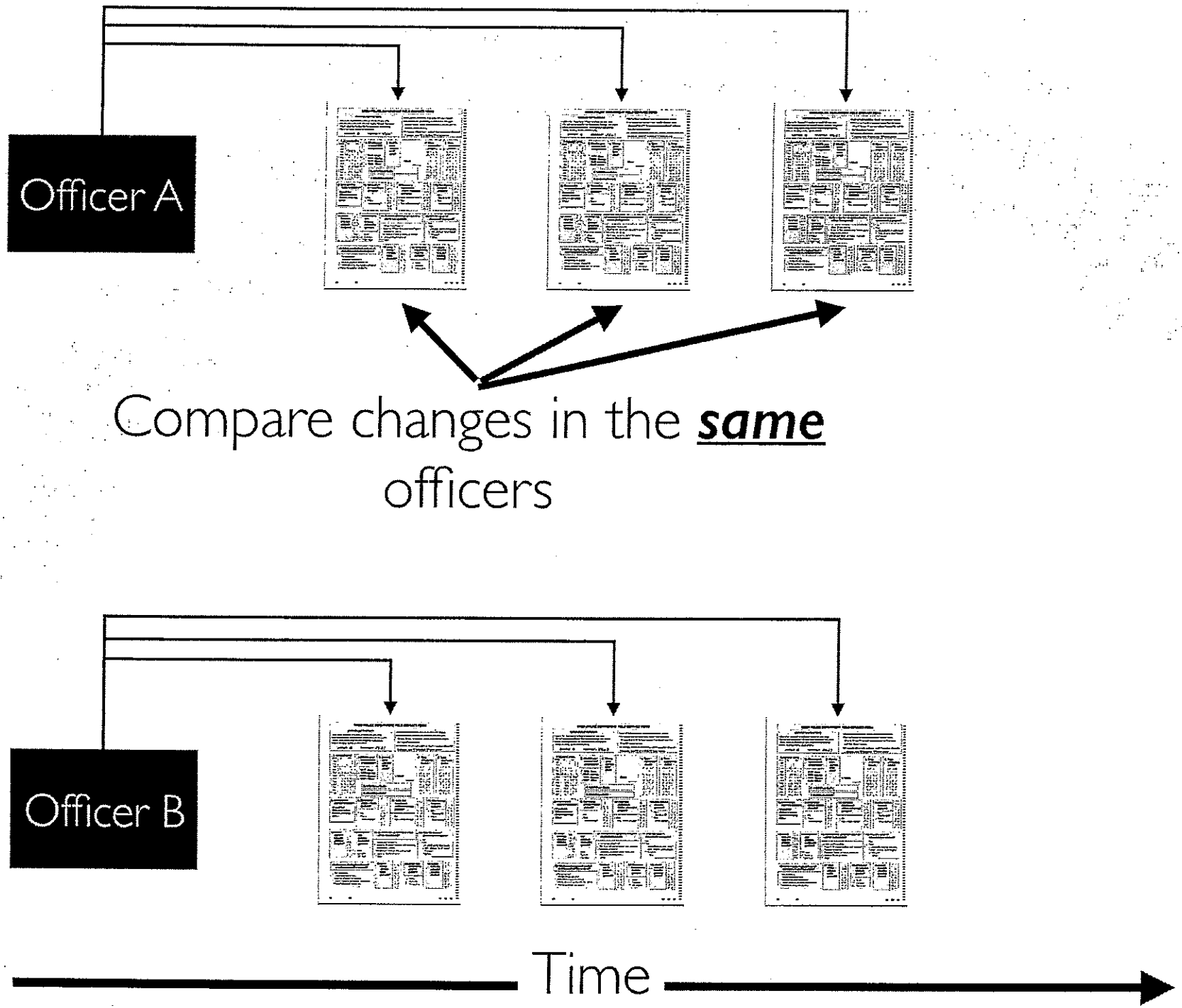
- **Mandatory Activation**: During the first 5 months, officers were directed, "When practical, officers will make every effort to activate the on-officer body camera when responding to a call or have any contact with the public."

- **Discretionary Activation**: After the first 5 months, officers were given the latitude to "exercise discretion and activate the on-officer body camera when they deem it appropriate."

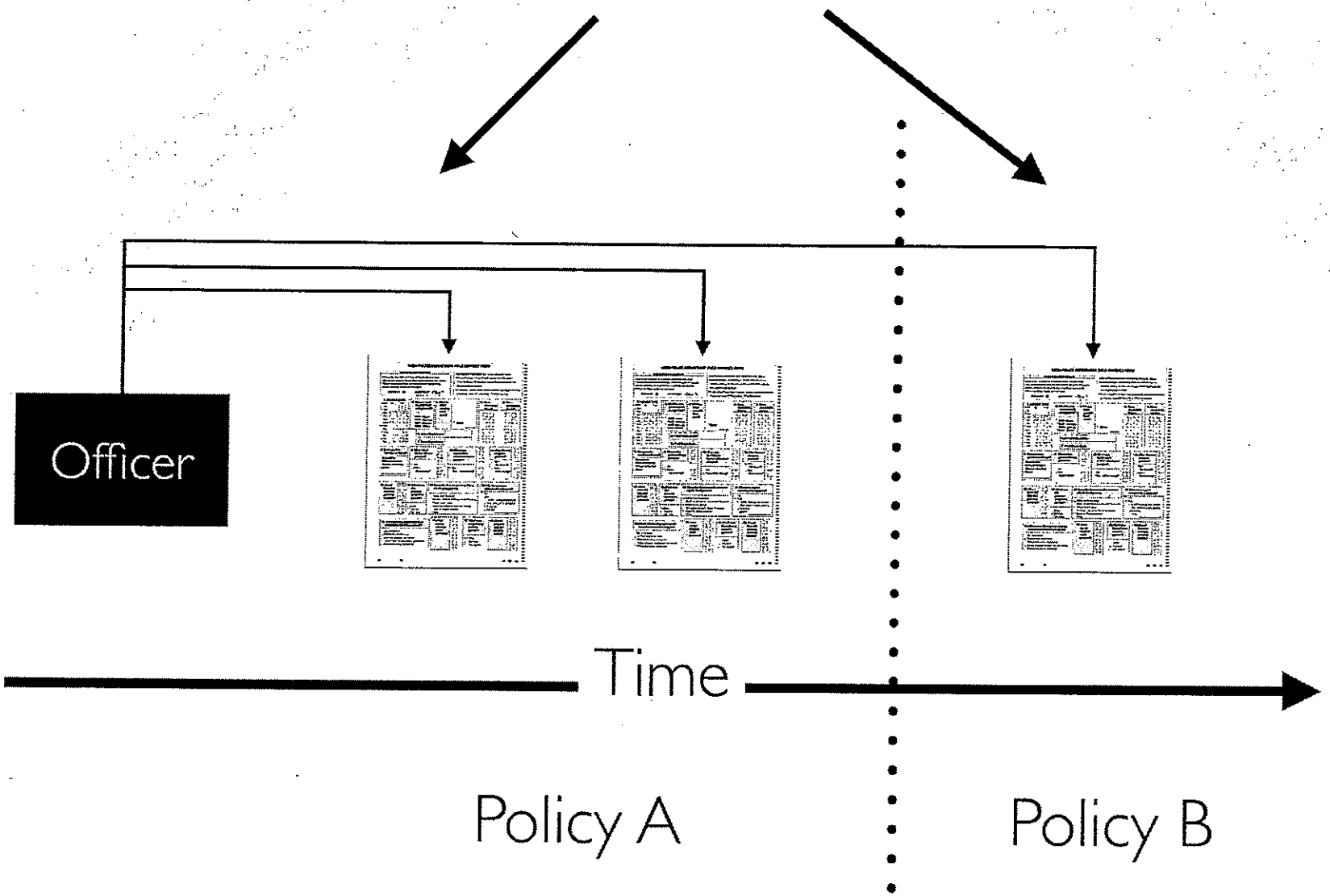
STRENGTHS OF THE DESIGN

- Longitudinal comparisons
- Policy change during study period


Officer A
Officer B
Compare differences **between** officers
Time


Officer A
Compare changes in the **same** officers
Officer B
Time

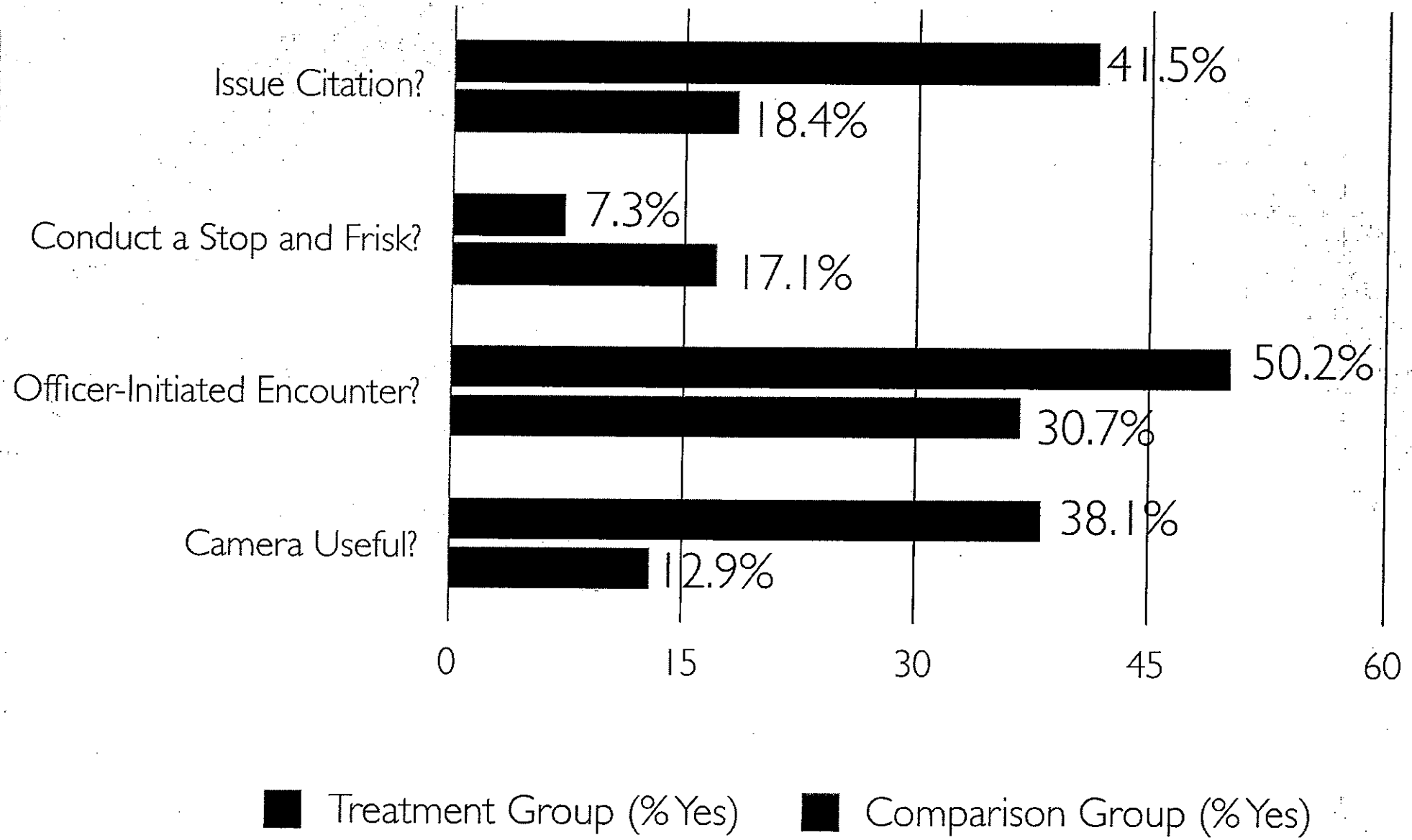
Compare changes due to ***policy change***



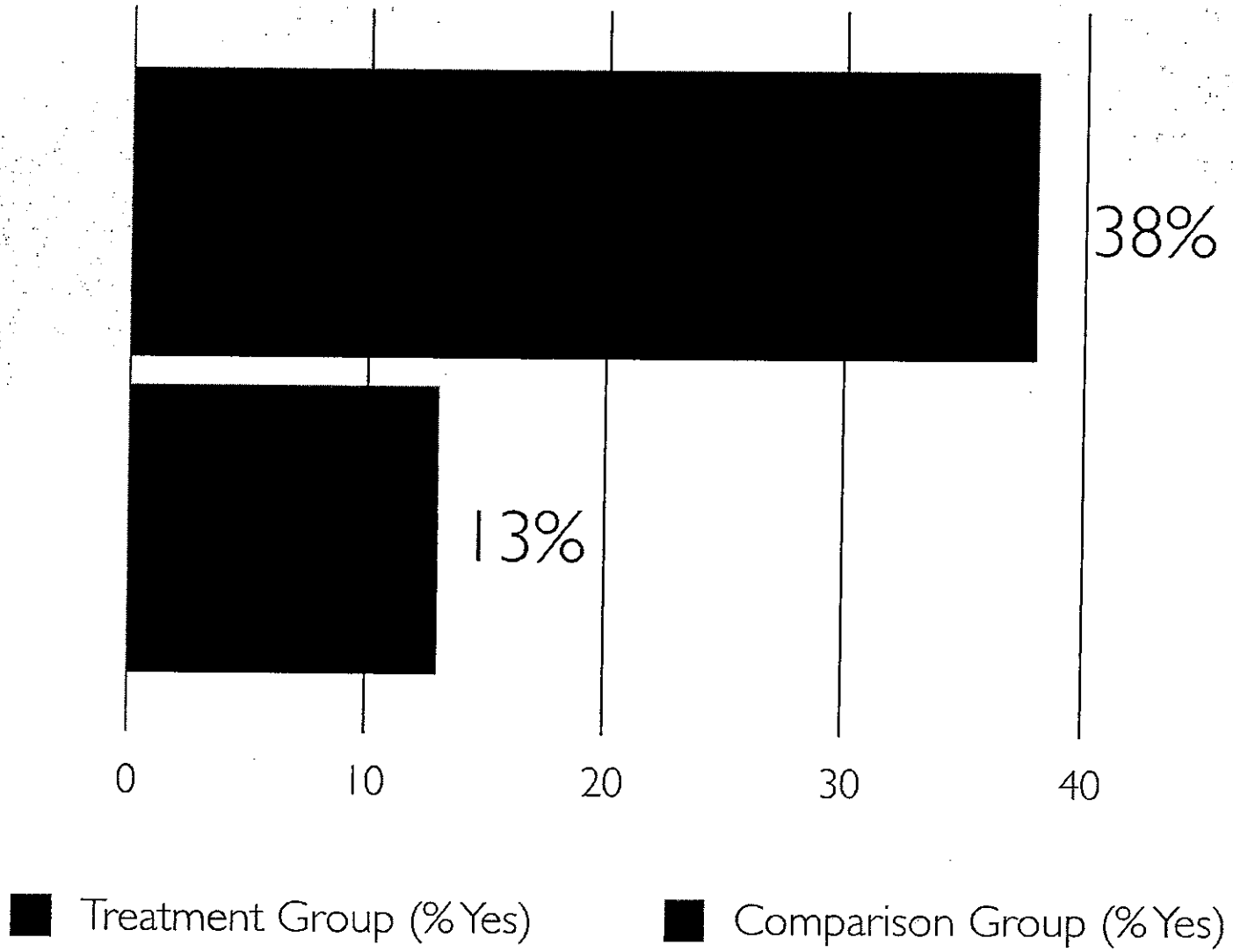
KEY FINDINGS

- 1.Officer behavior is influenced by wearing a camera.
- 2. Officers who wore a camera were more likely to perceive it as useful for a given incident.
- 3. Camera activation depends on department policy.

OFFICER BEHAVIOR

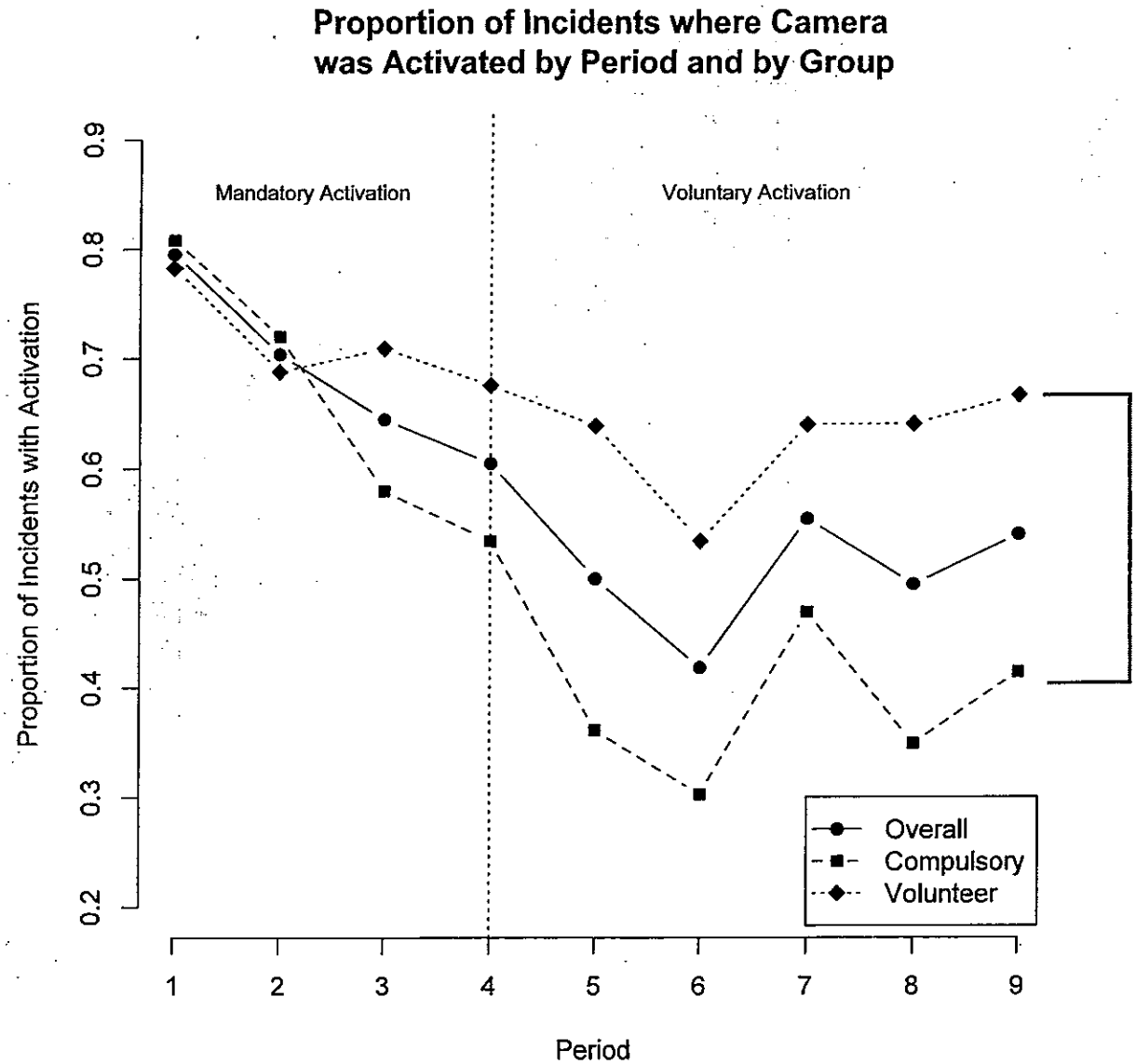


PERCEIVED USEFULNESS



FINDING 3. DEPARTMENT POLICY

- No difference between "volunteer assignment" and "compulsory-assignment" in camera activation during **mandatory** activation period
- Significant decline during **discretionary** period, primarily among "compulsory-assignment" officers
    - These differences are net of situational and officer characteristics.



Difference in activation rates attributable to policy change

Compulsory-assignment officers were **<u>three times more likely to stop</u>** activating their cameras when the policy switched to discretionary activation relative to the volunteer officers.

KEY POINTS

- ***1. MORE RESEARCH IS NEEDED***
  - No single study is definitive
- 2. Officer behavior and view of the technology is influenced by wearing a camera
- 3. Department policy may determine the effectiveness of the technology for achieving goals

THANK YOU!

Contact Information:

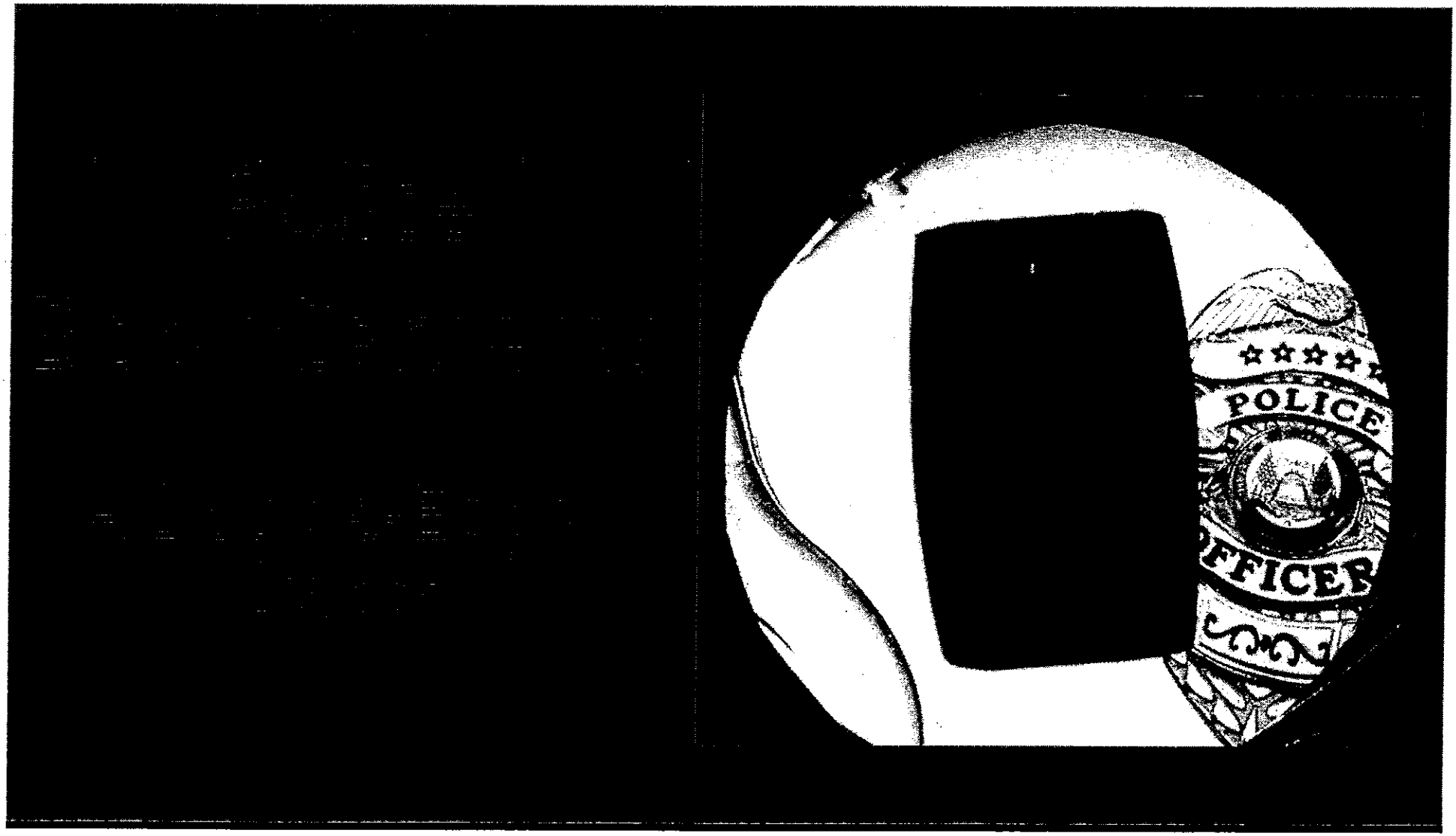
Jacob Young

jacobtnyoung.com

jacob.young.1@asu.edu

Justin Ready

justin.ready@asu.edu



John Kavanagh PhD

State Senator, Arizona
Professor of Criminal Justice and Program Director, Scottsdale Community College
Co-Chair, Special Arizona Legislative Police Body Camera Study Committee
Retired Detective Sergeant, Port Authority of N.Y. & N.J Police Dept.

Attachment C

[redacted]

Education

- BA N.Y.U. Liberal Arts
- MA St. John's University Government
- Ph.D. Rutgers University Criminal Justice

Occupations

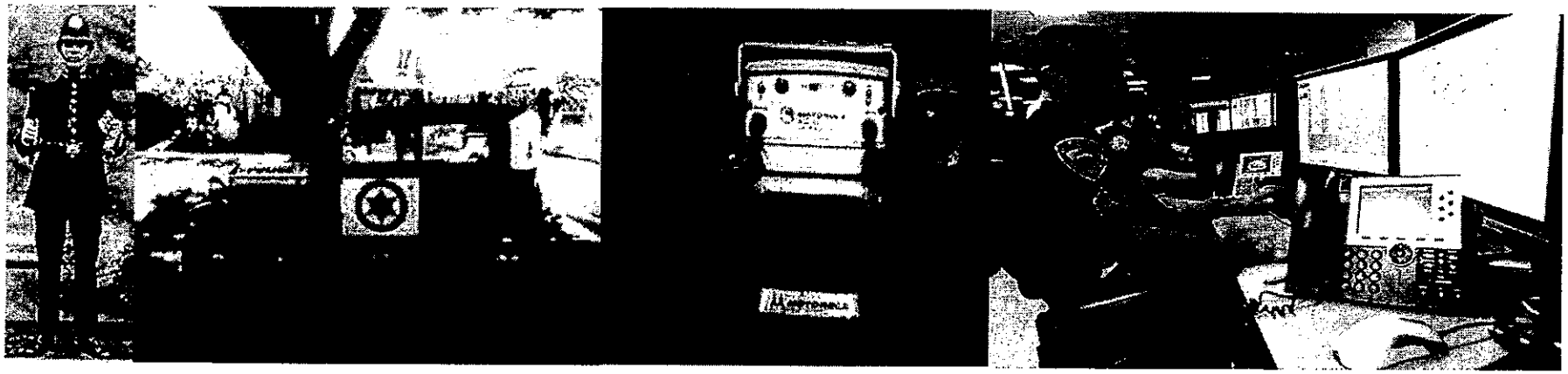
- Detective Sergeant (Retired) - Port Authority of N.Y. & N.J. Police
- Instructor, Justice Studies (Former) - Arizona State University
- Professor and Program Director of Criminal Justice (Current) - Scottsdale Community College
-

Elected Offices

- Town Councilman - Lafayette N.J. (3 years)
- Town Councilman - Fountain Hills AZ (6 years)
- State Representative - Arizona House of Representatives (8 years)
- State Senator - Arizona State Senate (Current)

The introduction of new technology can cause monumental changes in policing.

Such change can can be for the better, for the worse or both.



The introduction of the police car coupled with the invention of the two-way car radio made police patrol faster and far more efficient.

However, it also took the cop off the street and away from the people.

That physical separation of police officers from the public contributed to the alienation and mistrust that developed between the two groups, especially among minority group members, which peaked in the 1960s and that today's community policing programs are attempting to reverse.

[redacted]

For the Better	For the Worse
1. Help resolve high-profile controversies	1. Present a distorted and misleading view of incidents and create suspicion about incidents that are not recorded
2. Have a "civilizing effect" on police officers and citizens	2. Violate the privacy of officers and citizens alike and reduce police-citizen interaction
3. Reduce citizen complaints and lawsuits	3. Lower police morale
4. Provide courtroom evidence and reduce the number of hearings and trials	4. Reduce police discretion and giving offenders breaks
5. Improve police training (individually and departmentally)	5. Create the "Ferguson effect"
6. Investigative and report writing assistance	6. Drain funding away from other areas
7. Tool for supervision	7. Become a tool for supervisory harassment

The primary purpose of the study committee is to gather information and make recommendations.

The information will be used by:

- Legislators in Arizona and other states to draft bills
- Municipalities and police departments to create policy
- The general public to better understand police body cameras

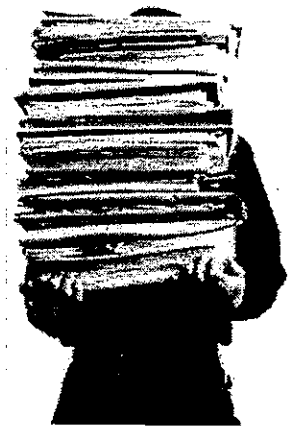
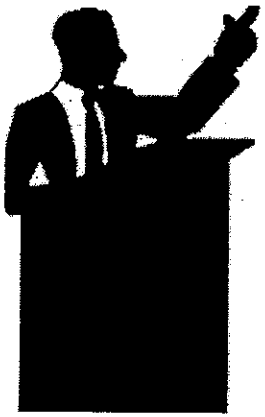
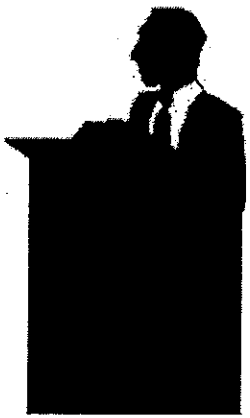
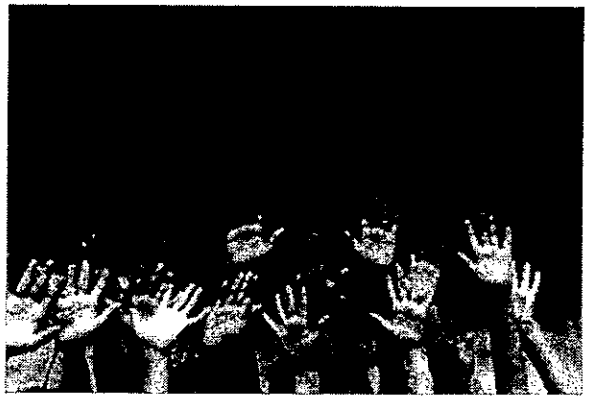
[redacted]

The information will be disseminated:

- Live over the legislative broadcast channel
- Via archived video accessible from the legislative websites (www.azleg.gov)
- Via media coverage

The committee will affect legislation by:

- Gathering and disseminating information
- Offering individual member opinion
- Voting on specific issues relating to body cameras

Voting on specific issues will be a two step process.

- Step One: Is this issue something that the committee should weigh in on?

- Step Two: If yes, then should it be a recommendation or legal mandate?

Note: Because some members represent organizations, votes will be delayed to allow those members to consult with their organization and abstentions will be allowed as will votes with the stipulation that it is the personal opinion of the member.

Legislation can be drafted by any individual member or group of members of the legislature.

Multiple bills can be drafted by one or more members

This committee will not draft legislation for a variety of reasons.

[redacted]

1. A bill's sponsor must feel comfortable placing his or her name on a bill and a group effort can rarely meet that criteria.

2. An introduced bill often must contain compromises negotiated with many stakeholders.

3. Most bills undergo significant change as they move through the political process. Thus, a committee bill would be unlikely to avoid considerable revision, especially a bill dealing with with so many issues.

4. The information and commentary generated by this committee will inevitably influence the creation of bills and member votes.

Study committee members are encouraged to continue influencing any and all body camera legislation by testifying before any and all committees that the bill or bills are assigned to.

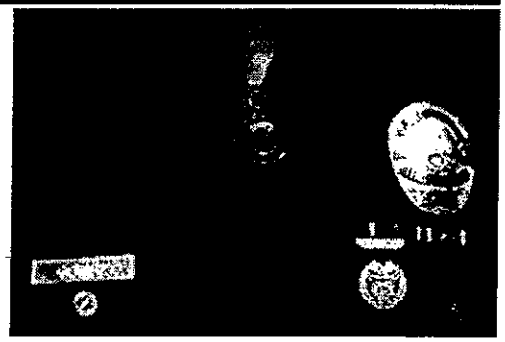
Study committee members are also able to lobby legislators and engage in public discussion in the media and elsewhere.

[redacted]

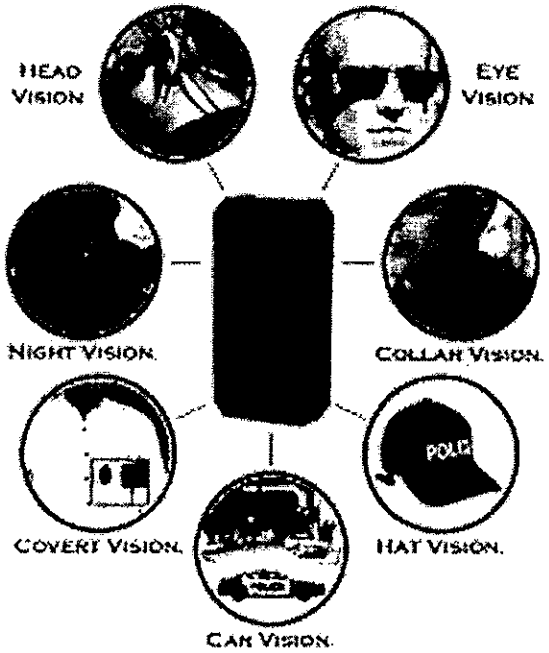
- There are many different types of police body cameras and they differ in many ways, such as:
  - Camera placement
  - Camera size/weight
  - Video resolution
  - Night vision capability
  - Battery life
  - Download/storage issues
  - Evidentiary safeguards
  - Event marking
  - Playback ability/screen
  - Charge time
  - Pre-event recording
  - Cost
  - GPS capability
  - Public Recording Notice

Red denotes issue with serious policy implications.

[redacted]



Police body cameras can be placed on the head, glasses, hat, belt, shoulder or chest.



The choice affects:

- Officer comfort
- Camera perspective
- Likelihood of the camera's being knocked off
- Likelihood of the camera view being blocked

In one department, head mounted cameras were used and due to their weight and method of attachment, some officers reported headaches.

This may not be an issue with newer and lighter units.

A head/hat/glasses mounted camera will record what the officer is actually viewing during the incident.

A shoulder/belt/chest mounted camera will only see in the direction the officer's torso is facing. If the officer is sitting in a patrol car and looks out the driver's window, the camera will not see what the officer is seeing.

Also, if a tall officer is engaged in a vehicle stop, a head/hat/glasses mounted camera will probably record the driver but a shoulder/belt/chest unit may only record over the car.

[redacted]

A head/hat/glasses mounted camera, may easily be knocked off during a fight, when the camera's recording is especially needed.

Shoulder/belt/chest mounted cameras are less prone to dislodgement.

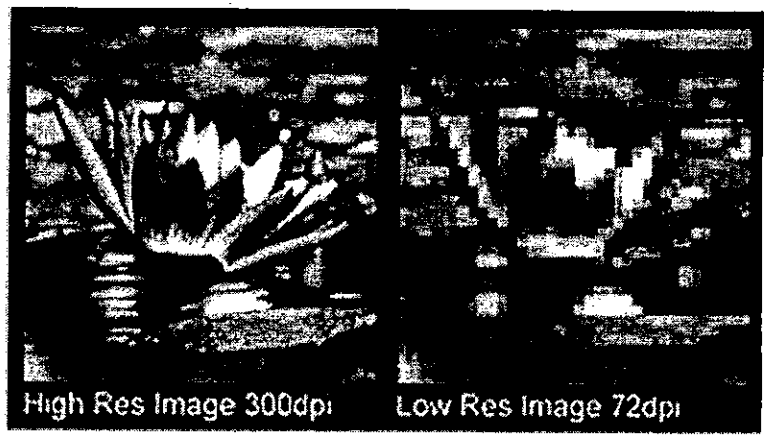
The view of a chest/belt mounted camera may be blocked during a gunfight by the hands of the officer holding out his or her weapon.

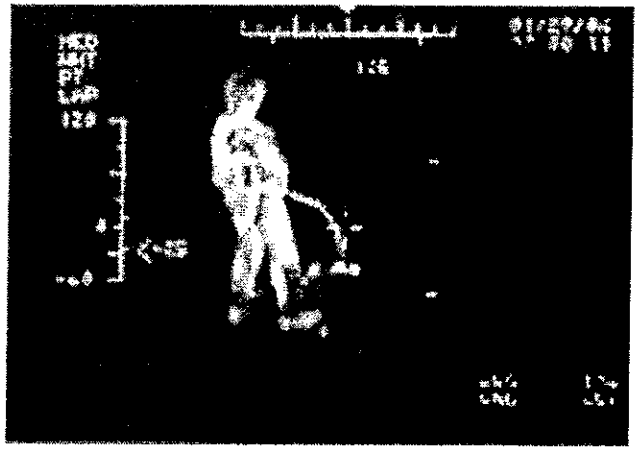
Such an obstruction of view would probably not occur with a head/hat/glasses or shoulder mounted camera.

A camera with a high definition lens might pick up things that the police officer could not physically see.

If those things were of legal consequence, the public and jurors might erroneously believe that the officer saw those things, which would impeach the officer's credibility and possibly expose the officer to undeserved criminal and civil liability and his or her department to undeserved civil liability.

Alternately, the higher quality would reveal what actually happened even though that is not an issue in use of force and arrest decisions, where it is what the parties "reasonably believe" is happening that matters.





A camera with night vision capability might pick up things that the police officer could not physically see.

If those things were of legal consequence, the public and jurors might erroneously believe that the officer saw those things, which would impeach the officer's credibility and possibly expose the officer to undeserved criminal and civil liability and his or her department to undeserved civil liability.

Alternately, the higher quality would reveal what actually happened even though that is not an issue in use of force and arrest decisions, where it is what the parties "reasonably believe" is happening that matters.

Because the video footage may be used as evidence in a judicial proceeding, its integrity must be protected.

These issues revolve upon insuring that:

- It represents an unaltered depiction of the incident
- "Chain of custody" standards have been met regarding protection from tampering and accountability.

[redacted]

Should the unit have a screen or be able to feed into a portable screen so that the video footage can be viewed at the scene of an incident?

Pro	Con
• Allows for instant review of incidents to resolve disagreements and complaints and to acquire information about what happened.	Allows the officer to view the videotape and possibly tailor his or her statements to explain away misconduct. But instant access viewing could be restricted to supervisors.

[redacted]

With pre-event recording, the camera is continuously recording but only saves the last few minutes of data in a buffer.

This preserves a recording of the full incident, so long as the officer activates the camera within the buffer's time.

It recognizes the reality that officers will not always remember to activate the camera and provides a small margin of officer error.

[illegible]

- All officers who interact with the public
- Patrol officers
- Patrol supervisors
- Special units dealing with potentially violent situations
- Detectives
- Undercover officers
- What about civilian employees?

APPENDIX C:

November 19, 2015

Agenda, minutes and handouts

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE
OPEN TO THE PUBLIC

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Date: **Thursday, November 19, 2015**

Time: **1:30 P.M.**

Place: **SHR 109**

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Appropriate Circumstances to Activate Body Cameras
5. Police Body Camera Footage and the Judiciary
   a. Prosecutor
   b. Defense Attorneys
6. Victims' Rights and Services Considerations
7. Body Camera Video Storage-SafeGov
8. Public Records and Retention
   a. Legislative Council Research
   b. Arizona State Library, Archives & Public Records Workgroup Report
9. Public Testimony
10. Discussion
11. Adjourn

Members:

Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher

Representative Sonny Borrelli, Co-Chair
Sean Mattson
Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Terry Young

11/16/15
sa

For questions regarding this agenda, please contact Senate Research Department. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

Redacted Copy

ARIZONA STATE LEGISLATURE

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Minutes of the Meeting
November 19, 2015
1:30 p.m., Senate Hearing Room 109

Members Present:
Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Sean Mattson
Dr. Justin Ready
Jon Riches
Luis Santaella
Major Wayde Webb, Director's designee
Terry Young

Members Absent:
Representative Sonny Borrelli, Co-Chair
Honorable Scott Mascher

Staff:
Amber Witter, Senate Research Analyst
Rick Hazelton, House Research Analyst
Mike Hans, House Research Assistant Analyst

Co-Chairman Kavanagh called the meeting to order at 1:30 p.m. and attendance was taken.

APPROVAL OF MINUTES

Senator Kavanagh stated that without objection, the minutes of November 5, 2015 were approved.

PRESENTATIONS

Victims' Rights and Services Considerations

Colleen Clase, Attorney, representing Crime Victims in the State of Arizona, member of Arizona Attorney General's Victims' Rights Advisory Committee, distributed a handout entitled "Arizona Crime Victim's Rights Laws" (Attachment A) and gave an overview of victims' rights. Ms. Clase gave her recommendation that the interaction between victim and victim advocates be redacted. Ms. Clase gave her concerns regarding public records requests and the need for limitation of sensitive evidence and that they be limited to investigative and court purposes and not released to the general public. Ms. Clase answered questions posed by the Committee.

Betty McEntire, Director, Address Confidentiality Program (ACP), Secretary of State's Office, gave a short overview of the ACP and addressed concerns regarding personal identifying information that if not redacted will severely impact the victim. Ms. McEntire answered questions posed by the Committee.

Appropriate Circumstances to Activate Body Cameras

Senator Kavanagh continued the PowerPoint presentation covered from the previous meeting and discussed the full range of possibilities regarding body-worn cameras.

Michael Kurtenbach, Assistant Chief, Phoenix Police Department, gave an overview of existing Phoenix Police Policy regarding body-worn cameras and discussed a link to the Bureau of Justice Assistance Body-Worn Camera Toolkit and answered questions posed by the Committee.

Troy Stirling, Lieutenant, Lake Havasu City Police Department, gave an overview of existing Lake Havasu City Police Policy regarding body-worn cameras and answered questions posed by the Committee.

Police Body Camera Footage and the Judiciary: Prosecutor and Defense Attorneys

Rebecca Baker, Legislative Liaison, Maricopa County Attorney's Office, distributed a handout entitled "Prosecution Perspective on Body Cameras" (Attachment B) and gave a PowerPoint presentation. Ms. Baker stated her concerns regarding the limited view that the camera captured of the scene and the need of redaction to protect the victim rights of privacy. Ms. Baker stated her other concern regarding storage of the records and the viewing and redacting of videos is extremely costly. Ms. Baker answered questions posed by the Committee.

James Belanger, Criminal Defense Lawyer, explained his background, shared information on specific cases and voiced his support for the use of body camera video in court. Mr. Belanger answered questions posed by the Committee.

John Champagne, Attorney, Maricopa County Public Defender's Office, stated his support on body cameras and emphasized the need of mandatory use of body cameras with a broader disclosure policy. Mr. Champagne addressed the cost and preserving of evidence standard and answered questions posed by the Committee.

Body Camera Video Storage-SafeGov

Jeff Gould, President, SafeGov, distributed a handout entitled "Body-worn Camera Policy Issues" (Attachment C) and presented a PowerPoint presentation. Mr. Gould gave an overview of the federal Criminal Justice Information Services (CJIS) and stated his support on body-worn cameras and answered questions posed by the Committee.

Lyle Mann, Arizona Peace Officer Standards and Training Board (AZPOST), answered questions posed by the Committee.

Public Records and Retention: Legislative Council Research and Arizona State Library, Archives and Public Records Workgroup Report

Anthony Tsontakis, Attorney, Legislative Council, gave a brief overview regarding the current state law as it relates to body-worn cameras and public records requests. Mr. Tsontakis answered questions posed by the Committee.

Dennis Preisler, Assistant Director, Archives and Records Management Branch, gave an overview of the existing law on retention schedules and the cost of storing evidence on body camera video and answered questions posed by the Committee.

Senator Kavanagh announced the topics for future meetings.

There being no further business, the meeting was adjourned at 4:26 p.m.

Respectfully submitted,

Imee L. Andrew
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at http://www.azleg.gov)

Arizona Crime Victims' Rights Laws:

- Arizona Constitution: Article II, Section 2.1 – Victims' Bill of Rights
- Arizona Revised Statutes:
  - Title 13, Chapter 40 – Victims' Rights for Adult Criminal Offenses
  - Title 8, Chapter 3, Article 7 – Victims' Rights for Juvenile Offenses

Arizona Address Confidentiality Program Laws: ARS § 41-161-169

AZ Constitution 2.1. Victims' Bill of Rights

(A) To preserve and protect victims' rights to justice and due process, a victim of crime has a right:

1. To be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.

2. To be informed, upon request, when the accused or convicted person is released from custody or has escaped.

3. To be present at and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.

4. To be heard at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.

5. To refuse an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant.

6. To confer with the prosecution, after the crime against the victim has been charged, before trial or before any disposition of the case and to be informed of the disposition.

7. To read pre-sentence reports relating to the crime against the victim when they are available to the defendant.

8. To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.

9. To be heard at any proceeding when any post-conviction release from confinement is being considered.

10. To a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence.

11. To have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and to have these rules be subject to amendment or repeal by the legislature to ensure the protection of these rights.

12. To be informed of victims' constitutional rights.

Attachment A

) A victim's exercise of any right granted by this section shall not be grounds for dismissing any criminal proceeding or tting aside any conviction or sentence.

) "Victim" means a person against whom the criminal offense has been committed or, if the person is killed or capacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an fense or is the accused.

) The legislature, or the people by initiative or referendum, have the authority to enact substantive and procedural laws to fine, implement, preserve and protect the rights guaranteed to victims by this section, including the authority to extend y of these rights to juvenile proceedings.

) The enumeration in the constitution of certain rights for victims shall not be construed to deny or disparage others anted by the legislature or retained by victims.

Relevant Statutes

§§ 13-4430/8-409. <u>Consultation between crime victim advocate and victim; privileged information; exception</u>

A. A crime victim advocate shall not disclose as a witness or otherwise any communication made by or with the victim, including any communication made to or in the presence of others, unless the victim consents in writing to the disclosure.

B. Unless the victim consents in writing to the disclosure, a crime victim advocate shall not disclose records, notes, documents, correspondence, reports or memoranda that contain opinions, theories or other information made while advising, counseling or assisting the victim or that are based on communications made by or with the victim, including communications made to or in the presence of others.

C. The communication is not privileged if the crime victim advocate knows that the victim will give or has given perjured testimony or if the communication contains exculpatory evidence.

D. A defendant may make a motion for disclosure of privileged information. If the court finds there is reasonable cause to believe the material is exculpatory, the court shall hold a hearing in camera. Material that the court finds is exculpatory shall be disclosed to the defendant.

E. If, with the written or verbal consent of the victim, the crime victim advocate discloses to the prosecutor or a law enforcement agency any communication between the victim and the crime victim advocate or any records, notes, documents, correspondence, reports or memoranda, the prosecutor or law enforcement agent shall disclose such material to the defendant's attorney only if such information is otherwise exculpatory.

F. Notwithstanding subsections A and B, if a crime victim consents either verbally or in writing, a crime victim advocate may disclose information to other professionals and administrative support persons that the advocate works with for the purpose of assisting the advocate in providing services to the victim and to the court in furtherance of any victim's right pursuant to this chapter.

§§ 13-4434/8-413. Victim's right to privacy; exception; definitions

A. The victim has the right at any court proceeding not to testify regarding any identifying or locating information unless the victim consents or the court orders disclosure on finding that a compelling need for the information exists. A court proceeding on the motion shall be in camera.

B. A victim's identifying and locating information that is obtained, compiled or reported by a law enforcement agency or prosecution agency shall be redacted by the originating agency and prosecution agencies from records pertaining to the criminal case involving the victim, including discovery disclosed to the defendant.

C. Subsection B of this section does not apply to:

1. The victim's name except, if the victim is a minor, the victim's name may be redacted from public records pertaining to the crime if the countervailing interests of confidentiality, privacy, the rights of the minor or the best interests of this state outweigh the public interest in disclosure.

2. Any records that are transmitted between law enforcement and prosecution agencies or a court.

3. Any records if the victim or, if the victim is a minor, the victim's representative as designated under section 13-4403 has consented to the release of the information.

4. The general location at which the reported crime occurred.

D. For the purposes of this section:

1. "Identifying information" includes a victim's date of birth, social security number and official state or government issued driver license or identification number.

2. "Locating information" includes the victim's address, telephone number, e-mail address and place of employment.

§ 41-165. Disclosure of actual address prohibited; violation; classification

A. The secretary of state shall not disclose any address or telephone number of a program participant other than the substitute address designated by the secretary of state, except under any of the following circumstances:

1. The information is required by direction of a court order, except that any person to whom a program participant's address or telephone number has been disclosed shall not disclose the address or telephone number to any other person unless permitted to do so by order of the court or as otherwise provided by law.

2. The secretary of state grants a request by a state or local government entity pursuant to section 41-167, subsection D.

B. The secretary of state shall provide immediate notification of disclosure to a program participant if disclosure is made pursuant to subsection A of this section.

C. If, at the time of application, an applicant or an individual identified pursuant to section 41-163, subsection C, paragraph 10 is subject to a court order related to dissolution of marriage proceedings, child support or the allocation of parental responsibilities or parenting time, the secretary of state shall notify the court that issued the order of the certification of the program participant in the address confidentiality program and the substitute address designated by the secretary of state. If, at the time of application, an applicant or an individual identified pursuant to section 41-163, subsection C, paragraph 10 is involved in a court action related to dissolution of marriage proceedings, child support or the allocation of parental responsibilities or parenting time, the secretary of state shall notify the court having jurisdiction over the action of the certification of the applicant in the address confidentiality program and the substitute address designated by the secretary of state.

D. A person shall not intentionally or knowingly obtain a program participant's actual address or telephone number from the secretary of state or a state or local government entity knowing that the person is not authorized to obtain the address information.

E. An employee of the secretary of state or a state or local government entity shall not intentionally or knowingly disclose a program participant's actual address or telephone number unless the disclosure is permissible by law. This subsection only applies if an employee obtains a program participant's actual address or telephone number during the course of the employee's official duties and, at the time of disclosure, the employee has specific knowledge that the actual address or telephone number disclosed belongs to a program participant.

F. Any person who intentionally or knowingly obtains or discloses information in violation of this section is guilty of a class 1 misdemeanor.

§ 41-166. Address use by state or local government entities

O. For any public record created within ninety days before the date that a program participant applied to be certified in the program, a state or local government entity shall redact the actual address from a public record or change the actual address to the substitute address in the public record, if a program participant who presents a current and valid program authorization card requests the entity that maintains the public record to use the substitute address instead of the actual address on the public record.

Prosecution Perspective on Body Cameras

Rebecca Baker
Maricopa County Attorney's Office

602-725-5742

Recordings as Evidence

- Evidentiary value of the recording is dependent upon what is captured.
- Vast majority of these recordings never make it into a courtroom.
- What is unique about BC recordings is the nature of the recording and the volume of information recorded.

Attachment B

Benefits to Prosecution

- A real time recording of what occurred or what was actually said.
- Domestic Violence: captures statements, demeanor and possibly injuries of the victim immediately following the report of the crime.
- Recordings are not subject to the limitations of human memory.

Limited Field of View

- Limited field of view that does not record all events.
  - Officer or witness testifies to something that is not on the video.
  - DUI investigations

Limited View

- No peripheral vision
- Glare from vehicle lights or sun
- Lighting effects recording (example of white shirt looked black on the recording)
- Camera falls off during chase or confrontation

Case Load

Impact to prosecutor's case load for time spent reviewing and redacting the recordings.

- Review: potentially hours of video must be watched in real time.
- Redaction and Victims' Rights: determine what must be redacted and perform the redactions before disclosing to the defense or responding to a PRR.

Costs

- Cost to prosecution agencies.
  - License to redact
  - Storage of the recordings
  - Time spent reviewing & redacting
  - Different agencies may choose different vendors

Policies

- Law enforcement agencies should develop adopt written policies and train officers to follow them.
  - Practical and effective direction on when to record
  - Should avoid recording personal information of the victim
  - Provide direction on how to respond to PRRs

Body-worn Camera Policy Issues

Arizona State Legislature

November 19, 2015

Jeff Gould

President, SafeGov

jeff.gould@safegov.org

www.safegov.org

Attachment C

Outline of today's presentation

- SafeGov background
- Focus on privacy & security of stored BWC video
- Basic facts from Major City Chief's BWC survey
- ASU Phoenix PD BWC study findings on domestic violence
- What will most BWC videos record?
- Whose privacy are we protecting?
- The Cloud – what is it?
- CJIS – what is it?

Major City Chief's Survey: 97% of Large & Mid-size Depts. Adopting BWC

Commitment to Proceed: The survey illustrates reasons for national caution and concern. While 97% of the respondents indicated that they were moving forward with body camera systems, few had determined how technology requirements would be satisfied and what it would cost. More than 70% noted that their current infrastructure was inadequate to handle the requirements of a body camera system. This study shows that the collective launch of BWC programs may be outpacing the technological solutions. In today's environment, law enforcement agencies are moving forward with implementing BWC programs in advance of having all the technical and policy information in place.

Major City Chief's Survey: Much is still unknown

Much is Unknown: The survey demonstrates that large gaps exist in both the technical infrastructure, as well as the understanding of the technical requirements for BWC programs. For a significant percentage of the respondents, digital space and technological needs remain largely undetermined or unknown and still require development of technical requirements to support and sustain BWC programs across the nation. Support and guidance is needed on this critical issue, while identifying key interoperability and technology hurdles. The survey results demonstrate that local agencies will require technical assistance and guidance in developing and implementing sustainable BWC programs.

Major City Chief's Survey: Costs will come not just from technology, but staffing requirements too - need to review videos before public release for privacy reasons will be labor intensive

Technology vs. Policy: Technology requirements and policy priorities must be weighed against each other. When infrastructure and staffing requirements are enormous, technology issues may dominate policy concerns. For example, the number of personnel required for reviewing and redacting video may represent excessive costs and thus preclude public release of all videos.

Major City Chief Survey: Many moving parts, successful BWC deployments require much more than just cameras

Comprehensive Plan is Required: Police and Sheriff respondents clearly agreed that numerous factors must be considered for a successful deployment of body worn camera systems. These include technological challenges, funding considerations, policy development, community outreach, communications strategies and training. Privacy and legal concerns must also be addressed. For this national effort to be successful, there must be an increased emphasis placed on addressing BWC technology, especially equipment and communications equipment.

Managing BWC video will be a complex challenge

- Storage & bandwidth are immediate concerns
- But in the long run storage & bandwidth will get cheaper – and will mostly be supplied by outside firms ("the cloud")
- A larger issue will be how to <u>manage</u> video: tag, index, classify, search, analyze, integrate, share, publish, redact, discard…
- Managing BWC in this sense will be labor-intensive, software automation will be essential for making BWC deployments practical & cost-effective

ASU Study of BWC at Phoenix PD:

https://publicservice.asu.edu/sites/default/files/ppd_spi_feb_20_2015_final.pdf

Evaluating the Impact of Officer Worn Body Cameras in the Phoenix Police Department

by

Charles M. Katz, Ph.D.
David E. Choate, M.A.
Justin R. Ready, Ph.D.
Lidia Nuño, M.S.
Arizona State University

with

Commander Mike Kurtenbach
Sergeant Kevin "K.J." Johnson
Phoenix Police Department

December 2014

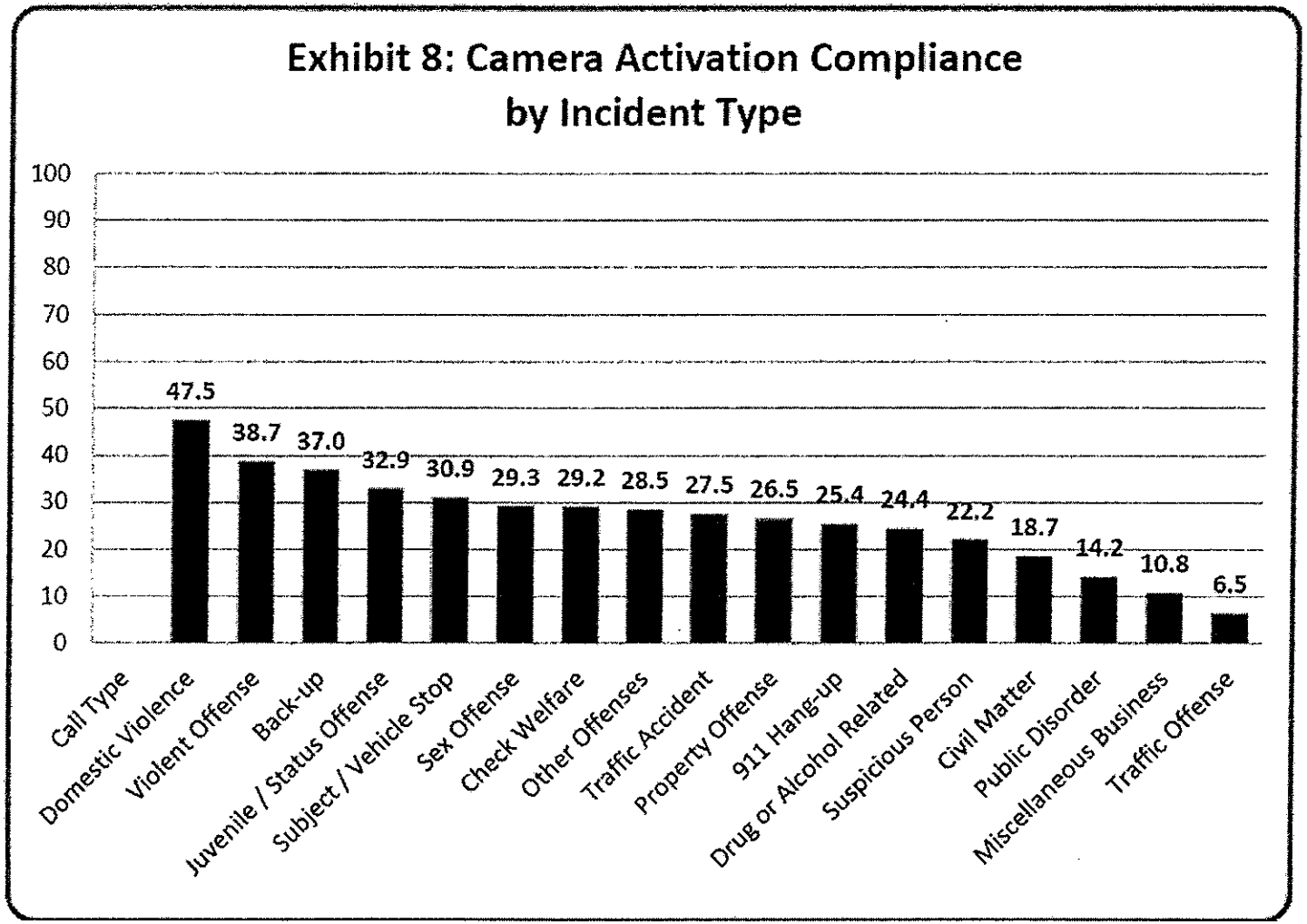
ASU Center for Violence Prevention and Community Safety
ARIZONA STATE UNIVERSITY

ASU Phoenix PD BWC Study

- Arrests per officer wearing BWC up 17%
- Complaints against officers down 23% (and fewer complaints sustained)
- Significant improvement in domestic violence prosecutions
- Cameras well received by officers

Domestic Violence Outcomes with BWC

	No BWC	BWC
Number of DV Contacts	100%	100%
Cases initiated	34.3%	40.9%
Cases files	26%	37.7%
Cases furthered	6.2%	12.7%
Pled guilty	1.2%	4.4%
Guilty verdict at trial	0.9%	4.4%



Source: ASU Phoenix PD BWC Study Dec 2014

CJIS: Criminal Justice Information Services (managed by FBI)

www.fbi.gov/about-us/cjis/cjis-security-policy-resource-center

U. S. Department of Justice
Federal Bureau of Investigation
Criminal Justice Information Services Division

Criminal Justice Information Services (CJIS) Security Policy

Version 5.4
10/06/2015

CJISD-ITS-DOC-08140-5.4

Prepared by:
CJIS Information Security Officer

Approved by:
CJIS Advisory Policy Board

Essential Purpose of CJIS Security Policy: Protect the Confidentiality & Security of Law Enforcement Data

The essential premise of the CJIS Security Policy is to provide appropriate controls to protect the full lifecycle of CJI, whether at rest or in transit. The CJIS Security Policy provides guidance for the creation, viewing, modification, transmission, dissemination, storage, and destruction of CJI. This Policy applies to every individual—contractor, private entity, noncriminal justice agency representative, or member of a criminal justice entity—with access to, or who operate in support of, criminal justice services and information.

What is CJIS Security Policy?

- Purpose is to protect sensitive Law Enforcement data from disclosure or compromise due to:
  - Accidental leaks
  - Malicious insiders
  - Outside hackers
- Not a technical protocol…
- Rather: a detailed checklist of technical, personnel & organizational measures Law Enforcement agencies should take to protect data

What is in the CJIS Security Policy?

- 1: Information Exchange Agreements
- 2: Security Awareness Training
- 3: Incident Response
- 4: Auditing & Accountability
- 5: Access Control
- 6: Identification & Authentication
- 7: Configuration Management
- 8: Media Protection
- 9: Physical Protection
- 10: Systems & Communications Protection, Information Integrity
- 11: Formal Audits
- 12: Personnel Security
- 13: Mobile Devices

CJIS Controls Who Can Access Data

5.5 Policy Area 5: Access Control

Access control provides the planning and implementation of mechanisms to restrict reading. writing. processing and transmission of CJIS information and the modification of information systems. applications. services and communication configurations allowing access to CJIS information.

CJIS Requires Background Checks

5.12 Policy Area 12: Personnel Security

Having proper security measures against the insider threat is a critical component for the CJIS Security Policy. This section's security terms and requirements apply to all personnel who have access to unencrypted CJI including those individuals with only physical or logical access to devices that store. process or transmit unencrypted CJI.

Arizona Law Enforcement

- 141 State & Local Law Enforcement Agencies
- 14,591 sworn officers (1 per 224 residents)
- 26,112 total personnel
- Source: U.S. Dept. of Justice (2008)

APPENDIX D:

December 10, 2015

Agenda, minutes and handouts

Interim agendas can be obtained via the Internet at http://www.azleg.state.az.us/InterimCommittees.asp

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE
OPEN TO THE PUBLIC

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Date: **Thursday, December 10, 2015**

Time: **1:00 P.M.**

Place: **SHR 109**

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Potential Court Issues
5. Public Records Requests
6. Records Retention
7. Public Testimony
8. Discussion
9. Recommendations by the Committee
10. Adjourn

Members:

Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Cloves Campbell
Vicki Hill
Honorable Scott Mascher

Representative Sonny Borrelli, Co-Chair
Sean Mattson
Frank Milstead
Dr. Justin Ready
Jon Riches
Luis Santaella
Terry Young

12/2/15
sh

For questions regarding this agenda, please contact Senate Research Department.
Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

Resource

ARIZONA STATE LEGISLATURE

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

Minutes of the Meeting
December 10, 2015
1:00 p.m., Senate Hearing Room 109

Members Present:
Senator John Kavanagh, Co-Chair
Kurt Altman
David Bodney
Levi Bolton
Vicki Hill
Honorable Scott Mascher
Representative Sonny Borrelli, Co-Chair
Sean Mattson
Frank Milstead
Jon Riches
Luis Santaella
Terry Young

Members Absent:
Cloves Campbell
Dr. Justin Ready

Staff:
Amber Witter, Senate Research Analyst
Rich Hazelton, House Research Analyst

Co-Chairman Kavanagh called the meeting to order at 1:07 p.m. and attendance was called.

APPROVAL OF MINUTES

Senator Kavanagh stated that without objection, the minutes of November 19, 2015 were approved.

Senator Kavanagh stated the order of business for the meeting, distributed a handout entitled "Police Body Camera Study Committee Questions" (Attachment A) and instructed the members that roll call votes would be made and that members can also abstain their vote.

Sheriff Mascher distributed a letter dated June 25, 2015 from the Western States Sheriffs Association (Attachment B).

Records Retention

Senator Kavanagh stated that due to discussions being held there would be no records retention presentation.

Public Records Requests

David Bodney gave an overview of Arizona's public records law, showed how body

camera videos fit within our existing statutory framework and urged this committee not to recommend any changes to existing laws that carefully balance a tradition of openness and transparency against countervailing interests of confidentiality, privacy and the best interests of the state. Mr. Bodney answered questions posed by the Committee.

Potential Court Issues

Jerry Landau, Government Affairs Director, Arizona Supreme Court, testified regarding potential court issues and possible changes to the rules of criminal procedures. Mr. Landau testified that the court systems need to be kept appraised of current situations regarding the use of body cameras and answered questions posed by the Committee.

PUBLIC TESTIMONY

Sheriff Leon Wilmot, Yuma County, distributed and explained a handout entitled "Position Paper: Body-Worn Cameras for Law Enforcement Officers" from the Arizona Sheriffs Association (Attachment C). Sheriff Wilmot testified that regulation through the rules process instead of through legislation is preferable. Sheriff Wilmot answered questions posed by the Committee.

Don Isaacson, Firm of Isaacson & Walsh, representing the Fraternal Order of Police (FOP), explained that local control is preferable to a mandate and the concern regarding records retention.

Sheriff K.C. Clark, Navajo County, testified that his department's body camera program is working well for officers and the public. He recommended leaving decisions to local communities and answered questions posed by the Committee.

Sheriff Bill Pribil, Coconino County, compared body camera policies to those concerning tasers and recommended local communities decide best practices. Sheriff Pribil answered questions posed by the Committee.

RECOMMENDATIONS BY THE COMMITTEE

Senator Kavanagh stated he would withdraw recommendation number one from Attachment A.

> **Representative Borrelli moved that the Committee recommend the state to prohibit the routine recording of body camera footage at resolutions and light reception levels greater than that of the human eye, while still allowing the use of cameras that could be switched to high resolution or low light mode for particular tactical information gathering at a scene.**

The Committee discussed the motion.

Senator Kavanagh stated that the members can vote yes, no or abstain.

The motion FAILED with a roll call vote of 0-12-2 (Attachment 1).

Representative Borrelli moved that the Committee recommend the state to set minimum standards for equipment quality, with the understanding that already purchased equipment be grandfathered in for use. The motion FAILED with a roll call vote of 0-12-2 (Attachment 2).

Representative Borrelli moved that the Committee recommend the state to set minimum standards for cross-agency equipment capability, with the understanding that already purchased equipment be grandfathered in for use. The motion FAILED with a roll call vote of 0-12-2 (Attachment 3).

Representative Borrelli moved that the Committee recommend the use of body cameras to be mandated for patrol officers and officers responding to high-risk encounters, with a phase-in period for cost and logistical purposes.

The Committee discussed the motion.

The motion FAILED with a roll call vote of 1-11-2 (Attachment 4).

Representative Borrelli explained his vote.

Representative Borrelli moved that the Committee recommend recording to be limited to encounters involving enforcing laws, investigating suspicious activities, handling emotionally disturbed persons and other events that carry the risk of high use of force, abuse of authority or complaint generation. The motion FAILED with a roll call vote of 2-10-2 (Attachment 5).

Representative Borrelli moved that the Committee recommend, when recording is mandated, officers to be permitted to turn the recording off for personal conversations or actions not related to an incident at hand.

The Committee discussed the motion.

The motion FAILED with a roll call vote of 1-11-2 (Attachment 6).

Mr. Bodney, Mr. Bolton, Ms. Hill, Mr. Mattson and Mr. Milstead explained their votes.

Representative Borrelli moved that the Committee recommend a person not the target of the actions in question #6 who is talking to the police to be able to require that the camera be turned off. The motion FAILED with a roll call vote of 1-11-2 (Attachment 7).

Mr. Riches explained his vote.

Representative Borrelli moved that the Committee recommend officers to have the discretion to turn the camera off in the interest of safety, when recording is mandated. The motion FAILED with a roll call vote of 1-11-2 (Attachment 8).

Mr. Altman and Mr. Milstead explained their votes.

Representative Borrelli moved that the Committee recommend persons to be notified that they are being recorded by verbal announcement or obvious visual signage, with the understanding that such notification can be disregarded if it jeopardizes safety or an investigation. The motion FAILED with a roll call vote of 2-10-2 (Attachment 9).

Representative Borrelli moved that the Committee recommend the officers wearing the camera to be permitted to view his or her own recording footage: a. At the scene for information purposes. The motion FAILED with a roll call vote of 1-11-2 (Attachment 10).

Mr. Santaella made statements that votes made by him are solely his own personal opinion.

Mr. Altman, Mr. Bodney, Mr. Bolton, Ms. Hill, Mr. Mascher, Mr. Mattson, Mr. Milstead, Mr. Riches, Mr. Santaella and Mr. Young explained their votes.

Senator Kavanagh questioned if members would vote differently on #11b and #11c than they did on #11a. The members were unanimous their votes would be the same. Senator Kavanagh announced the vote as 1-11-2 #11b, 1-11-2 #11c.

Representative Borrelli moved that the Committee recommend steps to be taken to prevent embarrassing videos of persons who are not public figures, celebrities or on-duty public employees being posted on the web to forever embarrass them.

The Committee discussed the motion.

The motion FAILED with a roll call vote of 1-11-2 (Attachment 11).

Representative Borrelli moved that the Committee recommend, if video footage is released, that the images of non-involved parties be blurred to protect their privacy: a. when recorded in a public place. b. when recorded in a private place. Senator Kavanagh called for a vote of question a. The motion FAILED with a roll call vote of 1-10-2-1 (Attachment 12).

Senator Kavanagh called for a vote on question b. The motion FAILED with a roll call vote of 2-9-2-1 (Attachment 13).

Representative Borrelli moved that the Committee recommend that agencies storing, receiving and transmitting video footage have systems that comply with the F.B.I.'s Criminal Justice Information Systems (CJIS) security, except for recordings distributed via stand-alone storage device or recordings released under public records law.

The Committee discussed the motion.

Senator Kavanagh WITHDREW the motion.

Representative Borrelli moved that the Committee recommend police departments or agencies using police body cameras to be required to promulgate written policies on equipment standards, security standards, issuance, officer training, camera usage, video storage, video viewing and release of video to the public or others. The motion FAILED with a roll call vote of 2-10-2 (Attachment 14).

Mr. Riches, Representative Borrelli and Senator Kavanagh explained their votes.

Representative Borrelli moved that the Committee recommend an additional surcharge to be imposed on all criminal and civil fines to cover the cost that law enforcement and prosecutorial agencies are incurring for the procurement, deployment and management of law enforcement body cameras and supporting evidence systems. The motion FAILED with a roll call vote of 1-9-2-2 (Attachment 15).

Ms. Hill, Mr. Santaella, and Representative Borrelli explained their votes.

Senator Kavanagh explained that recommendation number 17 on Attachment A would not be recommended.

Attached is a list noting the individuals who registered their position on the agenda items (Attachment D).

There being no further business, the meeting was adjourned at 3:10 p.m.

Respectfully submitted,

Shelley Ponce

Shelley Ponce
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at http://www.azleg.gov)

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#2 - Representative Borrelli moved that the Committee recommend the state to prohibit the routine recording of body camera footage at resolutions and light reception levels greater than that of the human eye, while still allowing the use of cameras that could be switched to high resolution or low light mode for particular tactical information gathering at a scene.**

MEMBER	YES	NO	NOT VOTING	OTHER	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman		✓			

Committee Secretary Shelley Force Date 12-10-15
Attachment 1

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#3 - Representative Borrelli moved that the Committee recommend the state to set minimum standards for equipment quality, with the understanding that already purchased equipment be grandfathered in for use.**

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman		✓			
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Committee Secretary Shelley Force **Date** 12-10-15

Attachment 2

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#4 - Representative Borrelli moved that the Committee recommend the state to set minimum standards for cross-agency equipment capability, with the understanding that already purchased equipment be grandfathered in for use.**

MEMBERS	AYES	NAYS	TAKEN WITHOUT OBJECTION	ABSTAIN	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman		✓			

Committee Secretary Shelley Poce **Date** 12-10-15

Attachment 3

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#5 - Representative Borrelli moved that the Committee recommend the use of body cameras to be mandated for patrol officers and officers responding to high-risk encounters, with a phase-in period for cost and logistical purposes.**

MEMBER	AYE	NAY	NOT VOTING	EXCUSED	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches	✓				
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman		✓			

Committee Secretary Shelley Lance Date 12-10-15
Attachment 4

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#6 - Representative Borrelli moved that the Committee recommend recording to be limited to encounters involving enforcing laws, investigating suspicious activities, handling emotionally disturbed persons and other events that carry the risk of high use of force, abuse of authority or complaint generation.**

MEMBERS	AYE	NAY	[illegible]	[illegible]	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches	✓				
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Lance Date 12-10-15
Attachment 5

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#7 - Representative Borrelli moved that the Committee recommend, when recording is mandated, officers to be permitted to turn the recording off for personal conversations or actions not related to an incident at hand.**

MEMBER	AYE	NO	NOT VOTING	CONFER	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 6

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#8 - Representative Borrelli moved that the Committee recommend a person not the target of the actions in question #6 who is talking to the police to be able to require that the camera be turned off.**

MEMBERS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 7

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#9 - Representative Borrelli moved that the Committee recommend officers to have the discretion to turn the camera off in the interest of safety, when recording is mandated.**

MEMBERS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Lance Date 12-10-15

Attachment 8

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#10 - Representative Borrelli moved that the Committee recommend persons to be notified that they are being recorded by verbal announcement or obvious visual signage, with the understanding that such notification can be disregarded if it jeopardizes safety or an investigation.**

Members	Aye	Nay	Not Voting	Excused	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches	✓				
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 9

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#11 - Representative Borrelli moved that the Committee recommend the officers wearing the camera to be permitted to view his or her own recording footage: a. At the scene for information purposes.**

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				
[illegible]					

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 10

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#12 - Representative Borrelli moved that the Committee recommend steps to be taken to prevent embarrassing videos of persons who are not public figures, celebrities or on-duty public employees being posted on the web to forever embarrass them.**

MEMBER	AYE	NO	NOT VOTING	EXCUSED	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Force Date 12-10-15
Attachment 11

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#13 - Representative Borrelli moved that the Committee recommend, if video footage is released, that the images of non-involved parties be blurred to protect their privacy: a. when recorded in a public place.**

[illegible]	[illegible]	[illegible]	[illegible]	ABSTAIN	[illegible]
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches				✓	
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 12

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#13 - Representative Borrelli moved that the Committee recommend, if video footage is released, that the images of non-involved parties be blurred to protect their privacy: b.when recorded in a private place.**

MEMBERS	AYE	NAY	NOT VOTING	ABSTAIN	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches	✓				
Luis Santaella				✓	
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 13

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#15 - Representative Borrelli moved that the Committee recommend police departments or agencies using police body cameras to be required to promulgate written policies on equipment standards, security standards, issuance, officer training, camera usage, video storage, video viewing and release of video to the public or others.**

MEMBER	Yes	No	Not Voting	Excused	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton		✓			
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches	✓				
Luis Santaella		✓			
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce Date 12-10-15
Attachment 14

LAW ENFORCEMENT OFFICER BODY CAMERA STUDY COMMITTEE

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - First Regular Session

Recommendation: **#16 - Representative Borrelli moved that the Committee recommend an additional surcharge to be imposed on all criminal and civil fines to cover the cost that law enforcement and prosecutorial agencies are incurring for the procurement, deployment and management of law enforcement body cameras and supporting evidence systems.**

MEMBERS	YES	NO	RECUSED	ABSTAIN	
Kurt Altman		✓			
David Bodney		✓			
Levi Bolton				✓	
Cloves Campbell			✓		
Vicki Hill		✓			
Scott Mascher		✓			
Sean Mattson		✓			
Frank Milstead		✓			
Justin Ready			✓		
Jon Riches		✓			
Luis Santaella				✓	
Terry Young		✓			
Representative Borrelli, Co-Chairman		✓			
Senator Kavanagh, Co-Chairman	✓				

Committee Secretary Shelley Ponce **Date** 12-10-15

Attachment 15

Police Body Camera Study Committee Questions

Issue	Vote
1. I move that the Committee recommend the state to legislate some aspects of police body camera selection, usage, storage, viewing and release to the public.	
2. I move that the Committee recommend the state to prohibit the routine recording of body camera footage at resolutions and light reception levels greater than that of the human eye, while still allowing the use of cameras that could be switched to high resolution or low light mode for particular tactical information gathering at a scene.	
3. I move that the Committee recommend the state to set minimum standards for equipment quality, with the understanding that already purchased equipment be grandfathered in for use.	
4. I move that the Committee recommend the state to set minimum standards for cross-agency equipment compatibility, with the understanding that already purchased equipment be grandfathered in for use.	
5. I move that the Committee recommend the use of police body cameras to be mandated for patrol officers and officers responding to high-risk encounters, with a phase-in period for cost and logistical purposes.	
6. I move that the Committee recommend recording to be limited to encounters involving enforcing laws, investigating suspicious activity, handling emotionally disturbed persons and other events that carry the risk of the use of force, abuse of authority or complaint generation.	
7. I move that the Committee recommend, when recording is mandated, officers to be permitted to turn the recording off for personal conversations or actions not related to the incident at hand.	
8. I move that the Committee recommend a person not the target of the actions in question #6 who is talking to the police to be able to require that the camera be turned off.	
9. I move that the Committee recommend officers to have the discretion to turn the camera off in the interest of safety, when recording is mandated.	

12/9/15

Attachment A

10. I move that the Committee recommend persons to be notified that they are being recorded by verbal announcement or obvious visual signage, with the understanding that such notification can be disregarded if it jeopardizes safety or an investigation.	
11. I move that the Committee recommend the officer wearing the camera to be permitted to view his or her own recorded footage:	
a. At the scene for information purposes;	
b. Before writing a report about the incident; and	
c. Before testifying about the incident.	
12. I move that the Committee recommend steps to be taken to prevent embarrassing videos of persons who are not public figures, celebrities or on-duty public employees from being posted on the web to forever embarrass them.	
13. I move that the Committee recommend, if video footage is released, that the images of non-involved parties be blurred to protect their privacy:	
a. When recorded in a public place;	
b. When recorded in a private place.	
14. I move that the Committee recommend that agencies storing, receiving and transmitting video footage have systems that comply with the F.B.I.'s Criminal Justice Information Systems (CJIS) security, except for recordings distributed via stand-alone storage device or recordings released under public records laws.	
15. I move that the Committee recommend police departments or agencies using police body cameras to be required to promulgate written policies on equipment standards, security standards, issuance, officer training, camera usage, video storage, video viewing and release of video to the public or others.	
16. I move that the Committee recommend an additional surcharge to be imposed on all criminal and civil fines to help cover the cost that law enforcement and prosecutorial agencies are incurring for the procurement, deployment and management of law enforcement body cameras and supporting evidence systems.	
17. I move that the Committee recommend:	
a. That the state impose a penalty on the misuse of body camera footage obtained through the discovery process, such as using the video beyond the criminal proceeding or official purposes by posting on the internet, harassing or stalking witnesses;	
b. That such a penalty be similar to that imposed for unlawful grand jury disclosure pursuant to A.R.S. Section 13-2812; and	
c. That the penalty not apply to footage obtained through public records as such footage is subject to greater redactions that take into account privacy concerns versus largely un-redacted footage provided through discovery.	

WESTERN STATES SHERIFFS ASSOCIATION

474 Rogers Canyon Road
Laramie, Wyoming 82072
Telephone: 307 760 4075
www.westernsheriffs.org

June 25, 2015

Position Paper:

Undoubtedly, the biggest trend in Law Enforcement today, and one of the most important decisions facing agencies across America, is whether to place body cameras on their officers.

By and large, the activities of Law Enforcement are a matter of public record. With the ever-growing ability of the public to record our activities with portable devices, it has become the expectation in our communities for us to utilize technology to document our actions.

There are commonly recognized benefits to a Body-Worn-Camera (BWC) Program as it pertains to the delicate relationship between the public and the police.
It is difficult to place a price on the benefits that come with this type of documentation. When members of the public break the law or behave badly, BWCs create a record that allows the entire community to "see" what really occurred. Studies have outlined the correlation between the implementation of cameras and the reduction in use of force situations, as well as formal complaints against officers. This translates directly into savings as it relates to the investigation of misconduct and the litigation of civil lawsuits.

Cameras have been the catalyst to providing unvarnished recordings of what police actually do, day-to-day; this is the paramount goal in the implementation of such a program.

A large portion of our public themselves record unexpected contacts with Law Enforcement, but the true representation of the contact is sometimes lost through the medium of journalism. BWCs have the ability to give the true nature of any contact.

In 2012, the Rialto Police Department in California partnered with the University of Cambridge-Institute of Criminology to study the effects of BWCs in their community. This study was indicative of many other studies where complaints and use of force instances drastically went down when an officer was wearing a camera.

"Police Executives interviewed by PERF (Police Executive Research Forum) overwhelmingly report that their agencies experienced a noticeable drop in complaints against officers after deploying body-worn cameras."

Attachment B

In fact, BWCs seem to have an effect on both sides of the camera. When citizens find that their conduct is being video and audio taped, they appear to be on their best behavior. Correspondingly, the conduct of the officer also seems to be more professional. Chief Ken Miller of the Greensboro Police Department in North Carolina stated, "We actually encourage our officers to let people know they are recording. Why? Because we think that it elevates behavior on both sides of the camera."

In a study that Arizona State University conducted in partnership with the Mesa Police Department in 2013, they found that there were 40% fewer complaints against officers with cameras on during their pilot program and 75% fewer instances where force was used. [1]

With this new technology emerging, we must be cognizant of some of the drawbacks of implementing a BWC Program. For instance, how do we address some of the privacy concerns from citizens needing the assistance of Law Enforcement? Is this type of project sustainable financially, over the long run, when it comes to the storage of evidence and the retention schedules we must implement for evidentiary purposes?

Each individual agency must weigh the cost of entering into this endeavor. Additionally, robust partnerships must be formed within the communities. A partnership that begins with focus groups that bring not only the prosecution and defense counsels together, but political entities as well, to firmly define the expectations of potential policy from all sides. Policies and procedures that will speak to how these cameras are deployed, and whether the benefits of having an unvarnished representation of human conduct outweighs the financial cost and potential privacy concerns for the community.

When these partnerships are formed correctly, and the cameras are placed on officers, the benefits will be noticeable. "These cameras can help promote agency accountability and transparency, and they can be useful tools for increasing officer professionalism, improving officer training, preserving evidence, and documenting encounters with the public."[2]

This technology allows for the true story of what our officers encounter every day to be told, in moments when seconds count, without relying on social media alone to represent both our conduct and the behavior of our public.

---

[1] Harold Rankin, "End of Program Evaluation and Recommendations: On-Officer Body camera System" (Mesa, AZ: Mesa Police Department, 2013)

[2] PERF, "Implementing a Body-Worn Camera Program, Recommendations and Lessons Learned" (Washington, DC: U.S. Department of Justice, 2014)

ARIZONA SHERIFFS ASSOCIATION

1910 W. JEFFERSON • PHOENIX, ARIZONA • 85009
TELEPHONE: (602) 252-6563 • FACSIMILE: (602) 254-0969

LEON WILMOT, YUMA COUNTY SHERIFF, PRESIDENT
CHRIS NANOS, PIMA COUNTY SHERIFF, VICE-PRESIDENT

Position Paper: Body-Worn Cameras for Law Enforcement Officers

The Arizona Sheriffs Association supports voluntary use of body-worn cameras for law enforcement officers and opposes unfunded mandates.

Undoubtedly, the biggest trend in Law Enforcement today, and one of the most important decisions facing agencies across America, is whether to place body cameras on their officers.

By and large, the activities of Law Enforcement are a matter of public record. With the ever-growing ability of the public to record our activities with portable devices, it has become the expectation in our communities for us to utilize technology to document our actions.

There are commonly recognized benefits to a Body-Worn-Camera (BWC) Program as it pertains to the delicate relationship between the public and the police.

It is difficult to place a price on the benefits that come with this type of documentation. When members of the public break the law or behave badly, BWCs create a record that allows the entire community to "see" what really occurred.

Studies have outlined the correlation between the implementation of cameras and the reduction in use of force situations, as well as formal complaints against officers. This translates directly into savings as it relates to the investigation of misconduct and the litigation of civil lawsuits.

Cameras have been the catalyst to providing unvarnished recordings of what police actually do, day-to-day; this is the paramount goal in the implementation of such a program.

A large portion of our public themselves record unexpected contacts with Law Enforcement, but the true representation of the contact is sometimes lost through the medium of journalism. BWCs have the ability to give the true nature of any contact.

In 2012, the Rialto Police Department in California partnered with the University of Cambridge-Institute of Criminology to study the effects of BWCs in their community.

This study was indicative of many other studies where complaints and use of force instances drastically went down when an officer was wearing a camera.

"Police Executives interviewed by PERF (Police Executive Research Forum) overwhelmingly report that their agencies experienced a noticeable drop in complaints against officers after deploying body-worn cameras."

In fact, BWCs seem to have an effect on both sides of the camera. When citizens find that their conduct is being video and audio taped, they appear to be on their best behavior. Correspondingly, the conduct of the officer also seems to be more professional. Chief Ken Miller of the Greensboro Police Department in North Carolina stated, "We actually encourage ou

Information Registered on the Request to Speak System

House Law Enforcement Officer Body Camera Study Committee (12/10/2015)

7, Public Testimony

Support:
Don Isaacson, FRATERNAL ORDER OF POLICE (AZ STATE LODGE)

Neutral:
Kelly Clark, representing self

Oppose:
Leon Wilmot, Sheriff, Yuma County; K.C. Clark, Sheriff, Navajo County; Bill Pribil, Sheriff, Coconino County Sheriff;

Attachment D