

INTRADEPARTMENTAL CORRESPONDENCE

December 15, 2015
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BPC #15-0392

TO: The Honorable Board of Police Commissioners

FROM: Inspector General, Police Commission

SUBJECT: BODY WORN VIDEO INSPECTION, MISSION AREA

RECOMMENDED ACTION

REVIEW and APPROVE the Office of the Inspector General's (OIG) Body Worn Video (BWV) Inspection, Mission Area.

DISCUSSION

Mission Area became the first Area to receive BWV equipment on August 31, 2015. Mission officers were expected to immediately begin complying with BWV policy. However, during the 90-day transition period, unintentional policy violations are to be considered as non-disciplinary training issues.

The OIG tested for BWV equipment position and activation during categorical uses of force, Code Three (emergency lights & siren) responses, arrests, and in-custody transports. The OIG found that officers were generally activating their BWV equipment, as required, for each incident and its duration. However, the OIG had concerns regarding BWV equipment positioning on the belt and not identifying the incident number for each recording.

I am available to provide any information the Board may require.

E-Copy – Original Signature on File with the Police Commission

ALEXANDER A. BUSTAMANTE
Inspector General
Police Commission

Attachment

LOS ANGELES POLICE COMMISSION

BODY WORN VIDEO INSPECTION, MISSION AREA



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

ALEXANDER A. BUSTAMANTE

Inspector General

December 15, 2015

BODY WORN VIDEO INSPECTION, MISSION AREA

I. INTRODUCTION

The Los Angeles Police Department (LAPD or the Department) completed its first deployment of body worn video (BWV) in Mission Area (Mission). Most Mission officers received BWV equipment and related training on August 31, 2015. Mission officers were expected to immediately comply with Department BWV policy,¹ but a 90-day transition period allows unintentional policy violations to be addressed as non-disciplinary training issues.²

The Office of the Inspector General (OIG) conducted a limited-scope inspection of Mission BWV deployment. The OIG examined the BWV recordings pertaining to all Mission Categorical Uses of Force from September 1 through October 15, 2015. In this time period, there was one officer-involved shooting (OIS) on September 15, 2015, at 1513 hours. The OIG reviewed this OIS to determine if BWV was: (1) satisfactorily positioned on the officers to capture video and (2) activated prior to contact.

Additionally, the OIG randomly selected a sample of 15 BWV activations on September 11, 2015, from 2100 to 2400 hours.³ The OIG reviewed these 15 activations to determine if BWV was: (1) satisfactorily positioned on the officers to capture video and (2) activated “prior to initiating any investigative or enforcement activity” and continued to the end of the contact, as required by policy.⁴

Last, the OIG used a three-day test period of September 18 to 20, 2015, during which Mission BWV captured 33 arrests and 31 service calls dispatched as Code Three response required.⁵ The OIG inspected the video to determine if BWV was: (1) satisfactorily positioned on the officers to capture video and (2) activated for arrests, in-custody transports, and Code Three responses.⁶

¹ The primary policy governing BWV is Special Order No. 12-2015 (SO 12), Body Worn Video Procedures Established, approved by the Board of Police Commissioners on April 28, 2015.

² Per Operations Order No. 3-2015, Procedures for Deployment and Usage of Body Worn Video during Transition Period (August 28, 2015). For each officer, the 90-day period begins when the BWV training is completed. *See* APPENDIX (Section 1) for details.

³ The sample was selected from a population of 104 BWV activations during this three-hour period.

⁴ As required by SO 12: activation (Section III) and record entire contact (Section V).

⁵ The OIG identified these 31 Code Three calls from Goldmine, an application designed for use by the Police Commission and OIG to extract data from the Communications Division system. The OIG identified the 33 arrests from the Detention Logs.

⁶ *See* APPENDIX (Section 3) for details of SO 12 regarding these activities. Code Three refers to response with emergency lights and siren.

II. RESULTS

A. BWV Position on Officers

The OIG observed that video from one of the two officers involved in the OIS, as well as 15 of the sampled videos, were from officers apparently wearing BWV on the belt.⁷ For these 16 videos, the belt-worn cameras did not, in the OIG's opinion, capture the incident as well as videos from officers apparently wearing chest-mounted cameras.⁸ However, current policy allows for belt-mounted cameras and, based on training provided by the Department, the OIG recognizes that for a limited number of officers a belt-mounted camera is preferable or even necessary.⁹ During training that Information Technology Bureau (ITB) provided, the OIG learned that aftermarket BWV mounts are expected to allow (at some future point) for placement of the camera in a variety of positions on an officer's uniform.

B. BWV Activation

The inspection results for testing BWV activation for the OIS, the arrests, arrestee transports, Code Three response, and other activities are as follows:¹⁰

- For the OIS, one involved officer activated BWV more than 30 seconds after the firearm discharge, so the discharge was not captured.¹¹ The other involved officer activated BWV within 30 seconds of the discharge, but BWV did not capture the discharge or actions of the suspect or officers.
- For the randomly selected BWV activations on September 11, 2015, 13 of 15 (87%) appeared to be at the beginning of the incident, with 1 at the middle and 1 at the end of the incident.
- For the 17 units with evidence of a Code Three response, 30 of the 32 (94%) officers tested activated BWV.¹²

⁷ The OIG provided details to the commanding officers of Mission and Operations-Valley Bureau.

⁸ The OIG could only determine "apparent" camera position based on the video; there is no requirement for an officer to document where the camera is worn.

⁹ See APPENDIX (Section 2) for details.

¹⁰ The OIG provided details to the commanding officers of Mission and Operations-Valley Bureau.

¹¹ The BWV equipment has a 30-second video recording "buffer," meaning that the video recording actually starts 30 seconds before the moment of activation. The audio recording, in contrast, starts the moment of activation.

¹² For tactical reasons, officers may not respond Code Three for all calls dispatched Code three.

- For the 32 arrests, 32 of the 37 (86%) arresting officers tested activated BWV.¹³
- For the 32 arrestee transports, 31 of the 33 (94%) transporting officers tested activated BWV.

C. Incident Number Tracking

After each BWV use, officers are required by policy to “identify the event type . . . that best describes the content of the video (i.e., arrest, traffic stop, report).” Officers then enter the event type into a data field on a Department-provided mobile phone linked to the officer’s BWV unit. Upon reviewing the stored BWV in Evidence.com, the OIG noted multiple incidents titled by event type.

Through the BWV training that ITB provided, the OIG learned that a better method of identifying each BWV recording is to enter the incident number in a separate data field.¹⁴ Because each incident (traffic stop, arrest, etc.) has a unique incident number, it is easier for a reviewer to identify in Evidence.com the specific incident during a data search. The ITB training supervisors advised the OIG that the Department is considering programming that will automatically download an incident number into each BWV data log on the officer’s mobile phone.

D. Limited Value Video

Policy requires BWV activation for the following five moving-vehicle activities: (1) vehicle stops, (2) pedestrian stops, (3) Code Three responses, (4) in-custody transports, and (5) vehicle pursuits. In this audit, the OIG reviewed BWV pertaining to two of these moving-vehicle activities: Code Three responses and in-custody transports.

Regarding Code Three responses, the OIG found the BWV video recording utility to be very low, even with chest-mounted cameras. The video recording merely captured the dashboard and sky and did not meaningfully capture the road as the driving officer would see it.¹⁵ In contrast, the digital in-car video system (DICVS) video recording, because of the higher camera mount, captures the road as the driving officer would see it.¹⁶

¹³ Normally, each Detention Log entry (for an arrestee) identifies one arresting officer and one transporting officer. However, two arresting and two transporting officers are sometimes identified.

¹⁴ However, SO 12 does not stipulate this instruction as a requirement. SO 12 § XVI, Identifying Recordings, only states, “For each incident recorded on a BWV, officers shall identify the event type and other information using the BWV equipment and software that best describes the content of the video (i.e. arrest, traffic stop, report).”

¹⁵ The OIG generally found the BWV audio recording quality to be adequate.

¹⁶ DICVS is currently operational in Operations-South Bureau and Operations-Central Bureau; but DICVS is not yet operational in Operations-Valley Bureau, which Mission is part of.

Regarding in-custody transports, the OIG found the BWV video recording utility to be minimal, only partially capturing the arrestee's officer-assisted entry to and exit from the vehicle.^{17,18} In contrast, the DICVS video recording, because of the rear-facing camera, captures the arrestee's actions during the transport.

III. RECOMMENDATIONS

1. The Department should report within 60 days to the Board of Police Commissioners (Commission) regarding the placement of the BWV camera, whether further mounting options have become available, and any related modifications to BWV policy.
2. The Department should report within 60 days to the Commission regarding the ability to track each BWV use through incident number in addition to event type and any related modifications to BWV policy.

IV. DEPARTMENT RESPONSE

Regarding Incident Number tracking, the Mission Training Coordinator advised:

Notifying personnel is continual regarding identifying each video with the COMPLETE incident number. Many officers still are not doing this. Several officers are also identifying their video with just the last four of the incident number. This is an issue since the last four is repeated on a daily basis. Additionally, officers have reported that there have been instances where poor reception (network?) may cause the inability to "identify" their video on their viewing device. Eventually, once reception is received, officers are encouraged to identify the video as soon as practicable on their viewing device. An alternate method is to dock the camera and once video(s) are uploaded, log onto Evidence.com and then identify the video.

¹⁷ The OIG generally found the BWV audio recording quality to be adequate.

¹⁸ Because of this partial video recording, the OIG generally could not determine if the arrestee was seatbelted, an audit test.

APPENDIX

Section 1. Policy Re. 90-Day Transition Period

Per Operations Order No. 3-2015: “To ensure the positive implementation of BWV, a 90-day transition period was established to provide Department personnel with adequate time to be acclimated in the use of BWV. The transition period begins when the Department employee is issued BWV *and* completes the training . . . During the transition period, unintentional deviations in policy and procedure in the use and deployment of BWV may occur. This is anticipated because Department employees are acclimating to BWV, and developing the necessary knowledge to effectively utilize the system. The incidents will be considered training issues, and during the transition period, Department employee should receive non-documented counseling and training only.”

Section 2. Policy Re. Positioning of the BWV Equipment

Per Special Order No. 12-2015: “The BWV camera is worn on the outside of an officer's uniform, facing forward to make video and audio recordings.”

Per Uniform Committee Notice dated October 8, 2015, Item 4, Approval of Wear of Body Worn Cameras on Department Uniforms: “All body worn cameras shall be worn as an attachment to a Department approved uniform. The camera shall be worn forward facing, worn mounted from the waist up, and on the outer most garment. No Department uniform shall be altered to accommodate the wearing of a body worn video camera. Only Department approved attachments are authorized for use in mounting the body worn camera to a Department approved uniform. The Department will continue to evaluate the best practices regarding placement and wear of body worn video devices.”

Section 3. Policy Re. Activation of the BWV Equipment

Per Special Order No. 12-2015, “Officers shall activate their BWV devices prior to initiating any investigative or enforcement activity involving a member of the public, including all: vehicle stops; pedestrian stops (including officer-initiated consensual encounters); calls for service; Code 3 responses (including vehicle pursuits) regardless of whether the vehicle is equipped with in-car video equipment; foot pursuits; searches; arrests; uses of force; in-custody transports; witness and victim interviews (except as specified below); crowd management and control involving enforcement or investigative contacts; and, other investigative or enforcement activities where, in the officer's judgment, a video recording would assist in the investigation or prosecution of a crime or when a recording of an encounter would assist in documenting the incident for later investigation or review.”