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**DOI'S OFFICE OF THE INSPECTOR GENERAL FOR THE NYPD RELEASES RESULTS OF ITS FRONT LINE
REVIEW OF NYPD BODY-WORN CAMERA PILOT PROGRAM**

Today, the Department of Investigation's (DOI) Office of the Inspector General for the NYPD (OIG-NYPD) issued the first comprehensive review of the New York City Police Department's (NYPD) volunteer body-worn camera (BWC) pilot program. The review included interviews with dozens of stakeholders, including police officers who used BWCs as well as all five District Attorney's Offices. OIG-NYPD found a number of concerns in reviewing the NYPD's operations order (Operations Order 48) that it believes must be addressed prior to any expansion of the program. Specifically, the Report focused on: (1) officer discretion regarding when to activate BWCs; (2) officer compliance with BWC policies; (3) NYPD, government and public access to video footage; and (4) retention and purging of footage. As part of its review, OIG-NYPD conducted interviews with 12 officers participating in the volunteer program and found, through a discussion of their personal experiences over the course of the past several months, disparate and inconsistent practices concerning camera activation, despite NYPD's written policies.

OIG-NYPD also solicited input from the NYPD, the Patrolmen's Benevolent Association, the Civilian Complaint Review Board, community advocates and reviewed BWC policies from over 20 other police departments around the country to form an informed and broad-based analysis. As a result, OIG-NYPD has made 23 recommendations for the improved use of BWCs during a transition from the current small-scale program to the long-term use of the cameras by the Department.

DOI Commissioner Mark G. Peters said, "This Report demonstrates what DOI does so well: find the facts, investigate them from all angles and recommend realistic reforms. This is an unprecedented view of New York City's police body-worn camera pilot program, outlining how these cameras are used by all relevant parties – from frontline officers to the five District Attorney's Offices. Their views and this Report will strengthen the program as it moves forward."

Inspector General Philip K. Eure said, "Our Report – one of the most detailed of its kind to date – is the result of significant analysis of the NYPD's policies guiding this pilot program, coupled with extensive discussions we had with major players in New York City's law enforcement and oversight arenas and a review of what is working in other large police departments around the country. The issues we raise mirror the concerns of citizens and those various police departments who continue to wrestle with the practical use of this new technology and its potential as a tool for furthering police accountability."

The NYPD's voluntary BWC pilot program began in mid-December 2014 with the small launch of 54 cameras deployed to patrol officers in six commands across the City, including East New York, East Harlem and Jamaica. The program was announced by Police Commissioner William Bratton in September 2014, ahead of a separate court-ordered program to be implemented as a result of stop-question-and-frisk litigation.

Chief among the concerns laid out in OIG-NYPD's Report is a disconnect between the policy and practice of when cameras are activated and the over-reliance on the Department's "reasonable suspicion" standard in its operations order, which can lead to different camera activation practices among officers. Through its officer interviews, OIG-NYPD found that while officers generally turn on their cameras during traffic stops and as arrests are being made, the use of BWCs in other situations was inconsistent. For instance, some officers told OIG-NYPD they recorded every interaction with members of the public, while others stated that they only began recording once probable cause for an arrest was established – a decision that would not capture the important initial seconds of an encounter. These examples indicated to OIG-NYPD a lack of understanding of the NYPD's operations order and the reasonable suspicion standard, and demonstrates a need for more extensive training than the two half-day sessions currently employed by NYPD.

Additionally, OIG-NYPD found through several interviews with District Attorney's Offices, significant concerns that the NYPD's current BWC policies do not explicitly address safety and privacy concerns for certain vulnerable populations, including victims of sex crimes, minors, undercover officers, and confidential informants. Moreover, the creation, retention, and potential redaction and disclosure of BWC video of these vulnerable populations and other members of the public create significant logistical and financial challenges for New York City that must be addressed as the NYPD's program moves forward.

OIG-NYPD also found that while the NYPD's operations order does offer guidelines on when to record and how officers should self-report issues with the BWCs, it does not go far enough in important areas like record retention and access to footage – areas that could have potentially negative effects on future civil and criminal cases. NYPD's Operations Order also does not include any provisions for quality assurance reviews to track officer compliance with the program or indicate how footage could affect an officer's evaluations or potential for discipline.

The following recommendations, among others detailed in its Report, should be implemented before any further development of NYPD's program:

- **NYPD should broaden and illustrate the standard for the mandatory activation of BWCs during street or investigative encounters.** NYPD should expand the situations where BWCs should be activated, including all street encounters or all investigative contacts. NYPD's policy should also include multiple examples to illustrate the broad range of covered police-citizen interactions.
- **NYPD should consider stricter limitations on recording vulnerable populations.** Prior to any expansion of the BWC program, NYPD must work with New York City's five District Attorney's Offices to consider restrictions on recording when officers become aware they are interacting with certain classes of individuals. These may include victims of sex crimes, abused children, undercover officers, confidential or citizen informants, and witnesses.
- **NYPD should establish a minimum retention period of at least 18 months.** NYPD currently states it will purge most footage after one-year, though members of the public can file civil or administrative claims against police officers up to 18 months after an incident. NYPD should lengthen the retention period and post a notice to its website advising people that they can request their footage be archived.
- **NYPD should limit citizens' and officers' right to view BWC footage during the course of investigations into misconduct.** NYPD should not permit officers or members of the public to

view footage prior to providing a statement for an investigation into alleged officer misconduct.

- **NYPD should establish a system for high-level, periodic review and a computerized random review of officer footage.** The NYPD should perform system-wide audits of footage to assess the effectiveness of its policies in an effort to refine and improve the program. In addition, NYPD should consider reviewing a random selection of patrol officer video on a monthly basis to ensure the program is being implemented consistently. Random checks will protect officers from arbitrary discipline by their supervisors for petty infractions like uniform issues.

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The Office of the Inspector General for the NYPD (OIG-NYPD) is an oversight office charged with investigating, reviewing, studying, auditing, and making recommendations relating to the operations, policies, programs, and practices of the New York City Police Department (NYPD). The goals of OIG-NYPD are to enhance the effectiveness of the police department, increase public safety, protect civil liberties and civil rights, and increase the public's confidence in the police force, thus building stronger police-community relations. OIG-NYPD is part of the New York City Department of Investigation and is independent of NYPD. Inspector General Eure reports to DOI Commissioner Peters.

The New York City Department of Investigation (DOI) is one of the oldest law-enforcement agencies in the country and is New York City's corruption watchdog. DOI investigations may involve any agency, officer, elected official, or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively, through systemic investigations that lead to high-impact arrests, preventive internal controls, and operational reforms that improve the way the City runs. Learn more at www.nyc.gov/doi.

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