

Controlling Police Behaviour Through Body-Worn Cameras: A Brief Review

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ABSTRACT

An adoption of body-worn cameras by police institutions would need a sufficient preliminary study. This article aims to provide a literature review for police managers in considering their decision to implement body-worn cameras on field officers. The use of body-worn cameras have yield mixed results from police institutions worldwide. Cameras, in theory, would serve as an accountability measure in making sure that procedures are being followed. On the other hand, the presence of a camera may limit discretionary action and slow down an officer's decision-making. Evidences from previous research showed that BWCs promotes behavioral change, but their direct effectiveness in reducing public complaints remain arguable. It is then proposed that police institutions should carefully consider their policies regarding the implementation of BWCs due to their high cost and debatable efficacy.

Keyword: body-worn cameras, accountability, police discretion

ABSTRAK

Keputusan penerapan kamera badan oleh institusi kepolisian akan membutuhkan kajian awal yang mumpuni. Artikel ini bertujuan untuk menyediakan sebuah kajian pustaka bagi pimpinan kepolisian guna dipertimbangkan dalam keputusan mereka mengimplementasikan penggunaan kamera badan oleh anggota di lapangan. Penggunaan kamera badan telah mendapatkan hasil yang beragam dari institusi-institusi kepolisian seluruh dunia. Kamera, dalam teori, berguna menghadirkan akuntabilitas dan memastikan bahwa prosedur pelaksanaan tugas telah diikuti. Pada sisi lain, kehadiran kamera juga berpotensi untuk menghambat keputusan diskresi hingga memperlambat proses pengambilan keputusan seorang petugas. Bukti dari pendahuluan terdahulu menunjukkan bahwa benar kamera badan menyebabkan perubahan perilaku, namun pengaruh langsungnya terhadap pengurangan pengaduan masyarakat masih diragukan. Artikel ini merekomendasikan agar institusi kepolisian dimanapun berhati-hati menerapkan kebijakan penggunaan kamera badan karena membutuhkan biaya tinggi serta keberhasilannya masih banyak diperdebatkan.

Kata kunci: kamera badan, akuntabilitas, diskresi kepolisian

Introduction

In October 2019, Indonesia's capital highway patrol initiated a pilot project of equipping body-worn cameras to patrol officers. The Jakarta Metro Traffic Police announced that during the first trial phase, there would be 16 patrol officers using this technology. The main intentions of the cameras were preventing officers from committing practices of extortion. The traffic police in Indonesia are often perceived as profiting from letting offenders away (Baker, 2015). However, Jakarta traffic police managers have commented that the BWCs will also serve as measures of protection in criminal-prone highways. Should the cameras prove to be effective, the BWCs are to be equipped to every patrol unit in the capital. Further policies could see this initiative to be set up on a national level. This article shall start by looking at the available pieces of literature on BWCs effect on police behavior. It is followed by exposing the research and findings on controlled trials that have been made. The paper shall end with recommendations regarding future plans of using BWCs within police institutions.

Jakarta Metro's practice of using BWCs was in part, influenced by the United States International Criminal Investigative Training Assistance Program (ICITAP) in Indonesia. The program was a model of experience sharing and transfer of technologies. As the leading advocate for BWCs, it was evident that Indonesia looks to replicate the US model. Western countries' need for police cameras emerged after there was public pressure to put officers into account after several conducts of unnecessary use of force (White, 2014). This brought a considerable amount of public attention, especially due to the US situation regarding its excessive use of force (Bleakley, 2019)

and racial bias from authorities (Kearns, Ashooh, & Lowrey-Kinberg, 2019). However, the trends of BWC increases prominently at times, even when there were rarely any significant scholarly assessments on the subject (Lum, 2015). It is argued that police managers resort to implementing BWCs in their stations as measures of showing positive intentions of reform. Therefore, regaining public trust which is scarce within law enforcement. Even with the currently numerous amounts of research into the subject, few have shown undeniably convincing results while demands for BWCs shows an increase (Lum et al., 2019).

Several studies have shown interest in the hypothetical contributions of the technology, particularly within the United Kingdom (Ariel et al., 2017) and the United States (Farrar, 2013; Ariel, Farrar, & Sutherland, 2015; McCluskey et al., 2019). Both countries are subject to similar problems regarding public distrust of the police regarding issues of racial bias, procedural misconduct, and unnecessary use of force (Lum et al., 2019). These agendas for reform vary between countries, all of which are related to police behavior.

Methodology

This paper uses a semi-systematic review approach. It has been noted by previous researchers that to try and review every available literature on a specific subject is deemed impossible (Wong et al., 2013). A semi-systematic review is useful in its purpose to provide a helicopter view—or say, an overview of the topic. Snyder (2019) further stressed that the use of the approach should offer methodological reasonability to its readers.

A qualitative analysis is used to identify the findings from previous research on the use of BWCs. This paper then compare and contrast the results to provide a brief overview of the available research on BWCs—particularly from literatures written prior to 2020. However, due to the scarcity of research on BWCs within the context of Indonesia, this review mainly focuses on the two countries (the UK and US) which have partially implemented their use and produced an extensive body of research on the topic.

Analysis

A use of BWC can be considered as the means to provide accountability tools for measuring police conduct, as through the images, we can assess the extent of police use of authority. Research shows that the majority of officers provided positive feedback to the policy (Lum et al., 2019). Koen (2016) found that officers see BWCs as a form of protection from subjective accusations from the public. Furthermore, they also consider the cameras to change personnel behavior and approve their use to the extent that it is fair.

There are two contrasts to the opinion regarding the approach of BWCs on police discretion. It is argued that the technology could be the missing accountability measure for the subjective legal powers the police are entitled to (Toronto Police Service, 2016). On the other side, it is assumed that cameras will limit police discretion itself and slow down decision-making (McLean et al., 2015). However, the use of the cameras presents no legal castration toward discretionary authority. It serves mainly as a control measure to provide a form of proof should a particular conduct is under public scrutiny.

In other words, it can be regarded as a means of bounded rationality. As Thaler and Sunstein (2008) implied, BWCs could also serve as a means of influencing behavioral change while still preserving the freedom of choice, which is police discretion in this case. Much of the finding on BWC was regarding the deterrence effects it gives to misbehaving officers (Ariel, Farrar, & Sutherland, 2015). The change of the suspect's and officer's behavior was supposed to be affected by the awareness of being under camera surveillance as well as verbal warnings of the circumstance (Ariel and Sutherland, 2014). However, this paper argues on the assumption that the primary intention of installing cameras was to nudge officers toward acceptable procedural behavior. Further

research may be conducted on the effects of the warning of being recorded, specifically in police encounters, from the citizens' perspective.

There is an abundance of research regarding the effects of implementing BWCs (White, 2014; Ariel et al. 2015; Braga et al., 2018). However, this article will take an example from one literature that focuses on measures of public complaint. In 2016, researchers found that the utilization of BWC has caused a significant decrease in the number of complaints (Ariel et al., 2017). The experiment was conducted by assigning randomized shift of treatment (using BWC) and control (not using BWC) officers. Personnel that are 'on experiment' are given the procedure of always turning on their cameras. The shifts comprised of 8 to 12 hours of patrol per day over the course of a year. The shifts are equally spread over the experimented term. Therefore, every officer is exposed equally to both treatment and control conditions.

Within the 12-months before the research, there are 1,539 accumulated complaint reports against participating police stations. Post-trial data shows that after the use of BWCs in a police station, there is a decrease to 133 complaints within the equal term of 1 year. The numbers indicate a reduction of 93% from stations not wearing a camera. The research argues that BWCs influence the behavior of officers into socially acceptable conduct while also increases procedural compliance. Therefore, accumulating into a significant drop in public complaints.

Interestingly, there is a finding that the reduction of complaints is not exclusive to treatment officers. There are insignificant differences between the two experimented circumstances. This data suggests that the use of BWCs affected the police station entirely as officers are repeatedly affected by camera surveillance. The feature continues even after an officer wears BWCs, knowing their colleagues are wearing it, and they will eventually wear it again. Ariel et al. (2017) argued that this collective behavior could be described as a 'contagious accountability'.

It is argued that the behavioral and psychological effects are not only influencing the officers to do in accordance with their norms, but also by lowering the encountered public's aggression. During the experimentation, officers were asked to announce warnings that the occasion is recorded. Several pieces of literature discussed this view (Ariel, 2016; Ariel et al., 2017; Groff et al., 2019) and are sound arguments regarding the effect of the pre-contact notice. There is, therefore, three dissenting opinions on what affected BWC users. Researchers argued whether it was due to self-awareness of the officers (Farrar, 2013), warning of 'being recorded' towards detainees (Lee, Taylor, & Willis, 2019), or simply officers who are avoiding contact (Braga et al., 2019). Nevertheless, the numbers are convincing in regards to the more tangible aspect, which is the significantly lower amount of complaint.

The experiment of BWCs incites further interest in how authorities react to the awareness of being recorded. Officers are imposed on the circumstance that their conduct is judged from not only the perspective of criminal law and code of ethics but also of social norms. In the age of the internet, authorities are often being exposed to the public media mostly for small misbehaving samples of the majority (Dowler & Zawilski, 2007). Governments are forced to cope with the media interpretation of the actions of their law enforcers. The public image of the police has never before gained this level of importance (Mawby, 1999, 2002), as it well correlates with legitimacy (Chermak & Weiss, 2005). Therefore, it is vital that officers comply not only with procedurals and legalities but also to socially acceptable standards.

The use of the cameras also provides insight regarding the change of behavior. People tend to adjust their standards when seen; this was shown by the simulations done by Munger and Harris (1989) of how regular handwashing took an increase in time when there is a presence of others. It was argued that the tendency to shift a conduct into socially acceptable standards are influenced by notions of being self-aware and feelings of being watched (Wicklund, 1975). As noted in the experiment, officers are aware of the fact that their superiors or internal affairs could obtain footage of their actions. Therefore, it can be argued that officers are deterred by the fact that their procedural

conduct can be specifically accounted for, as well as whether they are in compliance with social norms.

Mentions of the research above implied that officers—when being seen—will change their behavior or the way they respond to civilian contact. This is particularly evident, especially when the surveyor is entitled to an authority (Farrar, 2013), e.g., police managers or internal affairs. Cameras have, therefore, managed to fill in the absence of a subjective spectator. The presence of BWCs is also argued to prime socially acceptable behavior and induce awareness of procedural compliance (Ariel et al., 2017). There is also the fear of getting caught doing socially unacceptable conduct (Nagin, 2013), especially in the times of social media. BWCs could act as countermeasure to personal cameras and vaguely edited footages which intends to defame the police. The application of cameras is arguably a method of substituting the nudge of being seen. There is room for further research of how enforcing socially acceptable police behavior—rather than the usual policing procedures—actually leads to less amount of complaints.

Results

Western countries have been the pioneer in implementing BWCs within their policing institutions. Nevertheless, researchers are still divided between the ends and means of the technology. Indonesia, on the other hand, is currently at an early trial stage on the subject. Indonesia could benefit from the use of BWCs. A decreasing favor of public views against the police and the increasing number of officer misconducts adds to the arguments in favor of the implementation.

An adoption of the utilization of body-worn cameras should be proceeded thoughtfully by the institution, preferably with a strong public and political support. Cooperations should be done through focus group discussions—involving stakeholders especially field officers and civil advocacy groups—, funding studies of BWCs with universities, and initiating an international group of police institutions which already adopted BWCs as means of experience sharing. Furthermore, internally, integrating the use of body-worn cameras as standard issue in police education institutions. This should be followed with courses regarding the state of the art in police procedural law and code of discipline.

Officers should also be involved, preferably, through seminars and workshops regarding their experiences in the experimental use of these cameras. There should be a time frame of trial period to let officers be accustomed to the technology and provide room for evaluation on their use of BWCs. Polri can further exploit the behavioral effects of body-worn cameras by establishing points-system and rewarding high-performance field officers. Footages of hostile encounters can also be utilized in favor of the police; they could be used as publication material to retain public support and legitimacy towards police use of necessary force.

Conclusion

BWCs serves as a supporting piece of technology in the effort to provide accountabilities of police conduct towards the public. However, prior research evidences showed arguable results on the effectiveness of use of BWCs in reducing public complaints. It is shown that other officers, without the use of BWCs, are equally affected by the notion of being spectated by others. Should any police institution choose to implement body-worn cameras as their official policy, they should consider the results stated in the literature review above.

There are many sidenotes to think about other simply equipping field officers with expensive cameras. A rigorous cost-benefit analysis should be done to ensure that the public funds used to purchase the cameras are rightly spent. It is proposed that, in current circumstances, police institutions should look elsewhere in their choice of police reform mechanisms.

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