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TESTIMONY 2015

SB 158

Dear Members of the Committee,

My name is John Kreager. I am an attorney and Policy Fellow with the Texas Criminal Justice Coalition (TCJC). Thank you for allowing me this opportunity to present testimony in favor of SB 158. This bill will equip Texas' frontline law enforcement officers with body-worn cameras. By providing an unbiased account of what happened in police-citizen interactions, body-worn camera footage will shield officers from false accusations of misconduct while also holding them accountable to the public when they do misbehave. This is a win-win policy that increases government transparency while balancing the privacy concerns of citizens and officers alike.

THE LACK OF ACCOUNTABILITY MEASURES FOR POLICE-CITIZEN INTERACTIONS PUTS OFFICERS AND THE PUBLIC AT RISK

In the wake of the August 9, 2014, shooting of Michael Brown by Officer Darren Wilson in Ferguson, Missouri, there has been national call for increased use of body-worn cameras (BWCs) by police officers.¹ Wilson killed Brown during the course of an arrest for alleged robbery under highly disputed circumstances. Wilson was not indicted for his actions, yet the incident demonstrated the tremendous difficulties of determining crucial facts relating to uses of force by police against members of the public.²

Every year, hundreds of Texas officers are accused of police misconduct that allegedly occurred during on-the-job interactions with citizens.³ The lack of accountability measures for both sides of these incidents leads directly to officers' inability to completely justify righteous uses of force in the realm of public perception, as well as to difficulty holding officers accountable if force is misused.

Equipping police officers with BWCs is a dramatic step towards resolving these problems. BWCs are an accountability incentive: Harnessing the power of a substantial body of research that demonstrates that individuals alter their behavior in positive ways when they know they are being watched,⁴ BWCs have been shown to reduce use of force incidents and allegations of police misconduct.⁵

KEY FINDINGS

- **Police misconduct allegations and public distrust of police are pervasive.**
 - » There were at least 391 allegations of police misconduct filed against Texas officers in 2010, the most recent year for which statistics are available.⁶ According to the Cato Institute, the law enforcement agencies of Fort Worth, Dallas, and Galveston boasted some of the highest reported misconduct rates in the nation during that year.⁷

- » According to Gallup polling conducted between 2011 and 2014, 44% of adults do not have “a great deal” of confidence in police.⁸
- **To address these problems, there is strong national support—from law enforcement and the public—for body-worn cameras (BWCs).**
 - » The Michael Brown shooting in Ferguson, Missouri, has been a catalyst for increased accountability measures for police-citizen interactions. In December, the Task Force on 21st Century Policing recommended increased use of BWCs nationally as one of their top priorities.⁹
 - » Support for BWCs is bipartisan. According to December 2014 polling by the Pew Research Center, 79% of Republicans, 90% of Democrats, and 88% of Independents support more BWCs on police officers.¹⁰
- **BWCs are effective at improving both officer and citizen behavior.**
 - » There have been five empirical studies of the effects of implementing a BWC program to date. A summary of the results of these five studies can be found in the chart below, which organizes their findings across four domains: (1) crime rate; (2) complaints against officers; (3) assaults against officers; and (4) use of force incidents.

Effect of Body-Worn Cameras in Five Jurisdictions

Study	Crime Rate	Complaints Against Officers	Assaults Against Officers	Use of Force Incidents
Plymouth, England (2007) ¹¹	5% decrease (violent crime only)	14% decrease	n/a	n/a
Renfrewshire/Aberdeen, Scotland (2011) ¹²	26% decrease	n/a	78% decrease	N/a
Rialto, California (2013) ¹³	n/a	88% decrease	n/a	60% decrease
Mesa, Arizona (2013) ¹⁴	n/a	48% decrease	n/a	75% decrease
Phoenix, Arizona (2013) ¹⁵	n/a	44% decrease	n/a	n/a

- » Preliminary results from San Diego, California—where 600 officers were equipped with BWCs in January 2014—indicate that complaints against officers decreased 40% and use of force incidents decreased by 46% one year after BWC implementation.¹⁶

- **Texas law enforcement agencies have already implemented successful pilot programs for BWCs.**
 - » The Fort Worth Police Department began using BWCs in 2012, and it has steadily expanded the program to include use of more than 600 BWCs today.¹⁷
 - » Satisfied with a pilot program of 100 BWCs, the Houston Police Department plans to equip all 3,500 officers with BWCs over the next three years.¹⁸

- **While there will be costs associated with equipping officers with body cameras, as well as storing materials and reviewing footage, the research suggests that those costs could be outweighed by long-term cost-savings in the form of decreased officer liability.**
 - » Each body camera costs between \$200 and \$1000,¹⁹ and it is estimated that it would cost between \$50 and \$70 million to equip all Texas frontline officers with BWCs.
 - » However, the city of Dallas alone has paid out in excess of \$6 million in settlements related to alleged police misconduct since 2011. By substantially reducing allegations against officers, and exonerating them when allegations are made, body cameras could result in future cost savings through decreased liability exposure.²⁰

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT SB 158 BY SENATOR WEST

SB 158 would require local law enforcement agencies statewide to apply to the State for grants to equip their officers with body-worn cameras (BWCs). Recognizing that every law enforcement agency is unique, SB 158 requires each agency to develop its own policy for use of BWCs while meeting certain statutory minimums. The bill requires each policy to address specific areas, such as guidelines for when the camera should be on or off, and provisions related to privacy, data retention, public and officer access, and procedures for internal oversight. In this way, SB 158 balances accountability with privacy without needlessly restricting a law enforcement agency’s ability to match its usage of BWCs with what works for its officers and the community.

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Thank you again for allowing me the opportunity to provide testimony to this Committee in favor of SB 158. Implementing body-worn cameras pursuant to SB 158 will reduce use of force incidents and allegations of police misconduct statewide while increasing transparency and public confidence in law enforcement.

Citations on next page.

CITATIONS

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