

TECHNOLOGY, POLICING, AND IMPLICATIONS OF IN-CAR VIDEOS

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In-car video (ICV) technology has progressively gained a foothold in police departments nationwide. This trend invites an analysis of its feasibility for use in large jurisdictions, such as Chicago. This article reviews the benefits of this technology and highlights some contentious issues. These include technical glitches and possible resistance to change by police officers. Several solutions are suggested based on implementation in police departments across the country.

A number of Northern Illinois law enforcement agencies have followed a national trend and have begun to put video cameras into patrol cars. These in-car video (ICV) systems are activated with the squad car's emergency lights to provide an unbiased and accurate record of police emergency incidents. Such advances in technology promise great rewards in the efficiency and effectiveness of law enforcement. Nonetheless, technological change in this area, as in most areas of human endeavor, can be expected to raise concerns and engender resistance with some of the individuals faced with implementing change. Concerns about change are not unfounded or without precedent.

For example, when police telephone call boxes were first introduced to speed police communications, some patrol officers resisted, viewing the system as no more than a supervisory tool and a method of keeping track of the patrol officers. Indeed, in some cases, the wires of call boxes were cut or shorted by the officers themselves. Yet today, the modern-day successor to the call box, the police radio, is an essential police tool. Those facing change must adjust to the unknown, alter routines, and adjust their behavior. They

must do the work and bear the risk of making new technology work. Their concerns must clearly be part of the equation in implementing change.

The promises of new technology, however, cannot be ignored. Video technology could deter abuses by officers, limit frivolous complaints against officers about alleged abuses, and help restore and build confidence in the fairness of police departments. By allowing the action on the street to be observed, it could increase public confidence in police departments and make police action subject to accountability. It may also allow the best possible evidence to go to police review boards, judges, and juries when they evaluate street incidents, rather than strictly relying on the conflicting and confusing accounts of witnesses and participants in the adversary process.

The immediate challenge for police departments will be obtaining reliable systems, overcoming institutional resistance and operational difficulties, and integrating this new technology with other technological tools available to their patrol officers. The experience of the Los Angeles Police Department (LAPD) has shown that the success of an ICV program may depend on the department's ability to assure officers that ICV is useful and the capacity to obtain reliable, robust technology that avoids glitches and builds the confidence of the officers in the system. Successful ICV implementation is also contingent on how well departments train their officers in the use and the benefits of the new video systems. In addition, as technology continues to advance, ICV technology may encompass digital hard disc drive video recorders, digital transmission to remote sites, and the capacity to integrate with face recognition and license plate recognition software.

PUBLIC CONFIDENCE

The potential benefits of video technology for restoring public confidence may weigh heavily at this time, as a number of highly publicized incidents over the past year in the Chicago area have shaken public confidence in the police in some quarters. Police car video technology might have resolved questions and restored public confidence in incidents such as the deaths of innocent civilians killed during high-speed pursuit collisions, the fatal shootings by Chicago police officers of LaTanya Haggerty and former Northwestern football player Robert Russ after traffic stops, and allegations of racial profiling in traffic stops in Highland Park and Mount Prospect. In the future, questions about the enforcement of Chicago's revived gang loitering ordinance may also be answered by the introduction of video technology.

In the past, some groups have voiced concerns about the hazards of allowing the police to monitor the activities of groups exercising their First Amendment rights to freely associate and communicate. If such concerns apply to video surveillance, they might be reduced if the video system is activated automatically with the emergency lights. At the very least, in such circumstances, the monitoring would then be open and concerns about covert monitoring would be reduced.

In the wake of a controversial incident, we now rely on the swearing contest between various observers: some interested or biased parties. Many factors contribute to prevent a full and accurate picture from emerging about what happened during a split-second police-citizen encounter. These include the frailty of the memories of witnesses, their biases, the limits of their opportunity to observe, and the tension and pressure that accompany some police-citizen encounters in which life and death may hang in the balance. The inevitable battle to reconstruct the truth too often fails, and citizens are left to wonder what really happened. Although video technology will not resolve all disputes, it holds the promise of improving the records the citizens use to evaluate these controversial incidents.

Already, other large metropolitan areas have responded to similar controversies with police car video technology. In Los Angeles, a large-scale program is already under way. The impetus for that program came in 1992, in the wake of the Rodney King riots, when the Christopher Commission urged that police cars be equipped with video cameras. The Commission had recommended the use of cameras to record police actions and provide a method of accounting for police procedures. In a similar vein, prompted by the police shooting deaths of two civilians, the Kansas City Missouri Police Department has been using two video cameras as part of a pilot project.

TECHNOLOGY AND TRENDS

THE GENERAL TREND TOWARD VIDEO RECORDING

Within the past decade, as video surveillance and recording technology has become a cheap, readily available resource, its use has spread to many aspects of our lives. You are watched and recorded by a surveillance camera when you withdraw cash from an automatic teller machine, when you walk through the lobby of many office buildings, when you shop in a department store, or when you pass through an airport. Many jails and prisons extensively monitor inmates with video cameras. Video surveillance and

recording offers tangible benefits. It continuously records the activity in any area, day or night, without fatigue. It deters crime and documents the truth about what went on.

In Great Britain, many cities have installed surveillance cameras on poles to monitor public areas. In 1999, the Chicago suburb of Orland Park installed a pole-mounted surveillance system. To respond to crimes against taxicab drivers, cabs in the village of Oak Park, Illinois, began installing still cameras inside the cars to photograph passengers. The photos are downloaded to a computer and printed for the police in the event of a crime (Upshaw, 2000). Recently, the Chicago Transit Authority (CTA) invested \$3.1 million to install video cameras on 461 of its buses to deter crime and vandalism and to gather evidence to aid in the prosecution of wrongdoers (Chicago Transit Authority, 1998). After a trial period, the CTA expanded its program to more than 970 additional buses (Trice, 2001).

In the wake of the Columbine shootings, many schools have installed video cameras. In Noblesville, Indiana, school officials installed video cameras to cover both inside and outside their school buses to crack down on motorists who refuse to stop when the buses stop with lights flashing and safety arms extended. Under the program, officials are also installing cameras inside 16 of the schools' 63 buses to randomly record the activities of students (Miller, 1999).

Most of the examples cited, however, concern the use of technology to monitor citizens by the state. This also is true of ICV systems. However, to some degree, ICV technology also holds the potential to record police action and allow the citizens to watch the police. This could increase public confidence in police departments and make police action subject to accountability. As the use of video monitoring increases, as it seems likely to, some scholars believe this two-way watching, or transparency, will be a critical factor in balancing the power between citizen and state (Brin, 1998).

POLICE USE OF THE TECHNOLOGY

A number of law enforcement agencies have begun to use video cameras in squad cars. In response to allegations of racial profiling, Highland Park, Illinois, installed ICVs in its 12 police cars (Hussain, 2000). Departments in Glencoe, Berwyn, Riverside, and the McHenry County Sheriff's Department have installed or will be installing cameras. The sheriff of DuPage County installed video cameras in sheriffs' police cars in 1998. A spokesman told a local newspaper that "the videos occasionally have been intro-

duced as evidence in court” (McChoppin, 1999, p. 5). The Illinois State Police will soon have more than 200 cars with ICVs (Keoun, 2000; McChoppin, 1999). This presumably means that through the use of squad car video technology, officers have gathered evidence of guilt that they have provided to prosecutors for use in court. According to officials, the primary use of tapes has been for training: “Supervisors review the tapes of stops and tell officers how they can improve” (McChoppin, 1999, p. 5). In Palos Heights, the city council is considering buying five video cameras for patrol cars. The aim of the program is to protect police officers and anyone they stop. Cameras will cost about \$5,000 each. They will be equipped with a wide-angle lens to record traffic and any activity around the car. According to a published account,

“Our primary use will be for driving under the influence enforcement, to record what occurs before and after the stop,” Police Chief Howard Roseen said. The camera would record how the individual was driving, if his speech was slurred or if he was walking erratically, Roseen said. The police chief said the video cameras also would be helpful in training new officers to show them how to handle arrests. “Also, if someone is complaining that an officer shoved or hurt him, the lens will record what happened,” said Alderman Jim Murphy, chairman of the Public Safety Committee. (Neumann, 1999, p. 3)

In 1999, Cook County Sheriff Michael Sheahan announced plans to install video cameras in squad cars. Sheahan asserted the program would protect residents from police brutality and officers from fabricated accusations. Under Sheahan’s program, four cars were initially equipped with the cameras, and the department immediately began installing cameras in eight more, at a cost of about \$4,400 each. The cameras go on automatically when officers turn on their overhead lights, or they can be activated manually. A wireless microphone worn by the officer records any conversation. The system relies on a VCR, but officers cannot erase or record over a tape. The VCR and tape are kept in a locked box in the trunk, and only the officer’s supervisor has the key. When he started the program, Sheriff Sheahan said he planned to evaluate the program and apply for federal grants to install cameras in 50 to 75 more cars (“Cook County Sheriff,” 1999). Within 1 year, Sheahan found clear benefits to the program. According to a published account, the system reduced misbehavior by motorists during traffic stops and protected officers from false complaints about brutality and racial profiling. Based on his department’s experience, Sheahan decided to expand the program. The federal grant provided funds for 31 ICV-equipped cars, and

Sheahan stated that he would seek county funding to equip 50 more cars (Keoun, 2000).

Law enforcement agencies in other states have similar programs under way. For instance, prompted by the police shooting deaths of two civilians, the Kansas City, Missouri, Police Department has been using two video cameras since April 1999 as part of a pilot project. The cameras are rotated through each of the department's five divisions for 6- to 8-week periods. After the project ends, the department will decide whether to purchase the equipment. The Kansas Police Department (Kansas City) purchased 50 cameras, 1 for each of its marked cars (Garcia, 1999).

On a larger scale, in Los Angeles in 1999, the city council's Public Safety Committee approved a plan for squad car video cameras, referred to as in-car video (ICV). According to some officials, previous police chiefs and others in the department had long objected to the plan. Before the approval of the plan, the LAPD already had run a pilot program with 36 cars. Under the pilot program, 36 Docucam systems were purchased by the Crime Prevention Advisory Council and donated to the LAPD. The systems were deployed throughout the 18 areas and 4 traffic divisions of Los Angeles. According to an audit of the program, its purposes were to get an accurate visual and audio record of enforcement-related activities to enhance criminal prosecution, limit police liability, and reduce personnel complaints. In addition, the program was aimed at assisting officer training to "augment the patrol function, and to assist and complement officers in the performance of their duties" (*Los Angeles ICV Audit*, p. 2).

Although about \$1.4 million was initially made available to install the devices in the 1,250 new cars being purchased in the near term, it will take about 5 years to equip all patrol cars with the cameras. A city councilman noted,

I think what we'll see is that it will help us reduce the amount we pay out in claims. . . . So often, it comes down to one person's word against another's. And it will help the public in proving their claims if they're justified. (Orlov, 1999)

The program has not been without its difficulties. The vendor who provided the cameras went out of business; the cameras began to malfunction and could not be adequately serviced. By the end of 2000, the LAPD was unable to operate their first run of cameras and was seeking bids from new vendors to outfit 60 cars (Roug, 2000). To avoid such technical glitches, departments should budget for maintenance and service and seek practical guidance before embarking on a large-scale purchase. Fortunately, such

guidance can be found in a publication by the National Institute of Justice titled *Video Surveillance Equipment Selection and Application Guide* (Atkinson, Pietrasiewicz, & Junker, 1999).

Before any program got started, the LAPD also had to contend with internal resistance. According to the LAPD internal audit, despite being told that the cameras were installed for their benefit, many officers retained an attitude that its purpose was to “spy on them.” As the program got under way, many officers adopted a paranoid, “big brother is watching” attitude and believed the program showed a lack of faith in the street officers. To overcome resistance, LAPD instituted a training program. The officers who received training seemed less resistant to ICV and appreciated its value: “It provides an accurate and unbiased account of patrol incidents, often captures evidence successfully used in prosecution, refutes allegations of misconduct, and can be used as a training aid” (*Los Angeles ICV Audit*, p. 2).

In the Los Angeles program, two methods of activating the ICV were considered. First, the system could be started manually, at the officer’s discretion, or second, it could be started automatically when the emergency lights were activated. The audit recommended that emergency light activation be adopted, thereby providing a fail-safe method for capturing incidents on video.

On the other hand, the audit discouraged a third alternative, continuous activation of the ICV. Such a method was deemed too costly, and perhaps more important, it was thought that continuous taping would foster the officers’ perception that its principal use was for surveillance of officers’ activities. The audit suggested the use of some officer discretion in operating the ICV systems. Without officer discretion, it was feared that the use of ICV would create a perception of mistrust in the field officers. Indeed, the Los Angeles Sheriff’s Department reported officer sabotage of its ICV systems. However, when officer discretion was introduced, the sabotage problem disappeared (*Los Angeles ICV Audit*, p. 4).

SQUAD CAR VIDEO CAMERAS IN THE CHICAGO POLICE DEPARTMENT

The Chicago Police Department (CPD) has recently completed its second pilot program to evaluate the use of squad car video technology. The first program began in 1991. In August of that year, the CPD issued a general order concerning a pilot program for videotaping driving-under-the-influence cases (CPD Directive 91-47). Under this program, the camera

would be activated at the officer's discretion: "whenever observing a person in actual physical control or operating a motor vehicle in a manner that leads the Department member to reasonably believe that there is an impairment in the individual's ability to operate the vehicle" (CPD Department Notice 91-47, Section VI(C)(2)). Under this original order, the officer was also responsible for recording conversation between the motorist and the police officer by using the officer's microphone (Department Notice 91-47, VI(C)(3)).

In October 1991, the CPD Research and Development Division provided further guidance to the officers on the use of the cameras through a directive issued by the CPD Traffic Group. It directed officers to use the cameras only when the officer had probable cause to believe she or he was witnessing illegal activity. According to the directive,

Video equipment will not be utilized for any purpose other than to record evidence relating to the operation of a motor vehicle by an individual the investigating officer has reason to believe is under the influence of alcohol, other drugs, of a combination thereof. (CPD Department Directive 91-47)

This clarification was prompted by concerns about a permanent injunction issued by the United States District Court for the Northern District of Illinois. That injunction had been issued to bar police officers from surveillance activities and investigations raising First Amendment issues (*ACLU v. City of Chicago*, 1976; *Alliance to End Repression v. City of Chicago*, 1994). Thus, under Section 3.2.1 of the injunction, surveillance "shall be conducted solely for the purpose of obtaining evidence of criminal conduct that has occurred, is occurring or is about to occur."

In February of 1992, the CPD issued another general order concerning the pilot program for driving under the influence enforcement. This order provided that officers would activate a camera system when they had "reason to believe that an individual is operating a motor vehicle while under the influence of alcohol, other drugs or a combination thereof" (Modified Order, Section IV(B)). This order, however, did not include the provision specifically directing officers to record conversations between the motorist and the police officer using the officer's audio microphone.

In October 1999, the CPD started another pilot program to study video cameras in squad cars. The Mobile Video Pilot Program was announced on September 28, 1999, by Police Superintendent Terry Hillard. Although Superintendent Hillard said the program was one of several initiatives designed to restore public confidence in the department after the

controversial shootings of LaTanya Haggerty and Robert Russ in June 1999, department officials said the program was in the works before the two shootings. Police officials suggested the system would provide officers additional physical security and that they expected the video footage would provide the department irrefutable evidence against allegations of police abuse. Under the Chicago pilot program, 10 squad cars were equipped with video cameras. The program was designed to record all traffic stops and was funded in part by equipment donations from camera manufacturers. Officials stated the largest expected cost is videotapes, at an average of \$3 per cassette.

Under the pilot program, the cameras are activated when an officer switches on the vehicle's emergency lights. However, the camera system will not record audio because, according to CPD officials, they are barred from doing so by the Illinois eavesdropping laws. The cameras have zoom capabilities of up to 1,000 feet, and the date and time are marked on the video each time a camera is activated. "Each camera is wired to a recorder locked inside a vault in the squad car's trunk, and only supervisory officers will have access to keys that can open the vaults," Deputy Chief Joseph De Lopez told the *Chicago Tribune* of the department's Patrol Division Administration (Kozlowski, 1999, p. 3). Once removed, the 6-hour tapes will be stored for 30 days inside a secured repository. If there are no complaints or abuse allegations during a 30-day period, the videos will be recycled. The pilot program began in October and concluded in February 2000 (Kozlowski, 1999). In May 2000, Pat Camden, CPD spokesman, stated that the department was evaluating the program (Keoun, 2000).

Looking down the road to possible large-scale implementation of ICV, one could begin to estimate costs by considering that, according to a published report, spokesman Camden has stated that there are 1,600 marked cars used by police. A certain percentage of these cars are used in street patrol. Assuming the cost of outfitting each car is \$4,400, if 100 cars were equipped, the cost would be about \$440,000. If 500 cars need to be equipped, the cost would be about \$2.2 million. If 1,000 cars need to be equipped, the cost would be about \$4.4 million¹ (Grainger, 1999). Moreover, a law passed in 2000 is aimed at funding the installation of ICV in patrol cars. Under the law, a person found guilty of driving under the influence is to be fined \$100. The funds are then made available to the arresting agency for the purchase of equipment to prevent alcohol-related crime. The law specifically mentions ICV cameras as one such tool (P.A. 91-0822).

LESSONS FROM VIDEO CAMERA SYSTEMS IN OPERATION

As police departments have begun to use video camera systems in squad cars, case studies reveal a variety of uses of the tapes.

USE BY THE PROSECUTION AS EVIDENCE IN COURT

Videotapes from a squad car have the potential to be used by the prosecution in traffic and other types of cases. New Jersey outfitted cars with the video cameras after allegations that state troopers engaged in profiling. In 1999, tapes from a squad car video were first used in a New Jersey courtroom. Bergen County prosecutors used a videotape of a 60-mile chase to persuade a judge not to reduce the bail of a truck driver charged with attempted murder and eluding officers. In seeking release, the trucker, who had indicated his intent to sue the police for discrimination, argued that he was the victim of racial profiling—unfairly targeting minority motorists for traffic stops—and claimed he was “fleeing from a dangerous situation.” On the videotape, however, the truck could be seen to ram several police cars and a van before troopers opened fire. Rather than being released, the suspect remained in custody. The prosecutor said the tape demonstrated the suspect would pose a risk if released on lesser bail (“State Police Video,” 1999).

DETECTING FALSE ALLEGATIONS

As a recent case demonstrates, video cameras have the potential to deter frivolous allegations of abuse. In Little Rock, Arkansas, the use of a squad car tape helped a police officer avoid an internal investigation and produced evidence that allowed charges to be brought against a man. The officer had stopped the suspect at about 12:45 a.m. when he found that the suspect had several warrants. The suspect claimed the officer stole \$40 from his wallet. The officer then called a supervisor, who found the \$40 in the suspect’s wallet. The suspect then claimed the officer took \$68 from his car. After this, both the officer and the supervisor went to the detective division at police headquarters, where the videotape was reviewed, which clearly exculpated the officer. The police officers added the charges of filing a false police report, terroristic threat, and disorderly conduct to the outstanding

warrant charges. According to the police department, "The videotape will be saved to use as evidence at his trial" ("Police Video," 1999).

USE IN COURT AS EVIDENCE BY THE DEFENSE

A 1999 Newport Beach, California, case reveals the prospect that defense may use the tapes as well. A truck driver had been charged with weapons possession and faced a possible 3-year prison sentence. The defense had argued that the arresting officer had failed to alert the suspect of his rights to an attorney and to remain silent when he was arrested. During the allegedly illegal questioning, the officer obtained an admission of guilt. The officer, a 2-month rookie, successfully argued in court proceedings that the Miranda warning was not needed because she had released the suspect from the back of her police car before the interrogation. The court transcript revealed the officer's version:

Prosecutor: When you remade contact with the defendant, where did that occur?

Officer: I approached the vehicle, had him step out of the vehicle, and then we discussed it near the police unit.

Defense: I'm sorry. You had him step out of the vehicle?

Officer: Correct.

Defense: Okay.

Prosecutor: Now, did you open the door or did one of your colleagues open the door? How did the defendant get out of the car?

Officer: I opened the door.

Prosecutor: And did you then have a conversation with the defendant?

Officer: Yes, I did.

The next day at the trial, the officer insisted again, "I opened the door and had him step out of the car." The police videotape, however, shows that interrogation had taken place inside the car before the Miranda warnings were issued and thus was illegal. A deputy district attorney acknowledged that a police videotape of the arrest revealed "significant inconsistencies" in the testimony of his witness and sought dismissal of the case.

However, Newport Beach Police Chief Bob McDonnell has asked state lawmakers to permit early destruction of videotapes taken from police vehicles. He stated that the request is not connected to the case. California law requires the tapes be retained for 2 years. The police chief stated that storing the tapes is burdensome, and he has requested authorization to burn the tapes as soon as 2 months after they are made² (Moxley, 1999). In cases in

which questions arise about what happened on the street, the tapes must be preserved. The police agency, the defense attorney, or the prosecutor must move to preserve them and subpoena them. This must be done within 30 days or the tapes will be destroyed.

ISSUES IN IMPLEMENTATION

AUDIO RECORDING AND EAVESDROPPING IN ILLINOIS

The video camera systems in use in most jurisdictions record both visual and audio information. For instance, the Cook County sheriff's videotape cameras have microphones that can detect sound from 1,000 feet away. State police cruisers also have audio capability for use in traffic cases. In Chicago, however, under the pilot program, cameras did not record audio, according to officials, because of restrictions in Illinois eavesdropping laws. This limitation on the use of audio recording might be unwarranted. Indeed, it seems likely that the Chicago Police Department could follow the lead of other departments and audiotape traffic stops.

The Illinois eavesdropping law can cause confusion in this area. Under the law, video cameras capable of recording audio signals are an eavesdropping device. According to 720 ILCS 5/14-1(a), "Any device capable of being used to hear and record oral conversation" is an eavesdropping device. Illinois law also generally requires that both parties to a conversation consent to its recording (two-party consent). A conversation is defined as an "oral communication between two or more persons regardless of whether one or more of the parties intended their communication to be of a private nature" (720 ILCS 5/14-1(d)).

Under the law, however, there is an exemption for "recordings made simultaneously with a video recording of an oral conversation between a peace officer, who has identified his or her office, and a person stopped for an investigation of an offense under the Illinois vehicle code" (720 ILCS 5/14-3(h)). Current Illinois law thus seems to indicate that both parties must consent to recording, except in the specifically exempted categories of traffic stops (and in some narrowly limited cases involving the safety of a police officer) (*In re Marriage of Almquist*, 1998).

The current eavesdropping law raises questions for squad car video taping. First, it seems that the CPD interpretation might be overly narrow. Traffic stops could be audiotaped. On the other hand, when an incident moves beyond the level of a traffic stop, it might not be covered by the exception to

the eavesdropping law. Indeed, ICV systems with the capacity to zoom in on a distant conversation, such as those available from some vendors, might be used in a manner that would run afoul of the Illinois eavesdropping law.

HOW TO “POLICE THE POLICE”³ AND BUILD CONFIDENCE WITH PATROL OFFICERS

No program will work without the confidence and support of the mainstays of American policing: the patrol officers. We suggest that departments might speed the acceptance of video technology by allowing officers experienced in its use the opportunity to enter into a dialogue with departments considering its use and by limiting the pervasiveness and intrusiveness of the taping. In addition, in putting a system in place, departments should continue to emphasize that ICV is a means to protect the security and enhance the performance of good officers who are motivated and determined to root out crime and protect innocent citizens (Herbert, 1996).

A dialogue or training exchange could be set up, for example, in the Chicago metropolitan area. The city of Chicago and the Cook County sheriff have started pilot ICV programs. In addition, a number of suburban police departments already have such systems in place. These programs can become the catalyst for future development and training. These suburban programs and similar programs in other jurisdictions are, in effect, rolling laboratories. These laboratories are accumulating valuable experience, and they offer critical insight into this innovative policing technique.

To make the system work, a balance must be struck between the pervasiveness and intrusiveness of the taping and privacy concerns. For instance, cameras could be left running continuously. Yet those officers in the car, continuously monitored, would likely feel the suffocating weight of such constant surveillance. How many workers would welcome such an intrusion into their workday? When the camera is continuously run, the ICV could be viewed as a spy and a voyeur⁴ (van Maanen, 1978). This would foster a “big brother is watching” mistrust perception and likely hinder the full acceptance of ICV. Security measures not noted in the Chicago area programs also include the capacity for the department’s dispatcher on duty or other remote viewing personnel to watch the video live from headquarters. This capability is currently in use in a pilot program by the police department in Tinton Falls, New Jersey⁵ (East, 1999).

In deciding how intrusive the taping should be, it may be constructive to consider the nature of most patrol assignments. Although officers respond

to violent crime and make arrests, much of police work is mundane, boring, and full of calls that do not require law enforcement but maintenance of order (Wilson, 1968). Some have estimated that only 7% to 10% of the job is what is traditionally viewed as law enforcement (Bayley, 1994). Yet, at any moment, the next call or incident might be chaotic and life threatening. The unpredictable nature of this work is the best argument for having the camera automatically engage when the emergency lights are activated (CPD Department Notice 99-47). Moreover, such a system would remove much of the difficulty of implementing a system deemed unreasonably intrusive by the patrol officers.

THE FUTURE

Technology, however, continues to advance. For instance, the use of standard video equipment may soon be outmoded. Three large state police agencies of Australia are moving to install digital hard disc drive video recorders in patrol cars (Sgt. Leon Staines, Queensland Police Service, personal communication, November 26, 2001). Such a system would have the capacity for digital transmission to remote sites and the capacity to integrate with face recognition and license plate recognition software. Such software has the capacity to match a face or license plate from a video with a database of suspects or offenders. One such system, called FaceIt, produced by the Visionics company, is in widespread use in the United Kingdom (Rosen, 2001). A facial recognition system gained notoriety and raised controversy when it was tested at the 2000 Superbowl in Tampa, Florida. Without notice to attendees, approximately 100,000 faces were scanned at the event. To some, this created privacy concerns. On the other hand, 19 petty criminals were identified with the system. Las Vegas casinos have used similar systems for 3 years and have claimed that controversy over privacy should be minimized because no images of faces are retained unless they match a known suspect (Herz, 2001). It is no great leap to imagine such systems integrated into squad cars with ICV systems in the future.

Indeed, although not including facial recognition software, an integrated technology approach to outfitting squad cars is already under way. The New Hampshire State Police and University of New Hampshire have worked together under a federal government grant to develop patrol cars outfitted with integrated technology, including video, a voice command system, global positioning system vehicle tracking, digital radio, remote access to the car's resources, and access to a central database and the ability to

complete forms from the car (see <http://www.catlab.sr.unh.edu/project/index.html>).

No technology ensures integrity or eliminates the potential for abuse. The same will be true of ICV, whether analogue or digital. For example, in 2001 in Sweden, a 19-year-old rioter, Hannes Westberg, was shot by police and later convicted with the assistance of digital video evidence from a security camera. Before the year was out, however, police officers themselves were charged with altering the digital video to assist their case. When a television station compared the police agency's doctored tape with the station's tape, it was revealed that images were swapped, sound was edited, and images of police brutality were edited out (see BBC Monitoring Europe Political, 2001; Uppdrag Granskning, <http://www.svt.se/granskning/>).

CONCLUSION

The promise of ICV technology cannot be ignored. Video technology could deter abuses by officers, limit frivolous complaints against officers about alleged abuses, and help restore confidence in the fairness of police departments. It could also provide evidence of crimes or attacks against officers, streamline the truth-finding process by providing the best evidence, and encourage the humane treatment of suspects and fairness and respect for civil rights and liberties. In short, ICV systems have the potential to add a layer of accountability and trust between the police and the public. This could be a significant factor as the use of video monitoring of citizens by the state increases, for two-way watching, or transparency, could assist in balancing the power between citizen and state.

Issues remain to be addressed in implementing such a program. For instance, the Chicago limitation on the use of audio recording might be unwarranted. Indeed, it seems likely that the CPD could follow the lead of other departments and audiotape traffic stops. The intrusiveness of a system must also be weighed. Live oversight or continuous video systems would likely engender significantly more resistance than a system activated by emergency lights.

In cases in which questions arise about what happened on the street, the relevant tapes must be preserved. The police agency, the defense attorney, or the prosecutor must move to preserve them and subpoena them for use in court. Under current Chicago policy, this must be done within 30 days or the tapes will be destroyed.

The estimated costs are reasonable. If 500 cars needed to be equipped, the cost would be about \$2.2 million. If 1,000 cars needed to be equipped, the cost would be about \$4.4 million. Moreover, new state funds may well be available through the operation of a new law aimed at outfitting cars with ICV.

The immediate challenge for police departments will be to overcome institutional resistance and operational difficulties and to integrate this new technology with other technological tools available to their patrol officers. The success of an ICV program may depend on departments' ability to assure officers that ICV is a useful tool and to obtain reliable, robust technology that avoids glitches and builds the confidence of the officers in the system. Successful ICV implementation is also contingent on how well departments train their officers in the use and the benefits of the new video systems. These benefits may increase, and systems likely will become more robust as technology continues to advance. In the future, it seems possible that ICV technology may encompass digital hard disc drive video recorders, digital transmission to remote sites, and even the capacity to integrate with face recognition and license plate recognition software. When that day comes, privacy concerns may very well be added to the debate over ICV systems.

NOTES

1. According to columnist Bill Grainger (1999), only 75 of some 500 of the Cook County sheriff's cars are used in patrol.

If 75 cars need to be equipped for action, according to the sheriff's figures, you apply the same percentage to Chicago police marked cars and figure 240 need to be equipped. At \$4,400 per car, that's \$1.06 million to put video cameras in Chicago squad cars. (p. 7)

2. Prosecutors said they did not pursue a perjury case because they did not know the officer's state of mind when she testified.

3. "Quis custodiet ipses custodes?" This is the question posed by the Roman poet Juvenal in his story about a king who goes off to war and entrusts his young bride to the care of the palace guard.

4. There are four "pure types" of participant-observer roles according to van Maanen (1978): spy, voyeur, member, and fan. These four categories are distinguished on two principal features: overtness and covertness and activeness and passiveness. Thus, a spy would be a covertly active participant observer, a voyeur would be a covert and passive (just looking), a member would be an overt and active, and a fan would be an overt and passive.

5. As in Chicago, the video cameras are activated automatically when a police officer turns on the vehicle's overhead lights to pull over a motorist.

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