

Policing, Body-Worn Cameras, and Latino Communities

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Presenters

- **Patricia Foxen, PhD, Deputy Director, Research, NCLR**
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- **Harlan Yu, PhD, Principal, Upturn**

Introduction

New technologies are dramatically changing the daily work of police officers and other law enforcement professionals, and transforming the public's experience with law enforcement:

- Automated license plate readers
- Mobile fingerprint identification
- Facial recognition systems
- Stingrays (cell phone surveillance devices)
- Shotspotters (gunshot detection microphones)
- Smart phones
- Mobile field computers
- Social media
- Video cameras, including neighborhood CCTV, dashboard and
- **Body-worn cameras**

“Body-worn cameras hold tremendous promise for enhancing transparency, promoting accountability, and advancing public safety for law enforcement officers and the communities they serve.”

- Loretta E. Lynch

“Technology shouldn't be a tool that favors the powerful and we can use it to support marginalized communities.”

- Freddy Martinez

Pros

New technologies can:

- Improve police efficiency
- Increase accountability and transparency
- Create new forms of evidence
- Expose excessive force and abuse of power
- Enhance safety for law enforcement and for the public

Cons

Civil rights and privacy concerns:

- Increased surveillance
- More over-policing in minority communities
- Infringement on privacy
- Reinforce racial/ethnic bias and profiling

Webinar Goals

- Overview of policing in Latino communities
- Summary of the use of BWCs across the country
- Discussion of existing policies for use of BWC and how they measure against civil rights principles
- Introduction to new NCLR research to better understand the experiences and concerns around BWC in Latino communities.

Policing in Latino Communities



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Key Problems

Racial discrimination

Police Abuse

Lack of transparency

Lack of police accountability

Racial Profiling & Immigration Law Enforcement

- Racial profiling against blacks & Latinos remains widespread
- 68% of Latinos believe police will use excessive force against them (<http://www.latinodecisions.com/blog/2014/11/14/wkkf-state-of-the-latino-family-survey-optimism-and-obstacles>)
- Immigration enforcement by local police exacerbates racial profiling
- 79% of Latinos believe state immigration laws like AZ 1070 will result in police stops of Latinos regardless of status (<http://www.latinodecisions.com/blog/2012/07/19/latinos-overwhelmingly-oppose-supreme-court-decision-sb1070>)

Police Killings of Minorities

- Police killings of blacks in Ferguson, Cleveland, Baltimore
- National attention, public discourse and call for criminal justice reforms
- Police killings of Latinos largely ignored despite a long history of police abuse and discrimination
- Potential impact on policy reform considerations

Untold Story: Police Killings of Latinos

- In 2014, Salinas, Monterey county CA, police [killed 4 Latino men](#) within a span of 4 months.
- In October of 2013, a [13 year old Latino boy](#) walking in Santa Rosa CA neighborhood, carrying a pellet gun, was killed by police
- In 2012, in Anaheim, CA a [police officer killed Manuel Diaz](#), shooting him in the back of the head after he ran when police approached.
killing.
- Two [additional killings of Latinos](#) followed the death of Manuel Diaz, sparking riots in Anaheim.

The Guardian: Counted Data Base

- 164 Latinos killed by police to date
- Antonio Zambrano Montes, an unarmed man shot 17 times by three members of the Pasco, Washington police department. Community requests DOJ investigation
- Jesse Hernandez, a 17 year old girl killed by Denver police
- Amilcar Perez-Lopez killed by two San Francisco police officers.
- The central story becomes on reasons why the main street media doesn't cover Latino killings– rather than on the prevalence of the killings

wp Investigation: Police shooti... x +

The Washington Post (WP Com... (US) | https://www.washingtonpost.com/graphics/national/police-shootings/?hpid=l | Search

Most Visited Google Gmail Facebook Patricia Foxen ASP Self Service Portal The New York Times - ... YouTube Getting Started Free Hotmail Suggested Sites

STATE	GENDER	RACE	AGE
AL AK AZ AR CA CO CT DE	Male 867	White 433	Under 18 17
DC FL GA HI ID IL IN IA	Female 34	Black 231	18 to 29 297
KS KY LA ME MD MA MI MN	Unknown 1	Hispanic 146	30 to 44 320
MS MO MT NE NV NH NJ NM		Other 33	45 and up 246
NY NC ND OH OK OR PA RI	WEAPON	Unknown 59	Unknown 22
SC SD TN TX UT VT VA WA	Deadly weapon 707	SIGNS OF MENTAL ILLNESS	THREAT LEVEL
WV WI WY	Vehicle 50	Yes 225	Attack in progress 666
	Toy weapon 30	No or unknown 677	Other 195
	Unarmed 82		Undetermined 41
	Unknown 33		

▲ TAP TO HIDE THESE FILTERS ▲

Arturo Lopez, a 46-year-old Hispanic man armed with a gun, was shot on July 3, 2015, on a street in Lancaster, Calif. He pulled a gun from his jacket when he was approached by two deputies with Los Angeles County's anti-gang unit.

MALE • DEADLY WEAPON • HISPANIC • 45 AND UP • ATTACK IN PROGRESS

[KTLA](#) [f](#) [t](#)

Oscar Camacho, a 33-year-old Hispanic man armed with a gun, was shot on July 3, 2015, on a street in Camden, N.J. Camacho told 911 dispatchers that he was suicidal and would shoot police. When Camden County officers found his vehicle, he pointed the gun at them.

MALE • DEADLY WEAPON • HISPANIC • MENTAL ILLNESS • 30 TO 44 • ATTACK IN PROGRESS

[NJ.com](#) [NBC 10 Philadelphia](#) [f](#) [t](#)

Joseph Julian, a 40-year-old white man armed with a gun, was shot on July 3, 2015, in an apartment in Miami Beach, Fla. Julian barricaded himself in his apartment after robbing a bank. He pointed a weapon at Miami Beach police after a seven-hour standoff.

MALE • DEADLY WEAPON • WHITE • 30 TO 44 • ATTACK IN PROGRESS

Building Trust: Community Policing Reforms

The Obama Administration:

- Created a taskforce to recommend best practices for improving policing and community relations
- Announced reforms on the way the federal government equips local police with military style equipment
- Made substantial investments to increase police use of BWC

Police departments across the country have increasingly used body cameras to record interactions with the public. Some politicians and activists have seized on the cameras as way to restore transparency to policing. Some police departments, however, are blocking access to the footage the cameras record.



(Zoeann Murphy)



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The Leadership
Conference

Upturn

Police Body Worn Cameras: A Policy Scorecard

www.bwcscorecard.org

Scorecard

Department (by size) \$: DOJ funded	 Policy Available	 Officer Discretion	 Personal Privacy	 Officer Review	 Footage Retention	 Footage Misuse	 Footage Access	 Biometric Use
1 New York	✗	✓	✓	✗	○	○	✗	✗
2 Chicago \$	✓	✓	✓	✗	✗	✗	✗	✗
3 Los Angeles \$	✓	✓	○	✗	✗	○	✗	✗
4 Philadelphia	✗	?	?	?	?	?	?	?
5 Houston	✓	✓	○	✗	✓	✗	✗	✗
6 Washington, DC \$	✓	✓	○	✗	✗	○	○	✗
7 Dallas	✗	✓	○	✗	✓	○	✗	✗
8 Phoenix	✗	○	○	✗	✗	✗	✗	✗
9 Baltimore	✗	○	○	○	✗	✓	✗	✓
10 Miami-Dade \$	✗	✓	○	✗	✗	○	✗	✗



New York Police Department

- ✗ **Makes the Department Policy Publicly and Readily Available**
- ✓ **Limits Officer Discretion on When to Record**
- ✓ **Addresses Personal Privacy Concerns**
- ✗ **Prohibits Officer Pre-Report Viewing**
- **Limits Retention of Footage**
- **Protects Footage Against Tampering and Misuse**
- ✗ **Makes Footage Available to Individuals Filing Complaints**
- ✗ **Limits Biometric Searching of Footage**



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Civil Rights Evaluation Criteria



Makes the Department Policy Publicly and Readily Available

- ✓ The department publishes the most recent publicly available version of its policy on its website, in a location that is easy for members of the public to find.
- The policy posted on the department's website either is outdated, or is difficult for members of the public to find.
- ✗ The department's policy is not available on its website.



Limits Officer Discretion on When to Record

- ✓ The policy clearly describes when officers must record, and requires officers to provide concrete justifications for failing to record required events.
- The policy clearly describes when officers must record, but does not require officers to provide concrete justifications for failing to record required events.
- ✗ The policy does not clearly describe when officers must record.

Civil Rights Evaluation Criteria



Addresses Personal Privacy Concerns

- ✓ The policy specifically protects categories of vulnerable individuals (e.g., victims of sex crimes) from being recorded without their informed consent.
- The policy mentions the importance of personal privacy, but either offers vague guidance on when not to record, or does not require informed consent from vulnerable individuals.
- ✗ The policy does not address personal privacy concerns.



Prohibits Officer Pre-Report Viewing

- ✓ The policy requires officers to file an initial written report or statement before relevant footage is reviewed, for all incidents.
- The policy requires officers to file an initial written report or statement before relevant footage is reviewed, for some incidents.
- ✗ The policy allows — or even encourages — officers to view relevant footage before filing an initial written report or statement.

Civil Rights Evaluation Criteria



Limits Retention of Footage

- ✓ The policy requires the department to delete unflagged footage within six months.
- The policy requires the department to delete unflagged footage — but after more than six months.
- ✗ The policy does not require the department to delete unflagged footage, or we are unable to determine whether the unflagged footage must be deleted.



Protects Footage Against Tampering and Misuse

- ✓ The policy expressly prohibits both footage tampering and unauthorized access, and indicates that all access to recorded footage will be logged or audited.
- The policy expressly prohibits both footage tampering and unauthorized access, but does not indicate that all access to recorded footage will be logged or audited.
- ✗ The policy does not expressly prohibit both footage tampering and unauthorized access.

Civil Rights Evaluation Criteria



Makes Footage Available to Individuals Filing Complaints

- ✓ The policy expressly allows individuals who are filing police misconduct complaints to view all relevant footage.
- The policy expressly allows individuals who are filing police misconduct complaints to view some relevant footage.
- ✗ The policy does not expressly allow individuals who are filing police misconduct complaints to view relevant footage.



Limits the Use of Biometric Technologies

- ✓ The policy sharply limits the use of biometric technologies (e.g., facial recognition) to identify individuals in footage.
- The policy places some limits on the use of biometric technologies (e.g., facial recognition) to identify individuals in footage.
- ✗ The policy places no limits on the use of biometric technologies (e.g., facial recognition) to identify individuals in footage.

Department (by size) \$: DOJ funded	Policy Available	Officer Discretion	Personal Privacy	Officer Review	Footage Retention	Footage Misuse	Footage Access	Biometric Use
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2 Chicago \$	✓	✓	✓	✗	✗	✗	✗	✗
3 Los Angeles \$	✓	✓	○	✗	✗	○	✗	✗
4 Philadelphia	✗	?	?	?	?	?	?	?
5 Houston	✓	✓	○	✗	✓	✗	✗	✗
6 Washington, DC \$	✓	✓	○	✗	✗	○	○	✗
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9 Baltimore	✗	○	○	○	✗	✓	✗	✓
10 Miami-Dade \$	✗	✓	○	✗	✗	○	✗	✗
11 Las Vegas \$	✗	✓	✓	✗	✓	✓	✗	✗
12 Detroit \$	✗	?	?	?	?	?	?	?
13 Memphis	✗	✓	○	✗	✗	○	✗	✗
15 Milwaukee	✓	○	○	✗	✗	✗	✗	✗
16 San Antonio \$	✗	?	?	?	?	?	?	?
18 San Francisco	✓	✓	✓	✗	✗	○	✗	✗
21 Atlanta	?	?	?	?	?	?	?	?
26 Austin	○	○	✗	✗	✓	○	✗	✗
31 Cleveland	✗	✓	✓	✗	✗	✓	✗	✗
37 Seattle \$	✓	✓	○	✗	✗	✗	✗	✗
38 New Orleans \$	○	○	○	✗	✗	○	✗	✗
46 Albuquerque \$	✓	○	✗	✗	✗	✗	✗	✗
Oakland	✓	✓	○	○	✗	✓	✗	✗
Ferguson	✗	✗	✗	✗	✗	✗	✗	✗
Parker, CO	✓	✓	✓	○	○	○	✓	✗

NCLR Research

- **Goals of Research:**
- To explore and document how BWCs are changing interactions between law enforcement and community members within Latino communities
- To better understand the attitudes, knowledge, perceptions and experiences of Latinos regarding BWCs.
- To contribute to growing body of research on how BWCs intersect with community policing
- To develop policy recommendations around BWCs, law enforcement and civil rights in Latino communities.

Thank You!
Gracias!