COPWATCHERS:

CITIZEN JOURNALISM AND THE CHANGING POLICE-COMMUNITY

DYNAMIC

by

Ashley K. Farmer

A dissertation submitted to the Faculty of the University of Delaware in partial
fulfillment of the requirements for the degree of Doctor of Philosophy in Criminology

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ABSTRACT

Recent high profile police-citizen encounters have highlighted how citizen journalism may shape public perceptions of police-community relations. Modern technological advances have enabled citizens to use cell phones to film and photograph the police, leading to increased awareness of police use of force. Controversial incidents have also led to a push for police officers to wear uniform body cameras. Given this is a new phenomenon, citizens recording the police has received little research attention. As such, this dissertation explores the motivations and reasons why citizens record the police, and how "copwatching" can change the dynamic of the police-community relationship. Through in-depth interviews with citizens and police officers, this study addresses why citizens record the police, law enforcement's response to being recorded in public, the implementation of body worn cameras as another tool of accountability, and the overall impact of citizen journalism. Results indicate that citizens record the police because of accessibility of devices, a desire for accountability and preventing misconduct, and passive resistance. In some instances, they have witnessed questionable acts and started filming as evidence. Citizens' previous personal and vicarious contacts with police were also influential, as some citizens maintained they would never record the police for fear of what may happen, based on their prior experiences. Police officers were overall accepting of citizens filming them unless it became distracting or individuals interfered. Importantly, the use of body worn cameras and citizen-generated recordings both have the ability to change officer and citizen attitudes and behaviors. Police officers question how it will affect their use of

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discretion, and note that citizens become more stubborn to follow orders when they are filming the police. The act of "copwatching" has become more individualized and widespread, changing the role of the citizen from passive observer to one that holds police accountable. Citizen recordings also alter perceptions of police legitimacy, especially in neighborhoods where there is already low trust in police. Ultimately the dynamic of the police-community relationship is changing because of citizen journalism, and becoming more publicized and adversarial via citizens challenging authority.

Chapter 1

INTRODUCTION

January 2009, Oakland, CA: A young man named Oscar Grant, who may have been handcuffed or otherwise restrained at the time of the incident, is shot and killed by a BART police officer.

July 2014, Staten Island, NY: A man named Eric Garner is placed under arrest and is put in an alleged illegal chokehold by an NYPD officer, stops breathing, and eventually dies.

February 2015, Fort Lauderdale, FL: An officer slaps a man sitting on the ground in front of him, proceeding to hurl curses at him.

March 2015, Los Angeles, CA: Several police officers are involved in a fatal shooting incident of a homeless man known as "Africa" on Skid Row, who was allegedly reaching for an officer's weapon.

Each of the incidents described above share an important characteristic: they were all police-citizen interactions caught on video taken by witnesses with cell phones. These are just a few examples of the kinds of interactions happening between the police and communities that are frequently filmed by citizens. Cell phone technology has greatly evolved over the past decade, to the point where many people now have video recording capabilities right in their pocket, causing a substantial growth in people recording the police (Kies, 2011), disseminating these recordings online and being prosecuted under state wiretapping laws (Bodri, 2011; Cerame, 2012; Kies, 2011; Mishra, 2008; Robinson, 2012).

This dissertation explored reasons for and perspectives on citizens recording the police. Recent police use-of-force events in Ferguson, Missouri, New York City, and Charleston, South Carolina have highlighted how recording and social media may shape

public perceptions of police accountability and police-community relations. Modern technological advances enable citizens to use cell phones and other personal devices to film and photograph the police, leading to increased awareness of police use-of-force and misconduct. Recording people's interactions with the police has indeed surfaced as a vital social phenomenon in recent years as scores of such videos have been circulated on popular social networking and news websites. Accordingly, whether the public should be permitted to record police activity has sparked considerable debates and litigations.

To date, the scant literature on recording police has focused on legal ramifications and legislation, particularly with constitutional issues and privacy concerns. Legally, in *Katz v. United States* (1967), the Supreme Court ruled that citizens could not be wiretapped without their knowledge as it violated their Fourth Amendment right to privacy and protection from government intrusion (Alderman, 2010; Bodri, 2011; Kies, 2011; Robinson, 2012). Some police departments have interpreted and expanded this as a justification for arresting citizens who record or photograph the police. Massachusetts has garnered the most attention regarding the use of wiretapping laws to prosecute citizens such as Simon Glik, who was arrested in 2007 for recording alleged police misconduct towards another citizen. Glik was charged with illegal wiretapping, aiding the escape of a prisoner, and disturbing the peace (Ott, 2012). Although charges were later dropped, he filed a constitutional tort suit against the officers and the city of Boston, alleging his First and Fourth Amendment rights were violated (Hudson, 2012). This case sparked interest in the ways that citizens were beginning to use technology to film the police, especially in police use-of-force incidents.

Similar cases occurred in Chicago, where Tiawanda Moore and Christopher Drew were arrested for secretly audio recording separate encounters with the police (Terry, 2011, January 22). In 2011, Moore was acquitted of felony eavesdropping charges after secretly recording a conversation with a police officer. In 2012, a Cook County judge ruled in Drew's favor, stating that the eavesdropping law was unconstitutional, which was a response to Drew's audio recording his arrest without making police aware that he was taking the recording. Eventually, in March 2014, the Illinois Supreme Court declared the eavesdropping law on the books unconstitutional (Schmadeke, 2014). However, as of December 2014, the Illinois State Senate and House passed a bill that prohibited citizens from recording any private conversation between two or more persons when at least one person had a "reasonable expectation of privacy", with more stringent punishment if it involved law enforcement (Halleck, 2014, December 9). Proponents have argued that reasonable expectation of privacy does not apply to police officers performing job duties in public spaces. Regardless, these incidents have instigated debates about whether or not citizens should freely record the police, and to what extent.

Massachusetts, the state that prosecuted Simon Glik for recording the police, has one of the strictest interpretations of wiretapping laws. In the Massachusetts statute Chapter 272, Section 99, the following passage exemplifies how the law has been used against citizens recording police:

> The general court further finds that the uncontrolled development and unrestricted use of modern electronic surveillance devices pose grave dangers to the privacy of all citizens of the commonwealth. Therefore, the secret use of such devices by private individuals must be prohibited. The use of such devices by law enforcement officials must be conducted under strict supervision and should be limited to the investigation of organized crime.

Currently, 12 states (California, Connecticut, Florida, Illinois, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, Pennsylvania, and Washington) have a strict interpretation of wiretapping and/or eavesdropping laws requiring the consent of all parties that are being recorded (Alderman, 2010; Kies, 2011; Schaefer, 2012, Robinson, 2012). This is in line with other states that have criminalized recording police-citizen encounters without consent of all parties involved (Mishra, 2008). Most of these states have a provision for reasonable expectation of privacy (Silverman, 2012), meaning that police can be recorded while on duty in a public space.

Other issues addressed in the prosecution of citizens under wiretapping laws are whether or not the laws to protect police privacy and safety on the job should be outweighed by citizens' rights under the First Amendment, specifically the freedom of press. Kies (2011) suggested an amendment to the Omnibus Crime Control and Safe Streets Act of 1968 that communications with police officers may be recorded unless such act poses a risk of harm to the officer, other persons, or national security. Ultimately, it has been argued that prosecution under privacy laws are misplaced, and the government creates or bends existing laws to empower the police and find ways to justify controversial issues (Bodri, 2011; Jeffries, 2011). The debate persists as to whether or not the police have a reasonable expectation to privacy. While the police are citizens, this expectation is diminished because of their capacity as public officials and their interactions with people in the public sphere (Kies, 2011; Mishra, 2008; Schaefer, 2012).

This study will provide an in-depth look at how new technology is being used to potentially enhance public monitoring of police in communities. Allowing the public to

act as a check on police power and prevent misconduct is an essential element of transparent policing in a democratic society (Mishra, 2008).

Emergence Of Citizen Journalism And Body Worn Cameras

Recording police-citizen encounters is a form of *citizen journalism*, which has been defined broadly as an ordinary person who actively engages in recording, generating, and disseminating newsworthy events, allowing citizens to confront issues of social injustice and police accountability with technology such as cell phones (Antony & Thomas, 2010; Greer & McLaughlin, 2010). This transforms street-level policing to a 'high visibility' occupation (Sandu & Haggerty, 2015). Rosen (2008) developed a simpler definition of citizen journalism: when people formerly considered to be the audience employ the press tools they have in their possession to inform one another.

While the mainstream media promotes pro-police perspectives, citizen journalism counters the status quo with visual evidence (Greer & McLaughlin, 2010). Citizens use recording as a tool to 'police the police' in an effort to promote accountability (Sandu & Haggerty, 2015). Indeed, citizen journalism relies on the concept of "sousveillance" (Mann, Nolan, & Wellmann, 2003). This type of inverse surveillance monitors powerful entities (Marwick, 2012), such as the police. Many formal surveillance activities include organizations observing citizens. New technologies nonetheless enable citizens to participate and exercise reverse surveillance over those in authoritative positions (Koskela, 2011; Mann, Nolan, & Wellmann, 2003, p. 180). Using cell phones to record police-citizen encounters thus is a primary example of sousveillance, encompassing the notion that there is an unbalanced power relationship between citizens and the police and that inverse surveillance can be used by

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social groups who are the subject of constant monitoring by legal authorities, creating a 'new visibility' of police that changes public perception (Goldsmith, 2010; Thompson, 2005). This further challenges policing, in an attempt by citizen journalists to balance what has previously been a surveillance-only society (Mann & Ferenbok, 2013).

Citizen journalism happened in the deaths of Oscar Grant and Ian Tomlinson, both killed during police encounters (Antony & Thomas, 2010; Goldsmith, 2010; Greer & McLaughlin, 2010). Oscar Grant was shot during an encounter with BART police in Oakland, California on the New Year's Day of 2009, and eyewitnesses recorded the interaction, including the shooting, with cell phones and later uploaded the videos to the internet, which were later used at the trial of the officer who shot Grant (Antony & Thomas, 2010). Ian Tomlinson died during a police confrontation at the G20 summit protests in London, UK, and citizen generated videos contradicted police testimony about the event, illuminating issues in police misconduct (Greer & McLaughlin, 2010). Public response to both of these events demonstrated appreciation for vigilante citizens challenging police abusive behavior and for the use of modern technology, including how technology empowers citizens to confront social injustice (Anthony & Thomas, 2010; Greer & McLaughlin, 2010). Although citizens might not always take advantage of these opportunities, police organizations have become increasingly aware of the impact that these recordings can have on "public perceptions of the legitimacy and authority of police work" (Greer & McLaughlin, 2010, p. 1043), which can further damage confidence and trust in the police.

A large number of websites that disseminate information on how to go about recording the police (Silverman, 2012) have greatly promoted citizen journalism. An application specifically created for Android phone users was released by the American

Civil Liberties Union of New Jersey, which can assist citizens in secretly recording the police (Silverman, 2012; Walker & Archbold, 2014). This application also has the ability to automatically send any recordings to the ACLU-New Jersey, in case the device is seized. Another highlighted article lays out "7 Rules for Recording Police", including know the law, do not secretly record the police, respond to the police, do not share the video with the police, prepare to be arrested, master your technology, and do not point your camera like a gun (Silverman, 2012).

Another issue entwined in the complex discussion of citizen journalism is body cameras worn by the police. The number of police departments implementing body worn cameras (BWC) is clearly on the rise, with an estimated 25 percent of police departments in the United States currently using or preparing to utilize the technology (Ryman, 2015, January 15). In 2014, President Obama set forth a proposal including a Body Worn Camera Partnership Program to provide funds to purchase uniform cameras and store data. A report entitled, "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned" was also published by the Office of Community Orientated Policing Services at the U.S. Department of Justice (Miller, Toliver, & Police Executive Research Forum, 2014). The emergence of BWC has received vast amounts of attention, but questions remain on the impact that this truly has on police attitudes and behavior.

Pros And Cons Of Recording Police-Citizen Contacts

Accountability and civilian oversight of police have been prominent concerns in society. A well-known Latin phrase asks, "Who will watch the watchmen" (Burger, 1964)? If the police are considered to be "watchmen," then it could logically follow that citizens recording police activities are doing the "watching" to enhance the

accountability of law enforcement. Recording the police and engaging in citizen journalism can bring misconduct and other abusive actions to the forefront, revealing injustices and, in some cases, hopefully causing police officers to alter their behavior (Johnson, 2010, October 15; Mishra, 2008; Murphy, 2013; Robinson, 2012; Skehill, 2009).

Recording police can be used not only to expose misconduct, but also to legitimize the policing profession, improve trust in law enforcement, and ultimately increase police effectiveness (Kies, 2011; Potere, 2011). Video recordings taken by citizens, particularly by residents in minority neighborhoods who have been subjected to higher levels of aggressive policing and show a deep mistrust of the police, promote police accountability and a sense of bringing justice back to their (citizens') own hands.

Opponents of using personal devices to record police-citizen encounters argue that recording can obstruct police duties or even unfairly influence public opinion and misrepresent police work (Jeffries, 2011; Kies, 2011). In fact, many of the arrests that have been made for recording police have happened under the accusation that the citizen was interfering with police work by recording, bringing up concerns for police safety and physically intrusive distractions by the public (Mishra, 2008).

Looking at the impact of BWC, a frequently cited 2012 study of the Rialto County, California Police Department's implementation of body cameras concluded that it reduced use of force incidents by up to half (Ariel, Farrar, & Sutherland, 2015). This report has been debated as unreliable, however, as the Rialto Police Department is rather small, and the study was conducted in collaboration with TASER International, Inc., a company that sells BWC (Kayyali, 2014, December 8). Results from Oakland, California were less encouraging, showing problems with the technology itself and with

cameras being turned off by officers (Kayyali, 2014, December 8). Privacy issues remain a primary concern, especially when a police officer has to enter a private residence when the camera is always on, which has prompted questions on whether or not there should be exceptions to when the uniform cameras are used (Cushing, 2015, February 19).

Ultimately, there are doubts about how well BWC could deter misconduct, and those in opposition point out that the police are still in full control of the narrative in these situations. For police-citizen altercations that were caught on video, there has occasionally been outrage once BWC recordings were released. However, the recording did little at the time to deter officers. More importantly, uniform cameras do not address underlying structural problems and mistrust in communities.

Research Questions

The primary goal in this study is to understand why people record police-citizen encounters and how recording such contacts can affect police legitimacy and police-community relations. This is a necessary first step to explore how new technology is being used by both residents and police officers to enhance police accountability. Problematic encounters caught on video and disseminated by citizens have led to questions, outrage, and protests. To better understand these actions, and how they may be attached to police accountability and citizen perceptions of the police, this study used data collected from in-depth interviews with community members, some that have recorded the police in the past, and interviews with police officers. As such, this dissertation project aimed at answering three broad categories of research questions.

First, why do citizens record their own or others' contacts with the police? This question explored motivations for why citizens record the police and factors that

influence decisions. Although videos taken by citizens can be found online, no reliable data has indicated what prompted an individual to record police activity, and no delineation was made regarding who took the recordings. Are citizens more likely to record the police if they have negative encounters themselves? How does trust in the police affect these decisions? Interviews with community members, including those who have previously recorded the police and those who have not and claim they would never record the police, delved into these decision-making factors.

Secondly, what is the police response to citizens recording their actions? How do police officers perceive BWC? How does recording, either by citizens or the police themselves, affect officers' willingness and ability to do their work, and how might the possibility of constant surveillance influence their field actions? This aspect of the study investigated how police officers in the community felt about being recorded, and how they have handled incidents of being recorded in the past, if applicable, and compared this to how citizens have described their interactions with the police. Police attitudes toward citizens taking recordings or uniform body cameras are important to note, especially since both departments involved in this study (see more discussion on the departments in the methodology section) are in the process of implementing BWC. Police attitudes about being recorded may impact how they police communities and how they interact with citizens. The response to citizens filming also helps determine how officers might change their behavior, if at all, if they are aware of being recorded.

Lastly, what are the consequences and impact of recording the police, and how does it alter citizen perceptions of police in their community? Has recording the police, as a rising social phenomenon, changed the role of the citizen from passive observer to one that holds police accountable and has some leverage in police-public encounters

using new technology? Can communities use recordings to renegotiate their position in society with powerful social control agents? Sandhu and Haggerty (2015) noted in their study on police perceptions of being recorded that officers had anxieties surrounding how cameras and recordings can alter the dynamics of policing. As such, this study will address that specific question.

The Research Setting

A small city in the Mid-Atlantic region is the research site for conducting this study, and data were collected through interviews with both residents and police officers of that community. It is a city that has had significantly higher crime rates, ranking in the top three on an FBI list of most violent cities of comparable size (Jones, 2014) and has been plagued with poor police-community relations. Indeed, there is a great deal of mistrust and skepticism from local residents toward the police. The community has criticized the procedures of the police, which include "jump outs" and "stop-frisk-and-detain" tactics (Riggs, 2013, November 26; Williams & Taylor, 2005, February 21). The latter eventually lead to a lawsuit filed by two citizens who claimed their constitutional rights were violated (Riggs, 2013, November 26). "Jump outs" have been a common method, when plainclothes officers see suspicious activity and jump out of their vehicle to conduct searches, a tactic labeled as antiquated by many in the community, as well as an approach that avoids addressing the real problems (Williams & Taylor, 2005, February 21).

"Jump outs" and "stop-and-frisk" are not the only questionable methods that have been employed by one of the police departments in this study. In 2002, for instance, the department implemented a practice of creating a database of photographs for a pool of potential suspects, despite the fact that none of these people had ever been

arrested (Connolly, 2012, October 1). In early 2014, the names of anonymous informants were accidentally leaked on social media, amid suspicions that the leak happened from inside the department (Mendte, 2014, July 10). Finally, in early 2015, a young man was shot and critically injured by the police, ending up paralyzed. Initially, the formal statement from the police department alleged that the suspect had opened fire on officers. This story changed, however, in the following weeks, when police said although the suspect did not fire at them, the suspect did point a weapon at them (Barrish and Reyes, 2015, March 7). These conflicting accounts have increased calls from residents for better accountability.

The tumultuous relationship between residents and law enforcement are exemplified in reports of violence directed at police themselves. For instance, after a man was shot in early 2014, a large crowd formed around responding officers and began throwing rocks, striking several police officers (Stamm, 2014, April 4). In 2013, shots were fired at police officers who were speaking to community residents about a separate incident. Afterwards, witnesses refused to come forward and speak to or cooperate with the police (Riggs, 2013, November 26). While this is not a regular occurrence, it does depict the turbulent interactions between police and the community.

The lack of cooperation largely stems from fear of retaliation, lack of trust in law enforcement, and general dissatisfaction with the work of the department (Riggs, 2013, November 26). Many in the community feel that the police enhance, rather than address, problems, and do not become involved in the community (Connolly, 2012, October 1). The police look suspiciously towards community members, respond apathetically to problems, and resort to victim blaming (Connolly, 2012, October 1; Williams & Taylor, 2005, February 21).

The chief of police and department supervisors are aware of the issues plaguing the community, and believe that a greater police presence would help build trust (Mendte, 2014, July 10). In early 2015, the police department developed "Operation Disrupt" to address violence among youths (Cherry, 2015, January 26). This tactic consisted of night curfews and pedestrian stops in high-crime areas. Foot patrols have also been approved. City politicians have added that the community has to help by talking with the police (Cherry, 2015, January 26). The lack of public cooperation has frustrated the department, adding to the tenuous relationship between residents and the police (Williams & Taylor, 2005, February 21). Although the city police department has one of the largest police forces per resident in the country, there are questions about how these officers are utilized and if enough of them patrol the community (Starkey, 2015, February 7). Ultimately, the police department and chief are hoping that increased visibility of the police would lead to new methods of working together with the community (Lehman, 2013, August 14).

The city police department has been assisted occasionally by the county and state police forces in combating crime and violence problems in the city. The mobilization of other police forces relied exclusively on financial support provided by the state offices (e.g., attorney general's office) and so far did not appear to have a noticeable impact on crime and violence in the city.

Significance of the Study

This study holds both theoretical and practical significance, providing valuable contributions to both theory construction and policy and practice in criminal justice. The issue identified here - citizens recording the police - have only just begun to attract the attention and study in the literature of criminology or criminal justice. As such,

scholars and practitioners do not know or understand the motivations behind citizens recording the police, or how these recordings may change the dynamic between communities and police forces. For this reason, this proposed research would be a groundbreaking study into the recording of police-citizen encounters and how new technologies have allowed for a growing social force that promotes police accountability and citizen oversight. Information of this kind provides needed empirical evidence for the elaboration of a more comprehensive theoretical framework of police-citizen encounters in the information technology era, when policing is highly sensitive to and mainly driven by data and technology.

There are practical implications of this research as well. This research provides valuable new information on citizens recording the police. This information allows criminal justice policy makers and police administrators to have a better understanding of why citizens may or may not want to film the police, and how the police react to such recording. Prior experience with police and the impact of a general mistrust in law enforcement govern decisions on citizen journalism and dissemination of recordings. Appropriate policies and programs can be implemented to address any concerns and problems associated with recording the police and body worn cameras, and work to further build trusting relationships between the police and local communities. For example, police departments can focus on training aimed at refreshing officers about the legality of publicly recording the police and minimizing citizen complaints against police field practices, as well as trainings and initiatives that focus on communication and professionalization of policing, to improve police-citizen relations. Such initiatives, along with dashboard and body cameras employed by the police, could prevent false accusations (or confirm citizen complaints) and strengthen the legitimacy of police

intervention. More importantly, it can begin to rebuild trust between the community and the police.

Plan of Study

This dissertation, which includes seven chapters, was organized around issues of police accountability and the relationship between law enforcement and the community. Chapter two discusses the relevant literature, including police accountability and oversight, police legitimacy, and recent studies on copwatching, surveillance, and BWC. It also invoked several theoretical models that can be used to explain willingness to record the police, including sense-of-injustice, comparative conflict theory, and racial injustice models. Lastly, literature on trust in law enforcement and perceptions and attitudes toward the police were examined.

Chapter three was devoted to methodology. This is a qualitative study using semi-structured in-depth interviews with residents, and with police officers from two departments who live and work at the research site, to explore why citizens record the police and the effects of recording by the public and police. Details were provided for the research site, as well as information on participant recruitment, respondent characteristics, and a broad discussion of the interview questions, for both police and residents.

The fourth chapter explored the general motivations and reasons why citizens record the police, based on interview data. Respondents being interviewed have various roles in regard to this research. Some of them have recorded the police at some point within the past three years. Others are community members such as local council members and prominent citizens. The incidents that led to the recording(s) are described if applicable, including if and how the recording was disseminated on social media, and

what happened after the recording was taken. Data from police interviews was included as well, to explain their perceptions and reactions to being recorded in public, illuminating other reasons why citizens record the police.

Chapter five discussed the impact of recording, and what this means for police legitimacy, as well as behavioral and attitudinal changes that can result from citizen journalism. The data examined how citizens recording the police can possibly affect how the police do their jobs and how they are aware they could be recorded at any time. Police officers described possible or actual changes in their police work as a result.

Chapter six explicitly examined police use of uniform body cameras. Both police officers and residents were asked about their opinions on the inevitability that body worn cameras will become a requirement on police uniforms. This issue is examined regarding how it might affect future relations in the community, as well as benefits and downfalls of BWC technology.

Finally, chapter seven summarized the important findings, implications, and limitations of this study, with suggestions for future research. Primarily, this focuses on how recording the police influences issues of accountability and trust, and how the police-citizen dynamic changes because of technology that allows citizens to record the police.

Chapter 2

REVIEW OF LITERATURE

The main purpose of this study is to explore the motivations for why citizens record the police, and how these decisions to record police possibly alter the relationship between law enforcement and members of the community. This literature review outlines some of the factors associated with willingness to record the police, including background characteristics such as race, personal and vicarious experiences with the police, sense of social justice, and personal beliefs in the deterrent effect of recording police and legal justifications for doing so. It also assesses the possible consequences associated with recording the police, including enhanced police accountability, and how the police alter their attitudes and behavior in the face of advanced technological changes that impact their work and their interactions with citizens.

Willingness to Record the Police

The motivations for recording the police could very much relate to the background characteristics and past experiences of individuals. For personal demographics, this section of the review focuses on race/ethnicity, as it is arguably one of the most salient features in grounding social relationships and control strategies in America (Higginbotham & Anderson, 2012).

Race and Ethnicity

Previous research has yet to formulate a theoretical linkage between people's racial and ethnic background and their inclination to record encounters with the police. Fortunately, theoretical frameworks have been well articulated to account for racial/ethnic disparity in public assessments of legal authorities and injustice, which can be reasonably extended to explain the relationship between race/ethnicity and willingness to record police-citizen encounters. Originating from social psychology (Berger, Zelditch, & Anderson, 1972; Deutsch & Krauss, 1965; Runciman, 1966), the sense-of-injustice model, for example, posits that public evaluations of criminal justice agencies are profoundly affected by the feeling of being treated unjustly by the gatekeepers of the system, police officers (Wu et al., 2009).

Existing evidence consistently shows that African Americans tend to display less positive attitudes toward legal authorities (Brunson & Miller, 2006; Longazel, Parker, & Sun, 2011; Lundman & Kaufman, 2003; Weitzer & Tuch, 2002) because they are likely to have personal or vicarious experiences of unequal treatment by the criminal justice system in general and the police in particular, leading to a higher level of sense-of-injustice among Blacks (Anderson, 1999; Brunson, 2007). Indeed, the disproportionality by race in arrests, use of deadly force, and traffic stops has a negative impact on minority and poor communities and casts serious doubt about the impartiality of policing among Blacks (Barlow & Barlow, 2000; Justice Policy Institute, 2012; Walker, Spohn, & DeLone, 2007).

The central propositions of the sense-of-injustice model are parallel to the arguments of comparative conflict theory, which proposes that Blacks perceive more injustice than any other racial category, and minorities who have contacts with the

criminal justice system are differentially impacted and their perceptions change from these experiences (Hagan, Shedd, & Payne, 2005). Minority citizens frame their perceptions of injustice from a historical and social perspective, which tend to be formed during their youth. This theory also proposes that Hispanics should perceive less injustice than African Americans, because not only do Hispanics have a less intensive history of discriminatory treatment within the United States, but also because Whites and their agents of social control are more likely to view Hispanics as less threatening than African Americans due to their lighter skin tone (Buckler & Unnever, 2008; Buckler, Unnever, & Cullen, 2008; Hagan et al., 2005).

Comparative conflict theory has received some empirical support. For example, focusing on perceived injustices within police-citizen encounters, including racial profiling, perceptions of police brutality, police use of force, and differential treatment, Buckler and Unnever (2008) found that there is a clear racial-ethnic divide in perceptions of injustice, where minorities were much more likely to see the system as unjust and to perceive inconsistent treatment from the police. While the authors looked at the racial categories of Black, Hispanic, and White, they found that Blacks perceive more injustices than any other racial category. Comparative conflict theory thus explains gradient perceptions of injustice.

The sense-of-injustice thesis also echoes findings from studies on procedural justice which suggest that people's perceptions of local legal authorities, including the police, are chiefly shaped by whether they perceive such agencies as fair and equitable in both the procedures for making decisions and the outcomes of the decisions (Tyler, 1990). People's perceptions of legitimacy are also influenced by perceived fair distribution of police services (so called distributive fairness or justice) across

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individuals and/or social groups/communities. Distributive fairness, however, is argued to play a less salient role than procedural justice in shaping police legitimacy (Sunshine & Tyler, 2003; Tyler & Huo, 2002). Studies have shown that Black Americans' perceived legitimacy of police interventions is lower than their White counterparts. In 2008, for example, a quarter (25%) of Black drivers believed that the police did not have a legitimate reason for stopping them, compared to 13.7% of White and 17.5% of Hispanic drivers (Eith & Durose, 2011). Low perceptions of police legitimacy may lead to low legal compliance and cooperation with the police, poor police-community relations, and even more deviant and criminal behavior (Anderson, 1999; LaFree, 1998; Tyler, 2003).

Past research has consistently found that racial minorities, African Americans in the case of much of the research, are more inclined to perceive injustice (Buckler et al., 2008; Hagan et al., 2005) and rate the police less favorably than Whites (Brown & Benedict, 2002; Peck, 2015; Weitzer & Tuch, 2006; Wu et al., 2009). Having a strong sense of procedural injustice and a lower perceived legitimacy of police control, minorities may seek ways to minimize the potential risk associated with their personal and fellow citizens' contacts with the police. For many young minorities with smart phones, recording self or other people's encounters with the police may become one of their options to fight against possible mistreatment by the police.

In a pilot study of this dissertation project, it was found that minority college students were more willing than their white counterparts to record police-citizen encounters (Farmer, Sun, & Starks, 2015). While this study only assessed willingness of individual students to record the police and not actual behavior, results indicated that minority students were more likely to have previously recorded the police in the past, to

have been arrested, and to have had negative encounters with the police (Farmer et al., 2015). This fits in the context of racial tensions and policing in America, where minorities have consistently been the primary targets of formal social control measures, causing a deep divide in perceptions of racial injustices (Henderson et al., 1997; Matsueda & Drakulich, 2009). Minorities view the system as discriminatory, drawing on their experiences during police encounters. Races differ in judging the fairness of the criminal justice system, which largely supports a conflict theory perspective (Hagan & Albonetti, 1982; Henderson & Cullen, 1997). As Dunn (2010, p. 557) summarizes, "The historically contentious relationship between the black community and the police is one of the most enduring and seemingly intractable challenges facing law enforcement and public officials in the United States."

Personal and Vicarious Experiences

Crime control in the United States has long been rooted in power differentials. Perceptions of criminal injustice undermine the legitimacy of the criminal justice system as a whole, especially in terms of the large number of socially disadvantaged groups who come into contact with the criminal justice system, and view it as unjust based on these experiences. Very little research has been conducted to assess the direct connection between past experience with the police and willingness to record police-public encounters. A rich line of investigation has examined the impact of past experience with the police on public assessments of the police, which shed light on willingness to recording the police.

Personal direct and indirect experiences have been shown to shape attitudes toward the police (Bordua & Tifft, 1971; Correia, Reisig, & Lovrich, 1996; Frank, Smith, & Novak, 2005; Hurst & Frank, 2000; Priest & Carter, 1999; Skogan, 2005;

Tewksbury & West, 2001; Weitzer & Tuch, 2004). While positive interactions may not alter perceptions, negative interactions have the ability to change attitudes about police officers (Hawdon & Ryan, 2003). Direct experiences with the police can be voluntary and citizen initiated, or involuntary, when a person is approached by the police (Miller & Davis, 2008; Reisig & Parks, 2002; Wu, Sun, & Triplett, 2009). Voluntary contacts may be more positive, whereas police initiated encounters are more adversarial (Schuck, Rosenbaum, & Hawkins, 2008), but research differs on this, as some have suggested that citizen-initiated contacts are more likely to reduce confidence in the police (Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005). Perceptions of police effectiveness may change depending on response time, demeanor towards citizens, and if the procedure is deemed fair (Engel, 2005; Frank, Smith, & Novak, 2005; Skogan, 2005; Tyler, 2005).

Recent studies show that instead of direct personal experience, vicarious experience more directly influences attitudes toward the police. Vicarious experiences have an important impact on perceptions of police, as a citizen's knowledge of another person's encounter may be internalized and communicated with others, having a multiplier effect on beliefs about the police (Goldsmith, 2005; Harris, 2002; Jacob, 1971). Confidence in the police is not generated so much by direct personal experience, but more often influenced by the attitudes of peers and prejudices about law enforcement (Goldsmith, 2005; Weitzer, 2000). Research findings indicate that hearing about negative encounters through other contacts, especially other household members, friends, and relatives, significantly reduced public confidence in police and was influential in shaping attitudes (Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005; Schuck, Rosenbaum, & Hawkins, 2008; Weitzer & Tuch, 2005).

Data suggests there are also racial differences among vicarious experiences, as blacks were much more likely to know someone who was a victim of police misconduct (Weitzer & Tuch, 2004). African Americans tend to display less positive attitudes toward law enforcement (Brunson & Miller, 2006; Longazel, Parker, & Sun, 2011; Lundman & Kaufman, 2003; Weitzer & Tuch, 2002) because they are likely to have personal or vicarious experiences of unequal treatment by the criminal justice system. Minorities that come into contact with police often report experiencing negative encounters, and these encounters lower opinions of the police and have a stronger effect on attitudes than do positive experiences (Weitzer, 2000). Low perceptions of police legitimacy may lead to low legal compliance and cooperation with the police, poor police-community relations, unwillingness to report crimes, and even more deviant and criminal behavior (Anderson, 1999; Belvedere, Worrall, & Tibbetts, 2005; Davis, 2000; LaFree, 1998; Tyler, 2003).

The quality of the encounter also makes a difference, especially for citizen-initiated or voluntary contacts (Dean, 1980; Miller & Davis, 2008). Attitudes toward the police generally remain stable regardless of encounters (Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005). Other studies show that more frequent negative encounters are likely to create antipathy toward the police (Miller & Davis, 2008). Some research asserts that any contact with the police reduces confidence and can lead to more negative perceptions (Block, 1971; Smith & Hawkins, 1973).

In the aforementioned pilot study of student willingness to record police-public encounters, negative encounters with police officers were positively related to willingness to record the police (Farmer et al., 2015). Because past experiences shape perceptions of law enforcement, it could logically follow that citizens with negative

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experiences, either direct or vicarious, are more suspicious of the police, less trusting of

law enforcement, and have antagonistic perceptions of the police. As such, this might

make them more willing to record the police in order to document their lived negative

experiences and justify their opinions of the police. This finding echoes the results of

past research showing that the type and content of police-citizen contacts matter in

shaping public assessments of the police (Dean, 1980; Frank, Smith, & Novak, 2005;

Reisig & Parks, 2000; Skogan, 2005).

Personal Beliefs and Legal Consciousness

Social Justice

It has long been argued that human behavior is guided by utilitarianism, which

stresses maximizing total benefit and reducing costs or suffering associated with the

course of an action (Bentham, 2001). The morally right action is the one that generates

the overall good, including the good for oneself and the good for others. Applying

Bentham's utilitarian principle to the issue under consideration, people are more willing

to recording police-citizen encounters if the act of recording is perceived to be morally

correct or culturally acceptable and can produce such benefits as social justice, fairness,

and equality.

Social justice is a concept broadly defined as the fair and proper administration

of laws to all persons, based on principles of equality (Miller, 2003; Rawls, 1971). Each

society has a basic structure, which includes social, economic, and political institutions,

and citizens are expected to be bound by these institutions and accordingly accept

formal and informal laws from them (Rawls, 2001). In the arena of policing, the

public's sense of justice could be reinforced through police departments' mission

statements and officer code of conduct and, even more importantly, the equal application of the laws and services to all social groups (Robinson, 2010). Abusive police behavior and misconduct, such as racial profiling, use of excessive force, and corruption, are likely to be the primary sources of public sense of injustice in policing, since such actions are inconsistent with the "equality principle" and "equal liberties" proposed by social justice theorists (Robinson, 2010).

A belief in social justice was found to be significantly linked to students' willingness to record the police (Farmer et al., 2015). In this respect, students who believed that recording the police could enhance social justice, and felt it was justified, were more likely to engage in such action. Citizens who strongly advocate for social justice would hypothetically be more likely to engage in activities that bring awareness to acts of injustice, including instances of police misconduct. Utilizing personal devices to record the police, and invoking certain rights to do so, would be a primary way to ensure social justice for those wronged. This is a theme that becomes entrenched within other ideas of equality, racial relations, and legal consciousness, but is nonetheless important to acknowledge.

Belief in the Deterrent Effect

From traditional preventive patrol to mandatory arrest for domestic violence to hot-spot policing, the police have relied heavily on the promises of deterrence in preventing and fighting crime. The deterrence theory also serves as the guiding principle in controlling police misconduct, particularly corruption. As Sherman (1978, p. 146) pointed out, police agencies attempted "to increase the detection and punishment of corrupt acts in order to deter all officers in each department from engaging in corrupt acts".

In addition to internal investigation, external control mechanisms of police abusive and corrupt acts include mobilizing public opinion, special investigation commissions, and civilian review (Walker & Katz, 2012), all of which are expected to exert a deterrent effect on future offending. Prior studies have shown that legal and extra-legal sanctions could prevent police misconduct (Pogarsky & Piquero, 2004) and that citizens support various initiatives to deter misconduct, particularly when a high profile incident occurs (Weitzer, 2002).

Results from the pilot study show that belief in recording the police as a method of deterring police misconduct led to a greater willingness to record the police (Farmer et al., 2015). Allowing the public to act as a check on police power and prevent misconduct is an essential element of promoting transparent policing in a democratic society (Mishra, 2008). When citizens realize the power or utility that they wield in recording the police, either to prevent misconduct from occurring initially or to document what they perceive as misconduct as it is happening, it is reasonable to assume that the likelihood for them to engage in recording would increase.

Legal Consciousness

Legal consciousness can be defined as both a state of mind, and something that is created through what people do and say, and how they see their relationship with the law (Ewick & Sibley, 1998). Three predominant types of legal consciousness were identified, including: the law as "something *before* which they stand with, *with* which they engage, and *against* which they struggle" (Ewick & Sibley 1998, p. 47). "Before the law" legal consciousness refers to those who see the law as rational, objective, and impartial, and beyond the agency of any individual decision makers. A "with the law" consciousness views the law as a commodity with can be used and manipulated by

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citizens and legal actors to advance certain legitimized self-interests. The last category, "against the law", refers to those who view themselves as being in opposition to the law. They see themselves as powerless within the system that is deemed potentially abusive. These categories are significant to how citizens view themselves within the law, and how they are likely to react to laws being broken or situations deemed potentially unfair.

Another prominent issue in the literature is whether or not police have a reasonable expectation to privacy, just as citizens have this right. Most studies would suggest that while they are citizens who do have at least some expectation to privacy, this expectation is diminished because of their interactions with citizens in the public sphere (Kies, 2011; Mishra, 2008; Schaefer, 2012). Therefore, the right to privacy is lesser for those in law enforcement, at least when they are on duty.

The key issues addressed in the prosecuting of citizens under wiretapping laws are whether or not the laws to protect police privacy and safety should be outweighed by citizens' rights under the First Amendment, specifically the freedom of press. Some suggest that the government creates or bends existing laws to empower officers and find ways to explain away any problems (Bodri, 2011; Jeffries, 2011). Cerame (2012) points out that the main interests of the state related to citizens recording the police are officer and witness safety, efficient investigations, accurate evidence, and personal offense to officers. As a result, concerns for police safety should take precedent over citizens recording, especially if the recording becomes physically intrusive (Mishra, 2008).

Willingness to record the police may be a result of an "against the law" legal consciousness. Throughout the challenges of legal aspects and the possibility of being arrested for recording the police, the public can use technology to challenge and

advance the law and use filming the police as a tool of power. As with the previous

beliefs, findings from a prior study conclude that willingness to record police-citizen

interactions are strongly and significantly linked to a sense of legal consciousness

(Farmer et al., 2015). Students who believed the behavior of recording the police was

legally justified were more likely to indicate a willingness to record the police.

Therefore, citizens who view recording the police as acceptable under a broader context

(e.g., in public places, no interference with police work, and involving police

misconduct) are more inclined to participate in recording the police.

Consequences of Recording the Police

Some potential consequences of recording the police may include altered

perceptions of police legitimacy, enhanced accountability, and modifications of police

attitudes and behavior.

Perceptions of Legitimacy

Policing may have come to a crossroad where the legitimacy of street-level

enforcement is intertwined with citizens recording the police and officers wearing body

cameras. These emerging social phenomena are likely to shape and determine the

possible future directions for the U.S. police. Although the long-term impact of these

changes on law enforcement remains to be seen, one of the primary questions is how

citizens recording the police can alter perceptions of legitimacy. Thus, it is necessary to

consider aspects of police legitimacy, and the potential for change regarding procedural

justice and self-legitimacy among police officers.

Police are in a powerful position and as such hold a privileged perspective when

it comes to legitimacy (Goldsmith, 2005). There is always a chance that police actions

during encounters with citizens are viewed as unfair, further affecting how the public perceives them (Weitzer, 2002). Police coercive actions, particularly use of deadly force, have been thrust into the national spotlight with citizen-generated videos going viral through the news and social media. These citizen-initiated recordings can have a critical impact on perceptions of police legitimacy.

Legitimacy is imperative for domestic governance, as it indicates people's degrees of willingness to support government proposals and decisions, follow directives of political leaders and government officials, and obey and cooperate with legal institutions (Easton, 1975; Tyler, 1990). Such willingness could be instrumental in reducing public involvement in anti-government actions and lessening state over-reliance on coercion in governing its populace (Brehm & Rahn, 1997). Legitimacy thus forms the foundation for the basic survival and continuous functioning of any government.

Political legitimacy hinges principally upon how political leaders and government agencies obtain and exercise their authority. Max Weber (1968) identified three types of legitimate rule, traditional, charismatic, and legal-rational authority, and explained how authority is legitimized in people's belief systems. Traditional authority comes chiefly from heredity, remains largely unchanged over time, and can be commonly found in feudalistic and patrimonialistic societies. Charismatic authority is legitimized by political leaders whose visions and values can effectively inspire followers. Legal-rational authority is established through a positive belief in both formal laws and informal rationality and the bureaucracy, politically or economically. In this sense, Western democracies and their social control institutions build their legitimacy

mainly from legal-rational authority, though the co-existence of the other two types of authority is possible.

Given its importance, legitimacy has been one of the most frequently studied subjects across a broad range of academic disciplines. In the field of criminology, legitimacy has surfaced as a buzzword in research on criminal justice operations in general and public assessments of and compliance with the police in particular (Gau, 2011). Among varying explanations that attempt to take legitimacy into consideration, Tom Tyler's (1990) procedural justice model has been the most promising and frequently tested framework. Tyler posited that people's views on the legitimacy of the police are primarily impacted by whether they perceive the police to be following fair and equitable procedures (i.e., procedural justice) in both treatment and decision-making during interactions. Additionally, people's perceptions of legitimacy are influenced by perceived fair distribution of police services (so called distributive fairness or justice) across individuals and/or groups. Distributive fairness is nonetheless argued to play a less salient role than procedural justice in shaping police legitimacy (Sunshine & Tyler, 2003; Tyler & Huo, 2002). Tyler's perspective emphasizes that normative, process-based motivations, including self-regulation, have a much stronger influence on individual behavior than instrumental, outcome-based motivations. Both perceived procedural justice and distributive fairness promote police legitimacy, which in turn enhances legal compliance and cooperation with the police.

Tyler's process-model of policing has received consistent support from studies conducted in major democracies, such the U.S., the U.K., and Australia (e.g., Hinds & Murphy, 2007; Jackson et al., 2012; Sunshine & Tyler, 2003). Research on procedural justice in less institutionalized or relatively new democracies, such as Israel (Jonathan-

Zamir & Weisburd, 2013), Jamaica (Reisig & Lloyd, 2009), Slovenia (Reisig, Tankebe, & Meško, 2014), and Trinidad and Tobago (Kochel, Parks, & Mastrofski, 2013), also largely confirmed the core propositions of Tyler' work.

Recent research has questioned the internal consistency and discriminant validity of legitimacy in the process-based model of policing. In Tyler's original work, legitimacy was conceptualized as "the perceived obligation to obey the law and as support for legal authorities" (Tyler, 1990, p. 45). As a result, the concept of legitimacy has been operationalized through two scales, obligation to obey the law/the police and trust in the police. However, studies found that the convergence between the two scales was low, with trust in the police loading onto a different concept of procedural justice (Gau, 2011, 2014). In a recent study, Tankebe (2013) proposed a revised model of Tyler's work by arguing that obligation to obey should be conceptualized as a consequence, rather than a component, of police legitimacy, which can be measured in terms of procedural fairness, distributive fairness, lawfulness, and effectiveness in a democratic society. Tankebe's work is important because it conceptually distinguishes obligation to obey from police legitimacy and combines procedural justice with distributive justice as indicators of legitimacy, both which have rarely been considered in previous research. These recent studies indicate that, while the conceptualization of police legitimacy has been well articulated, the operationalization of the concept remains unsettled and deserves further research attention.

It is also worth noting that the process-based model of policing fails to consider elements of police culture, specifically professionalism. Police view themselves as outsiders and different from everyday citizens, who do not understand the intricacies of police work (Crank, 2004; Van Maanen, 1974). Police see themselves as authoritative

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in police-citizen encounters (Herbert, 2006) and expect the public to comply with their demands.

Officers' own perceptions of self-legitimacy should be considered. Self-legitimacy refers to police officers' belief in their authority and right to exercise power as legitimate (Bottoms & Tankebe, 2012). A dialogic concept of self-legitimacy considers how claims for power are made by the police, and responses from others, such as citizens, lead to a belief in legitimacy (Bottoms & Tankebe, 2012). The concentric model (Tankebe & Meško, 2015) places the power-holder, or the police officer, at the top, and reactions of others have varying degrees of influence depending on how close they are to the power-holder (Barker, 2001). In this respect, those further from the officer would have the least impact, primarily citizens. Low-level patrol officers, however, are often the least powerful positions in the police agency. Because of this, police-citizen encounters are responsible for building possible self-legitimacy (Tankebe & Meško, 2015).

The conversation between the police and the policed produces legitimacy. Police confidence in their legitimacy can affect how they do their job. Those with high self-legitimacy are more assured and willing to allow the public to voice their concerns in the process. Self-legitimacy is strongly influenced by the organization of the police department, with those who feel fairly treated by their department establishing a stronger sense of self-legitimacy (Bradford & Quinton, 2014). A recent study showed that negative publicity lowers officers' perceived self-legitimacy (i.e., the confidence officers have in their authority) (Nix & Wolfe, 2015).

Police Accountability

Reasons cited for recording police-citizen encounters point to a belief in police accountability (Jeffries, 2011; Kies, 2011; Mishra, 2008; Robinson, 2012; Walker & Archbold, 2014). Generally, police accountability refers to holding police officers and supervisors responsible for their actions within the boundaries of the law (Walker & Archbold, 2014). Both internal and external accountability can lead to a reduction in excessive use of force (Prenzler, Porter, & Alpert, 2013). Police accountability has been deemed an important issue in communities, where citizens want police behavior to be monitored and demand greater accountability (Bayley, 1994; Weitzer & Tuch, 2004). Allowing citizen to record the police can expose unlawful or inappropriate behavior of law enforcement (Jeffries, 2011). In some cases, revealing unlawful actions can cause police officers to alter their behavior (Johnson, 2010, October 15; Mishra, 2008; Murphy, 2013; Potere, 2011; Robinson, 2012; Skehill, 2009).

Using cell phone cameras is touted as a way for the public to safeguard themselves against unlawful force by police officers, and is a proactive form of political participation that can be used as a way of protecting themselves (Bodri, 2011; Jeffries, 2011). The checks on police powers can serve as a powerful publicity check (Mishra, 2008). True to Foucault's panopticon, people modify their public actions and opinions when they are under surveillance (Robinson, 2012; Schaefer, 2012). This is increasingly important in marginalized societies, with concentrated disadvantage and little informal social control, because there are few checks on police powers. In the past, it has been the word of the citizen versus the word of the police officer (Bodri, 2011). Video recordings allow for accountability where there previously was none. Recording police can be used not only to expose misconduct, but also to legitimize the policing profession. Recordings can improve respect for law enforcement and ultimately their

effectiveness (Kies, 2011; Potere, 2011), because if police are agreeable to being recorded it indicates they have nothing to hide. Police are also of course allowed to record citizens during traffic stops and interrogations (Kies, 2011). Legitimacy and accountability among police and communities is important in problem-oriented policing and effective crime control (Bayley, 2002; Walker, 2007).

The actual meaning of accountability encompasses aspects of "answerability" (Finer, 1936 as cited by Cheung, 2005) and responsibility, but also authority and control (Thynne & Goldring, 1987 as cited by Cheung, 2005). In matters of ensuring the police are accountable, we must ask for what are they accountable, to whom, and how it can be enforced (Cheung, 2005). Transparency in policing can not only help the public to understand what they do everyday, but also give the public the information needed to hold police accountable (Cheung, 2005). Accountability is crucial for both citizens and organizations to maintain legitimacy (Schillemans, Van Twist, & Vanhommerig, 2013).

Chase (2001) delved into matters of police accountability specifically related to criminal investigations, arguing that because officers are not held personally or directly accountable for their individual actions, they are generally not concerned about working outside of the law. This is largely because of the police culture that puts officers "above the law" to the point that there are no personal consequences (Chase, 2001). Police undoubtedly wield a certain level of power and privilege, which can affect police-community relationships (Goldsmith, 2005).

Restoring accountability where it is lost is essential to building a legitimate police organization. Accounting for past actions of police officers can establish legitimacy, and show how the organization has corrected past mistakes and improved performance (Schillemans, Van Twist, & Vanhommerig, 2013). Allowing individual

officers to be held personally liable for their actions and directly punished is also a reasonable suggestion to enhancing accountability (Chase, 2001).

Trust in the police is entwined amongst issues of legitimacy and accountability. A trusting public can enhance effectiveness of police organizations, whereas distrust between the community and the police builds an 'us versus them' frame (Goldsmith, 2005). Police have the ability to change public perceptions in their daily encounters with citizens through their attitudes and actions (Skogan, 2009).

The internet has also provided citizens with more ways to hold organizations and police accountable (Schillemans, Van Twist, & Vanhommerig, 2013). A variety of informal and formal copwatch organizations record the police and post videos online for public access (Sandhu & Haggerty, 2015). This can have mixed results for citizen journalists and copwatch groups. While the internet allows these citizen-generated videos to reach wider audiences more quickly, users also become inundated and overloaded with information, eventually reaching a saturation point (Schaefer & Steinmetz, 2015).

The lack of public participation has been a criticism from those attempting to promote police accountability (Simonson, 2015). In terms of recording the police, this can be an independent act on the part of the citizen, or a form of "copwatching", which is a more organized effort of residents who patrol neighborhoods with recording devices and film police-public encounters, and are complete with neighborhood activities and trainings (Simonson, 2015). Copwatching as a method of enhancing police accountability arose during the 1960s, and although new technologies now make filming the police possible, the primary goals are still to prevent and deter police misconduct (Simonson, 2015). Thus, recording the police moves away from

accountability solutions based within the police organization, such as community policing and other consensus methods, and involves the direct participation of citizens (Simonson, 2015).

Modifications of Police Attitudes and Behavior

The visibility of police has increased substantially with surveillance videos and other recording devices, and can promote transparency in policing (Goldsmith, 2005; Schuck, 2015). The ability for the public to use the media could have significant implications for police accountability. Advances in technology can impact police work and "as cameras become smaller and less expensive, they have the potential to democratize surveillance and equalize the relationship between the officer and the citizen during encounters" (Schuck, 2015, p. 16).

Little empirical research has investigated how public recording of the police may influence police occupational attitudes and operational behavior. There are some discussions on the importance and impact of body worm cameras in recent public disclosure. Indeed, body cameras have launched into the media spotlight recently as a solution for addressing police misconduct and promoting accountability (White, 2014). Similarly, Brucato (2015) addressed accountability and officer perceptions of BWC based on point of view. While police departments embrace BWC technology, this is largely because recordings from body cameras are "legally and culturally privileged" and counters citizen-generated videos (Brucato, 2015, p. 470). Brucato further argues that BWC will actually decrease oversight in policing, since officers will be able to view the footage and align their stories with one another.

Arguments fall between a dichotomy, one side touting BWC as the one essential solution to misconduct, and the other side deems them pointless (Wasserman,

2015). The latter argument rests on the fact that some instances of questionable police behavior have been caught on video, but according to the public did not lead to accountability. The most notable of these examples is the death of Eric Garner in New York City, whose encounter with the police was filmed by a citizen on a cell phone. Similar arguments have been made regarding the 'war on cameras', and the fact that police departments will convincingly tell the public that the problem is either not prevalent or permeating through the department culture and is the result of just a few bad men, or will justify their actions as protecting the public, thus making filming very limited in scope (Wall & Linnemann, 2014).

Individual citizens filming the police are seen as a preferred method over body cameras because of who controls the medium and ultimately the act of recording itself, including dissemination of footage taken by the public (Simonson, 2015). This is one way for less powerful factions of a community to have a voice and influence. Ultimately, the majority of the public is in favor of body cameras on police uniforms as a strategy to promote police accountability and resolve issues between communities and the police (Wasserman, 2015).

There is evidence that police behave differently when they are being watched (Simonson, 2015). Knowing that it is possible for the public to record them might encourage the police to change their demeanor and presentation in their encounters with citizens. Reports have suggested that the police should embrace this technology as it allows for transparency in policing (Schafer, 2007). In one of the first studies of the effect of body cameras on policing, the Rialto, California police found that use-of-force incidents and complaints against officers dropped nearly 60% and 90%, respectively, between 2011 and 2012, when officers started wearing body cameras, indicating that

officers tended to behave better when they knew that they were being recorded (Gomez, 2014, October 11). The findings and reliability of this study have been challenged (Kayyali, 2014, December 8), but nevertheless questions surrounding citizens recording the police are entrenched in issues of accountability.

Three primary studies give some empirical grounding to the issue of BWC, as summarized in a report by White (2014). These studies involve the Rialto Police Department (Farrar, 2013), the Mesa Police Department (MPD, 2013), and a report from Arizona State University as part of a Smart Policing Initiative (White, 2014). These studies make several conclusions about police officer uniform cameras. The first set of conclusions outline various benefits to body worn cameras, including a decrease in citizen complaints. This finding may be reliant on the fact that citizens are less likely to file complaints against officers wearing body cameras (Goodall, 2007). However, many elements remain untested, including whether or not body worn cameras can increase transparency and police legitimacy, impact of videos on lawsuits against police officers, and opportunities provided for police training (White, 2014).

The second summary of conclusions from these empirical studies focus on concerns related to implementation of body cameras. These include issues of citizen privacy, especially those who are victims, police privacy and how working conditions are changed, including department disclosure of recordings, and health concerns and safety risks to wearing cameras (Brucato, 2015; White, 2014). It is a fact that implementing body worn cameras is quite costly, and additional investments must be made in training and policy (White, 2014). The comparative study from Mesa Police Department showed that when officers were allowed discretion in using the body cameras, use declined by 42 percent (MPD, 2013; White, 2014).

Police attitudes towards BWC have also been recently studied. Jennings, Friddell, and Lynch (2014) concluded that police officers are supportive of and willing to wear BWC, and highlight benefits of the technology, including improvement in citizen and officer behavior. BWC are not without significant concerns, however. Police officers have voiced apprehension about the credibility of citizen-generated recordings, and how images compare with reality, and convolute the truth (Sandhu & Haggerty, 2015). For example, camera recordings may show what happens during a DUI arrest, but cannot capture other nuances, such as the smell of alcohol or subtle twitches, that can only be picked up at the actual encounter, in person (Sandu & Haggerty, 2015). Therefore, new studies on BWC are beginning to uncover the positive and negative aspects of the technology and what it means for police behavior.

Chapter 3

METHODOLOGY

Given that the goal of this study was to explore motivations for why citizens do or do not record the police, it was important to collect data to effectively answer the question as to "why". Filming the police is a rather new and under-researched phenomenon given the recent development of technology that allows the public to capture film and photographs easily. To answer the questions of why citizens record the police, and further how the reality of citizens recording the police affects the police-community relationship, this study gathered qualitative data to assess reasons behind these decisions. This chapter is devoted to the methodology of this study. It discusses details of the research site, data collection and sampling procedures, strategies to gain access to participants, domains of information that are included in the interview guides, and how data were managed and analyzed.

Research Site

The research site for this project was a centrally located Mid-Atlantic state. For the purposes of confidentiality to participants in the study, this city has been referred to by the pseudonym "Swynford, Woodley County", selected from a random place name generator. This is a small city, with 10.9 square miles of land area and approximately 71,525 residents. In that population, 58% of residents are Black, 32.6% are White, 12.4% Hispanic, and 1% identify as Asian. More than 80% had a high school diploma or higher, while roughly a quarter held at least a Bachelor's degree. The median

household income as of 2013 was $38,727, with 23.9% of residents living below the poverty line.

The city has been plagued with violent crime problems (Jones, 2014, December 9), and was ranked in the top three on the FBI list of most violent cities of comparable size, and fifth among cities with populations greater than 50,000 (Jones, 2014, December 9). The violent crime rate in Swynford in 2013 was 1,625 per 100,000 people (Federal Bureau of Investigation, 2013). Needless to say, the police presence in this small city is growing in response to the crime problems, and recently the police department formed a homicide unit. In February 2015, amid skepticism and issues of distrust in the police, temporary foot patrols were also approved for the city through evening shifts in an attempt to combat the crime problem (Starkey, 2015, February 12). While this increased the number of police-citizen interactions, as officers patrol neighborhoods on foot and engage with the communities in new ways, the foot patrols ended at the close of summer.

Swynford Police Department, formed in 1891, was the first of two police departments involved in this study. The department currently has one Chief of Police, two Inspectors, eight Captains, thirteen Lieutenants, forty Sergeants, 144 Corporals, and 133 Patrol Officers. Authorized to deploy up to 320 officers, it is the largest municipal police agency in the state. The department boasts a community-policing approach, becoming involved with neighborhood organizations and youth assistance programs. During 2013, the department responded to 97,262 requests for service. Of those requests, only 49 citizen complaints were received, of which 32 were substantiated, mostly for standards of conduct (17) or failure to investigate (13).

Officially formed in 1965, Woodley County Police Department also focuses on community policing, and has 395 sworn officers. Over the past several years, the department has successfully targeted quality of life calls in an effort to reduce crime. This police department also recently restarted a Citizen's Police Academy, a nine-week program for community members to learn about the functions of law enforcement.

Data Collection and Sampling Procedures

This project collected and analyzed qualitative data through semi-structured interviews. Qualitative methods allow for a deeper understanding of problems and experiences from a different point of view (Noaks & Wincup, 2004; Weiss, 1977) and for an exploratory study this leads to connections and examination of the reasons behind decisions to record the police, explaining why this occurs and what drives these decisions (Ritchie, 2003). Semi-structured and in-depth interviews are a tool to uncover what motivates a decision, and the nature of information obtained in this study lent itself to be a purely qualitative project. This is primarily because instances and motivations for recording the police is an understudied and ill-defined area (Ritchie, 2003), which needs to be more clearly delineated and explained before being quantitatively measured. Recording police-public contacts is a relatively new and developing social phenomenon, where previous knowledge is unable to ascertain why citizens engage in citizen journalism. The aim of in-depth interviews was to attain breadth across key issues and depth within these issues (Legard, Keegan, & Ward, 2003). Policy development was also derived from the results, as this project investigated a topic where the reasons and motivations are not understood, and sought perspectives from various, and sometimes opposing, groups (Noaks & Wincup, 2004).

Data came from two primary sources: the residents of Swynford and police officers of two area police departments: Swynford Police Department and Woodley County Police Department. Both police departments work and respond to calls in the same general area, which is also where all residents interviewed live. It should be noted that all individuals and locations in this study have been assigned pseudonyms, to protect confidentiality.

A total of 15 police officers participated in the study, 10 from Woodley County Police Department, and 5 from Swynford Police Department. Demographics for police officers were: 14 male, 1 female; 10 White, 1 Hispanic, 4 Black. The age range of police officers was 24 to 51 years old, with experience ranging from one year to 27 years. Twelve residents who lived in the study area also agreed to take part in the study. For citizens, identified demographics were: 10 male, 2 female; 2 White, 9 Black, 1 Multi-racial. The age range of citizen participants was 18 to 54 years old. Because of the initial lack of female respondents at the mid-point of the study, the researcher sought out women to interview for the project, with some success. Interview times ranged from 21 minutes to 92 minutes, with an average interview lasting 38 minutes. Two interviews were purposefully shorter because of limited time; both respondents had work responsibilities. However, the respondents did sufficiently answer all primary questions on the interview guide (see Appendix A for interview guides).

The participants in this project were a convenience sample, recruited primarily through snowball sampling techniques. Convenience samples are a common design in qualitative methods, and can provide a basis of understanding for a complex research inquiry. (Boeri, & Lamonica, 2015). Snowball sample, or chain referral (Berg, 2009) began with initial gatekeeper contacts that introduced others within the same network.

Woodley County Police Department was contacted first and the Chief of Police gave permission to disseminate the study request. Police officers then contacted the researcher via email or telephone to set up an interview. Approaching the institution, or the individual responsible for making institutional decisions, was the first step to accessing information and participants. Gaining entrée with the permission of the person in charge of these decisions better enabled me, as the researcher, to access possible participants (Siedman, 1998). Swynford Police Department officers were recruited through a gatekeeper first, who had close ties with the police department, and then more officers were recruited with the help of one of the initial contacts.

Residents were also recruited through personal contacts and gatekeepers, primarily, with two other participants recruited through snowball sampling, and three participants recruited via emails by the researcher after being identified as potential participants. Initial contacts were through colleagues who live and do extensive work in the local community and have previously seen members of this community recording the police. One of these colleagues served as initial gateway to gaining access to both residents and what may be deemed a "closed setting" in the police department. As gatekeepers, these were individuals who were trusted by the population and were able to facilitate introductions (Boeri & Lamonica, 2015). Negotiating entrée from this point, while uncertain, did help grant access to people for research. This colleague was also a person who vouched for me, informally, which further helped facilitate contact (Noaks & Wincup, 2004). In fact, one respondent claimed he had only agreed to participate because my colleague spoke highly of me, and he wanted to help out. My prior understanding of the social relationships in this research setting also helped provide insight into gaining access (Noaks & Wincup, 2004). I used my own place in the

community to authentic my research and myself. For example, when interviewing community residents, I often walked to places where we were meeting, so they would know that I was a resident myself and not see me as an outsider. This helped when engaging the community and building rapport at the outset of interviews (Boeri & Lamonica, 2015).

Other recruitment strategies were attempted, but failed. Flyers were distributed and placed in various locations around the city, including postal offices, local gyms, and community centers with billboards. Other personal contacts were also enlisted to help with recruitment, but unfortunately no participants were available or agreeable to participating in the study. Two issues contributed to sampling and recruitment difficulties. The first was that recording the police is a new and broadly defined area, and not one that is visible or noticeable outright. Identifying citizens who have recorded the police in the past can only be done by asking them directly if they have engaged in the act. The second issue was that no incentives for participants were available for participation in this study. Residents who agreed to take part in interviews were doing so on their own time, for nothing in return. As such, the researcher did agree to help participants with various requests, and certain promises were negotiated, such as creating a final summary of the report for the participants, participating at local meetings, and seeking other opportunities to disseminate findings. For example, one participant asked me to write an editorial for the newspaper, and another asked me to speak to a youth group about my research and issues with the police in the community. I agreed to do both, to show my appreciation for their time and willingness to participate in my study. It is important that the research project be deemed acceptable by both the

police departments and local residents, but even more important that it is considered something potentially beneficial (Noaks & Wincup, 2004).

Because of the initial issues in recruiting, the requirements for participation were broadened to include all residents who agreed to participate, regardless of whether or not they had recorded the police in the past. For those citizens who had not recorded the police, interviews discussed how likely they would be to do it in the future, and/or why they would not engage in citizen journalism, which yielded very useful and insightful results, as discussed in Chapter Four.

Community leaders, church organizers, and city legislators were also contacted in the community and asked to participate. A broad range of residents in these categories were contacted, and three individuals agreed to participate. These interviews resulted in gaining information about the current political climate in the city and ongoing debates surrounding police-community incidents, uniform body cameras, and even citizens that record the police.

Police participants in this study included both those who have been recorded and those who have not been previously recorded. The goal of interviews with the police was to gauge perceptions and attitudes about being filmed by the community, and therefore did not require that they have been filmed before, only that they have formed an opinion on the matter. Also, evidence shows that police officers are not always aware that they are being filmed, so it would be difficult to determine if an officer had ever been recorded by someone in the community.

Because community and police data were based on convenience and snowball sampling, community bias and sampling frame were potential concerns. The reason for using this sampling technique was because there was no way to outright identify

community members who have recorded the police. While not a sensitive hidden population, it is a population that can prove difficult to identify. There was no way to know which citizens have engaged in recording the police unless they are asked about it directly. One attempted solution to address community bias issues was to ensure that initial informants were as diverse as possible (Morgan, 2008). A compromised sampling frame can be improved by specifying the requirements for new sample participants, which was done with some limited success by using different personal contacts to reach different samples of the population (Ritchie, Lewis, & Elam, 2003). There is also evidence that participants are more likely to provide valid information when both sampling and interviews occur in face-to-face settings, and when there is established rapport (Boeri & Lamonica, 2015). Building rapport happens more easily in a community than in an institutional setting, which means that for citizen participants, the information was highly important in validating this study (Boeri & Lamonica, 2015).

Interviews took place in locations most comfortable for the respondents. Places for interviews included a private university office, local coffee shops, an outdoor park, the library, and the place of business where some respondents worked. Participants were encouraged to choose the location, so they would feel comfortable and also to ensure it was a convenient place for them to meet.

In accordance with the university Institutional Review Board (IRB), all human subjects agreeing to be interviewed signed an informed consent form. Respondents were told the basic purpose of the study, and that participation was voluntary and they could withdraw from the research process at any time they wish. They were informed that comments they made would be attributed to them, but pseudonyms would be substituted to maintain anonymity. No identifiable information is included with any quotation, and

the identity of those taking part is only known to the student researcher and the dissertation committee chair. Audio recordings and notes were not labeled in ways that could compromise confidentiality, and identifying information was not stored with the data. All transcribed files were labeled with the pseudonym assigned randomly to each respondent.

The goal in each interview was to have participants disclose their motivations, attitudes, and experiences to me, and therefore it was important to establish quick rapport that lead to a conversational style in interviewing to make them comfortable and better enable them to share their perspectives with me. Understanding the characteristics of the research population was important (Noaks & Wincup, 2004). For this reason, closed instruments, such as questionnaires, were not used because it would not allow for flexibility for the participant to describe what happened. Less structured interviews provided better understanding (Siedman, 1998). Although the issue of recording the police is not a sensitive topic in itself, I did ask questions about personal experiences regarding the police and community, including negative experiences and prior arrests, and these questions were embedded in the middle of the semi-structured interview so that the interview began and end on a neutral note (Noaks & Wincup, 2004).

Each interview began by simply asking the respondent to tell me about themselves. This was to establish comfort initially and open the lines of communication. Semi-structured interviews allowed for the chance to ask follow up questions and allowed for a dialogue exchange to ask for clarification when needed, but the questions were carefully constructed as open-ended to avoid leading questions (Siedman, 1998).

All interviews were audio recorded, with permission from respondents. Attempting to write down notes during the interview would have hindered my ability to

fully pay attention, maintain eye contact, and observe nonverbal cues such as facial expressions, tone, and pauses (Gadd, 2011; Noaks & Wincup, 2004). It is not only what the participant was saying, but how they said it that matters (Gadd, 2011). Before each interview, it was established that participants confirm they were comfortable with the interview being recorded, and they had the option of discontinuing the recording at any time or refuse to answer any question (Noak & Wincup, 2004). So that respondents would feel comfortable with being recorded, they were reassured that all interviews would be heard and transcribed only by the primary researcher. Additionally, the recorder was placed next to the respondent, and they were told they could turn it off at any point in time if they felt uncomfortable with it on. Of the 27 respondents, only one participant turned the recorder off, towards the end of the interview.

The in-depth interviews provided a much-needed focus on individuals and allowed me to investigate citizen perspectives and provide context for the decisions to record and photograph police (Lewis, 2003). For police officers, interviews allowed for an open and honest conversation about how the possibility of being recorded influenced their job performance. Interviews were chosen over focus groups because they are more accessible to potential participants and allow flexibility on interview time and location, particularly for police officers (Lewis, 2003).

Lastly, another method used in collection of data for this project was participant observation at two closed community awareness meetings. This was a method that was employed at the very end of the project, after all interviews had been completed. At the second meeting, four police officers and one retired police officer were present, including one supervisor and one patrol officer currently wearing a body camera. I had the chance to openly ask them questions, as did others who were present. I took notes

during this meeting by writing in shorthand, which lasted for approximately three hours, and used some of the information gathered during this time to provide important context and clarification to the interview data. It is important to reiterate that this was a method utilized at the conclusion of the study, and its primary purpose was to gain additional information, particularly about the use of body worn cameras, from the police officers in attendance. This allowed for some triangulation of the data, having information from the participation observation to add more substance and perspective to the interview data (Boeri & Lamonica, 2015). Triangulation, in turn, improves the validity of the study.

Gaining Access

There is a gap between powerful positions in society and those working in the criminal justice system, and those outside of it. As a researcher, I can "move between insider and outsider status" (Fitz-Gibbon, 2014: 248). Gaining access and overcoming possible barriers by building rapport proved beneficial to giving attention to the issues surrounding the police, their opinions, and experiences, as well as experiences of residents (Fitz-Gibbon, 2014). In some qualitative studies, issues arise when residents feel their community is being misrepresented as a high-crime neighborhood (Noaks & Wincup, 2004). For residents of this particular city, many citizens recognized the reality of the crime problem, and this was and remains a concern shared by the community. However, it was important that remained aware of and sensitive to the concerns that exist in the community and what implications it could have. The willingness of some groups to be involved in the research needed to be understood, and was better understood as I became cognizant of the networks in place (Hancock, 2000).

Gaining access and building rapport to validity are obstacles with any qualitative study. During interviews with the police, I was responsible for asking several members of an organization to share their work practices and thoughts with me, and this could have potentially been affected by the overall police culture (Chan, 2011). In gaining social access, it was important to fit into the timetables already set by the institution or residents. This was crucial for establishing a research role and gaining trust from residents, police, and other administrators and participants (Noaks & Wincup, 2004). Therefore, access issues were addressed throughout the research study, not only at the beginning. This was an issue that was expected to continue for the duration of the project. Being initially aware of potential concerns and strategies to overcome difficulties was important to increase the likelihood of gaining entrée (Noaks & Wincup, 2004).

Police organizations are highly secretive and information is generally very guarded (Manning, 2015). Many officers want to protect the occupational subculture and work with self-presentation in mind. This was known at the outset of the study, and as such, the interview setting was set up so as to allow for maximum comfort of the officers that were interviewed. For example, most officers chose to be interviewed away from their job location, and instead in an office on campus or a local coffee shop. This allowed them to speak more openly, without concern about co-workers asking about their participation, if they chose to not disclose it to them. While all interviews were recorded, they were also reminded they could turn it off at any point in time, as well as reminded that they would not be identified in the study. A few times during the course of interviews with police officers, they mentioned attempting to find a politically correct way to phrase something, and I routinely reminded them this was not necessary.

This all took place in an effort to remain cognizant of the private networks in place in police organizations, while gaining as much valid information as possible (Manning, 2015).

Domains of Information

Interview questions for community residents asked respondents to describe the incident(s) of when they recorded the police, if applicable, what prompted them to turn on their camera to film what was happening, and what they did with the recording(s). For those residents who had never recorded the police, they were asked what they thought about it in general, and if they might ever be willing to record the police. All residents were also asked what they thought recording the police could do for their community, their opinions on police officers wearing uniform body cameras, and their opinions on the police and how they view their relationship with the police. The aim of these questions was to assess the motivating factors for recording the police, or what influenced decisions to not record the police. It was important to note the situations in which recording the police were most likely to happen, and what citizens thought recording the police would do for them and/or their community. Making note of previous experiences with law enforcement was crucial not only to understanding the current environment of police-community relations, but to determine if distrust in the police was also a factor for recording police actions.

The interview questions for police officers focused more broadly on their opinions and feelings about being recorded by the public. They were asked if they have ever been aware of having been recorded, how they felt about that possibility, discussions they have had with colleagues about the issue, opinions on wearing uniform body cameras, how being recorded might affect their job, if they have ever seen a video

of a police-citizen interaction, and challenges they face in the community they regularly police.

Data Management and Analysis

Interviews generate a "vast amount of rich and detailed data" (Noaks & Wincup, 2004: 122). Making sense of this data meant thinking ahead about areas or themes, which changed throughout data collection. Advanced planning in identifying key themes was useful because I expected certain issues to arise, but this research also helped me identify the how and the why. These themes were addressed throughout the research process, while maintaining reflexivity (Noaks & Wincup, 2004).

I transcribed all interviews myself, and worked to complete transcriptions shortly after the interview took place. While a time consuming task, this gave me the chance to "enhance familiarity with the work and become steeped in the nuances of the interview" (Noaks & Wincup, 2004, p. 129). It also allowed me to reflect on the data and note emerging themes, ascribing meanings and developing conceptual categories. It was during transcription that initial codes were noted, and these codes remained prominent throughout the course of study. Transcriptions were detailed and careful, including pauses and other nonverbal actions, such as laughing, or pausing during the interview process. This format was used because this information can be extremely useful in depicting attitudes or the state of mind of the person interviewed, with detailed and careful transcription of verbal and nonverbal material (Siedman, 1998).

All interview data was coded and analyzed primarily by hand, and as mentioned above, this first took place during the transcription process. While transcribing interviews, I would make notes on the document and highlight the main codes from that particular interview. As more interviews were conducted, and I began to notice

similarities and patterns in responses, these were pulled out as primary themes. Another document was then created for the explicit purpose of coding and themes. Each primary code was noted, and after each interview, the themes were highlighted in the transcription document as well as the main coding document. In the main coding document, notes indicated which quotes and respondents were relevant and meaningful to that theme or code. Each transcribed interview document was assigned a letter (R for resident, P for police officer), and number, which was simply based on how many interviews had taken place.

First cycle coding was used to identify the basic important categories. The primary coding methods were in vivo coding, value coding, descriptive coding, and themeing data (Saldana, 2013). In vivo coding was first because it uses the participant's own words to describe their experiences, and this became very useful in identifying initial themes. Value coding was also a necessary method, as I was asking many of the participants about their attitudes and beliefs on the issue of citizen journalism or being recorded by citizens. Assigning values to the emerging themes when coding was a valuable insight into the overall beliefs on these important topics. Descriptive coding merely allowed for me to keep track of the most mentioned topics. Lastly, themeing enabled me to assign phrases to provide meaning to what respondents told me (Saldana, 2013). The coding and themeing happened during the research process, as I was familiarizing myself with the data. NVivo software was also used to assist in finding and reaffirming emerging themes, particularly the themes of race and racial perspectives. The use of this electronic assistance ensured I did not miss any codes initially after I had identified the main themes. After first cycle coding in the transcribed interviews and the coding document, I began to look for categories and the broad

relationships between all of the codes that were developed. This allowed for categorization of the themes to provide meaning for the phenomenon being studied. Data was coded for emergent and recurring key themes to analyze the most important ideas expressed by respondents. Finding the relationships between codes meant finding references, or themes that were most commonly mentioned by participants. The final categories were built around these code relationships. Because this study was inductive and exploratory in nature, themes that became obvious during the initial interviews were noted and therefore data that was collected in later interviews could be analyzed as compared to these initial codes.

I managed various relationships with different factions of the community, and it was important that different groups accept my research. Because of this, reflexivity was also imperative so that I could maintain a neutral stance without altering my perceptions of any individual participant or group. Reflexivity throughout the research process can also ensure accurate representation of findings, as it allowed me to reflect on my own position in the research process (Boeri & Lamonica, 2015). In this study, reflexivity allowed for me to confront my own feelings after interviews, and how the experience did or did not change my perspectives and opinions. I spent a significant amount of time thinking through all of the interview data, taking time to pause and writes notes so I could keep track of these perspectives, but also so that I did not lose sight of what was most meaningful- capturing the important stories and experiences of all individuals who participated in this research project.

Chapter 4

MOTIVATIONS AND REASONS FOR RECORDING THE POLICE

Videos depicting police-citizen encounters surface every day on the news and social media. Yet there is little research behind what drives people to record the police. As such, this chapter concentrates on the motivations and rationales to explain what factors prompt citizens to begin recording the police during personal encounters or during encounters they witness. Of the 12 citizens interviewed for this project, 6 had previously recorded the police. The remaining citizens, who had not previously recorded the police, explained their rationale on why, while others advocated for recording the police but had simply not found themselves in a situation appropriate to engage in recording. The 15 police officers interviewed in this study provided valuable insights as well, by relaying what citizens had said while they recorded them, and in which instances citizens were most likely to begin recording them.

The sections below are organized according to the reasons and justifications on why citizens record the police. First, however, it begins with an emphasis on police-community relations to establish the background for why citizens might be motivated and willing to record the police in the first place. This section starts with personal and vicarious experiences of residents. Next, professionalism of police is discussed, and how they view their occupation as a completely separate entity from the public sphere. The second section addresses mass media, high profile incidents as a product of citizen journalism, and how this affects decisions to record the police. The third section delves into reasons for recording the police, which includes accessibility, resistance,

accountability, capturing evidence, witnessing questionable behavior, and preventing misconduct.

Police-Community Relations

Personal Experiences

Citizens' personal encounters with police strongly affected their opinions and perspectives about law enforcement in their community (Brunson, 2007; Weitzer, 2002). Oftentimes these perceptions are racially based (Weitzer, 2000). Local residents described incidents of being pulled over for "driving while black", having police officers run their car tags because they were deemed to be suspicious, and bearing the brunt of hostile and rude demands from police. Literature supports the notion that black men often are on the receiving end of more aggressive policing and stopped for being 'suspicious', and they are therefore more likely to view police stops as unfair or illegitimate (Brunson, 2007; Dottolo & Stewart, 2008; Engel, 2005; Hurst, Frank, & Browning, 2000). Trey, a black man who works and lives in the city, described his feelings about how past encounters with police left him with a bad impression:

> You know, my initial encounters I can remember as a young man, a teenager, just for hanging out in the community, being treated like a criminal, you know. And that gave my initial negative impressions, and my encounters only made me feel more and more negative about the police. I personally have not had an encounter to change my perception. My daughters recently had an encounter with the police that made them love police. So that…kinda helped for me, for the positive. But I myself have not had an encounter with the police to make me feel positively about them. – Trey, Resident

Trey does point out that his daughters had positive experiences, and how this makes him feel a bit more positively about the police in general. This is important, too, as vicarious experiences can shape opinions on law enforcement. The comment that he

was treated like a criminal just for hanging out in the community was echoed by other residents, who described how police treat certain citizens just based on which neighborhood they patrol:

> Now the crazy thing about that is, where we were went into an area that is known for drug activity and this, that, and the other. So they have a certain type of attitude. So a lot of times their attitude is affected by the area that they're in and their perception of the people that are in the area they're in. Well, that's nuts. Because just because you're in a certain area, live in a certain area, where there is activity going on, doesn't mean that you're involved in that activity. And as a rule, when you're not involved in that activity, you're glad to see the cops and don't want that activity going on in your community. So when they come with that attitude, that doesn't help the situation at all. What it does is give the people the feeling of, and this is a feeling in communities all over where this takes place, of an invading force, that they don't really give a damn about the community, but just wanna keep things clamped down. And you wonder why as soon as you show up, a citizen pulls out their cell phone to record what you're doing. Well your attitude motivated that. And that's a lot of times what happens. – Charles, Resident

Citizens like Charles, who is 54 years old and an activist in the community, complained about how the police often come into communities as outsiders. The 'us versus them' mentality is deemed to have a strong presence. Charles has experienced this on both sides, when he worked in different parts of the city. In some areas, as a black man, the police expected him to be there and did not treat him differently. In other areas, however, he was viewed with suspicion, especially in wealthier parts of town that were predominately white. Charles' experiences and observations echo the nationwide trend of policing that has shifted more to a place-based, rather than people-based, approach with aggressive enforcement concentrating on smaller geographical areas or hot spots (National Research Council, 2004; Police Executive Research Forum, 2008).

As other residents talked about police presence in their communities, it became apparent that their perceptions of the police are strongly influenced by their personal

experiences, which for the most part were negative. Not only this, but they feel as though they are profiled for the simple fact that they live or work in high-crime neighborhoods where there is a constant police presence, and the police in turn always treat them suspiciously. According to one citizen, police do not treat citizens with respect, but instead are trying to instill fear in the community. Unfortunately, this appears to be a common occurrence for them. They talked of being threatened with arrest, forced to get out of their vehicles for dubious traffic stops, and subjected to harsh attitudes from police. Trey continued to explain what he meant by this, and why he has never had a positive interaction with police:

> I was in a situation a few weeks ago where…I was pulled over and
> eventually given a ticket. Now when I asked the officer what was the
> reason for the stop, he wouldn't tell me until I gave him my information.
> So I gave him my information, and he tells me that my license was
> suspended. I wasn't aware of that. But he would have never known my
> license was suspended if he didn't follow me, running my license plate.
> And I drive an '88 Lincoln Town Car. So it's an older car, you know, I
> love it, but riding through [the city] in an older car as a young black
> male, a lot of times they're already running your tags before you've even
> committed a crime. And I don't know that they would do that for a
> young white man driving through in a Passat. –Trey, Resident

Police officers, according to citizens, are looking for reasons to pull them over, running license plates, and stopping them if they are in the "wrong" neighborhood. As indicated by Charles in the earlier quote above, it should be unsurprising to the police why they are being recorded. The citizens feel targeted, and not only does this harm the relationship with the community, but it makes them defensive. Their perception of being unjustly targeted is often based on their race or the geographic location where they reside or work. Another resident talked about how even citizens who are not having direct interactions with police can come to have a negative perspective from their brief contact:

So a guy comes out for example, and sits on the step 8 o'clock at night, maybe just having a glass of wine with his wife, or just drinking some soda. And just, you know, enjoying the community on a nice spring night. And a police officer comes down the block where there was some arguing or fussing or fighting, and they come down the block and tell everybody that they gotta go in. And it's like, common now, this story. This is something that I see, where, 'everybody go inside'. But I live here! I'm sitting on my steps, I'm the property owner, what do you mean? 'I don't care! Get your fucking ass in the house.' And when I heard it, and I seen it, I was like woah. That ain't how you interact with people. So it made me say to myself, imagine how the youth feel who may just be passing through that area, who may not be part of that wrongful group of youth who may be doing wrong, and he sees how the police officers talk to someone who they know lives in the community, gives back, supports the local corner store, and that man and his family, you know? And…they're told like, go in the house, you can't sit on your steps or, you know…you can't be in the area for a certain amount of time. It's starting to become a little…I will say military-ish, where they just like, either you're gonna listen to this or you're getting locked up, or you're getting a disorderly conduct. And you're like damn. What are your rights? You know? – Jonathan, Resident

Jonathan, who works with youth in the community, describes that this is a common scenario, and these citizens are not even interacting with the police directly. In this respect, it is not unforeseen that citizens come to view the police negatively from interactions they do have personally, interactions they witness, or interactions they hear about from friends or family. Another citizen, Theo, talked about how the police do not go into certain communities to protect people, but to lock people up. This reinforces the opinion they have that the police often act as an "occupying army" whose main job is to oppress and control Blacks in certain neighborhoods (Cashmore, 1991). Indeed, research has consistently found that police officers used more aggressive crime control strategies in high crime areas or predominately black neighborhoods (Brunson, 2007; Sun & Payne, 2004; Terrill & Reisig, 2003). Race plays an important role as well, as many residents feel the results of perceived racial profiling from police (Meehan &

Ponder, 2002). Many of the neighborhoods citizens referenced were primarily African

American communities. As one man, who is white and lives in a predominately white

neighborhood, said about realizing his privilege:

> I get the emails from the neighborhood watch thing, and it's like, well
> there were 2 suspicious people with hoodies up. Gee why don't you just
> say there were 2 young black men who were walking in the
> neighborhood. But the police are not gonna draw guns in that
> neighborhood. Unless it was something…they're not gonna stop people
> walking their kids, or walking their dogs in the park or Steeplechase. But
> in Castlewood? They'd stop 'em. They'll stop 'em for no reason. Just, I
> mean, and then stop them over and over again. Because they probably
> got in trouble a while ago, and so they're keeping tabs on them. But so
> the person can never feel at ease. I don't have that issue. – Conrad,
> Resident

Conrad works in a church and is a prominent member of the community. He is a

friend of several police officers who work in the city, and understands they have a

difficult job. That being said, he has heard too many stories from others in the

community about the perceived harassment they have experienced. While he does not

have negative experiences with the police himself, he also understands that his position

in society affords him some security. Having moved to the city seven years ago, he has

come to understand the relationship between citizens and the police here to be tenuous.

As another resident, Theo, notes:

> I don't like interacting with 'em and I'm *totally* square. You know what I
> mean? I try to avoid 'em like the plague. 'Cause you catch them on a bad
> day, it can end you. Like, and…unfortunately as a black man I gotta
> think like that. – Theo, Resident

Again, there is a racialized perspective here that cannot be overlooked. Minority

residents have low levels of trust towards the police and recognize racialized policing

practices deemed to be unfair (Brunson, 2007, Feagin & Sikes, 1994; Tyler, 2005;

Weitzer, 2000; Weitzer & Tuch, 2002). As such, minority residents have less favorable

opinions of the police (Brown & Benedict, 2002 and Peck, 2015 for a summary). Part of

this relates to how media portrayals can affect citizens, especially of black men being

shot by police. Police also have certain perceptions of neighborhoods, and people living

there, that affect their decision-making (Mears et al., 2016). Residents such as Theo

have experienced this first hand, from being pulled over for looking suspicious, to

witnessing how police break procedure when searching juveniles on the street.

Residents pointed out that police officers do not try to get to know them in their

communities. They go into the high-crime residential areas, recognize previous felons

or those who have had run-ins with the law, and stop them. This reinforces officers' 'us

versus them' mentality (van Maanen, 1974) because they often label some local

residents as "bad guys" and never treat them equally and respectfully. Although citizen

input and community involvement have been essential elements of community policing,

some police officers do not necessarily see a need to connect with local residents and

the community, or do not understand why community members would want this. As

one officer stated:

> I think you see the articles saying residents wanna get to know their
> police officer by name. And I think it can be tough 'cause we're very
> busy. And I might not know Mrs. Smith by name, but I know her, I see
> her all the time. I think what's important for me, is I know a lot of the
> bad guys names in my neighborhood. When I worked in center city, I
> knew I could drive around and say hey, that's John Doe, that's a bad
> guy, he's known to carry guns. Or there's John Smith, he's actually
> wanted right now, I'm gonna go stop him. So I think that's what a lot of
> officers in this city do well, is not necessarily knowing the good people
> by name. But we know a lot of the bad guys by name, and try to deter
> what they're doing to the neighborhoods. – Jay, Patrol Officer

This is an interesting juxtaposition. Citizens want police to quell crime in their

neighborhoods, which is in line with what patrol officer Jay described. What comes to

the forefront is a disagreement between the police and the community about what kind

of policing they feel would be effective. Local residents want more sensitive and friendly policing that focuses on building trust and police-community relations, whereas police officers prefer crime-curbing strategies through mainly aggressive patrol interventions. Other complaints focused on community policing specifically. Residents described how officers who were supposed to be engaging in community policing would stand out on the corner in neighborhoods, but not engage anyone in the area and only speak with one another. Another problem described is that the police officers that are presumably a part of the community policing unit are always changing, making it harder for them to get to know the community:

> You can't just have an officer come in a week and say they're part of the community policing unit and then next week there's another officer there. So you know, in my opinion, it's just ridiculous. It's basically non-existent. You don't see any folks walking in this neighborhood, police officers, unless there's a crime that's been committed. – Eli, Resident

For community policing to be effective, officers have to engage people, ask them questions, and address their concerns. Police departments use different strategies and measures of community policing (Alpert, Flynn, & Piquero, 2001). Geographic focus is important, as community policing officers are not supposed to walk a different beat every shift, but work in the same neighborhood to develop relationships with residents (Cordner, 1995), and possibly improve negative perceptions of the police, particularly in disadvantaged neighborhoods (Reisig & Giacomazzi, 1998; Reisig & Parks, 2004).

The presence of police in the neighborhoods in this study was described as very reactive, coming only when a crime has been called in. One police officer in the city also had complaints about community policing, specifically that the tasks they were assigned in the community, such as reading to kids, were great overall, but not

community policing. He claimed this was equivalent to being a "party clown". This is an officer who headed a community policing unit, before it was phased out, and enjoys a good relationship with many members of the community because he has worked hard to get to know them. Surprisingly, a resident I spoke with during the course of the study mentioned this police officer by name as someone who has done good work for the community, so it would appear as though the officer does in fact enjoy a great relationship with others in the neighborhoods he polices. Another police officer spoke about the lack of trust and cooperation from residents, and described his style of policing:

> The way I police I wanna make sure that everybody knows my name, everybody that I deal with. Somehow, some way, whether it's good or bad, whether they're getting arrested, I'm helping them, you know, clean their chimney or whatever it is that they called for. You know, I want them to know my name. So, I go out to the local stores. I buy food from there, I buy snacks from there, I buy water from there, whatever the case is, so the store...the owners know me. The neighborhood knows me, so whenever they see me 'hey!' They know my name. 'Hey listen, Jimmy from down the street, he's doing this stupid thing' or whatever. People are more able to come and talk to me. I know their kids, I know where their kids are going to school, I know what they're doing. So I can talk to you and say 'hey man how's Jimmy, is he doing good in lacrosse?' like 'yeah yeah he's good.' So we've built this relationship to that where we can basically move forward with it. And...protect the community together. – Will, Patrol Officer

While not every police officer has this perspective or takes this approach to their everyday police work, it is notable that he wants people in the community to know him so they can feel comfortable trusting him if something happens. Several officers talked about how, when people call them, they are having one of their worst days. That is when they typically interact with the public - when something terrible has happened to a resident or someone they know. There is a general understanding from many police

officers that the citizens they interact with are not going to be cooperative or happy to see them.

Vicarious Experiences

> When I was growing up I wanted to be a police officer. You know, we played cops and robbers, nobody wanted to be the robber. Everybody wanted to be the cop. You know now, we approach kids and kids are afraid of us. Because their parents tell them that we're killing. They don't tell them that, hey, the guy that got killed, you know, had a gun or the guy that they killed was shooting at police, it's just, police killed this guy over here. – Demetrius, Patrol Officer

While some citizens had past negative encounters with the police, others talked about their general opinions based on the perception others held about the police. In communities that are 'over-policed', with a strong police presence and constant high rate of crime, citizens do not generally trust the police or want to engage with them, as police are constantly present doing police work in their community (Russell-Brown, 2004). Studies show that police officers act differently in different neighborhoods (Terrill & Reisig, 2003). A study by Perry (2006) addressed high police presence in Native American communities, and found that not only are minority groups subject to disproportionate levels of policing, but police are likely to engage in profiling.

Demetrius, a patrol officer, described above his opinions of police growing up, which are in stark contrast to what many of the children growing up in this city hear about police from their families and friends. Many citizens argued that children are brought up to feel this way. Charles said:

> I look at some 10 and 12 year olds. And their, how can I say, their attitude towards the police is fear. Well as they get older that fear turns into hatred. – Charles, Resident

What Charles says is poignant. These kids he references almost inherently do not trust the police, as many minority parents instruct their children to stay away from or not to talk to the police. This can be related to personal and vicarious experiences (Feagin & Sikes, 1994; Fine et al., 2003; Rosenbaum et al., 2005; Weitzer, 1999). A study by Wortley and Tanner (2001) showed that even black youth who are not involved in illegal or suspicious activities are routinely still subjected to police encounters. Neighborhood context matters, as not only do minority communities endure a higher police presence, but if minority youth are in predominately white neighborhoods, they are also viewed with suspicion (Stewart et al., 2009). Youth are fearful of law enforcement because of how they see the police coming into their neighborhoods and treating others, oftentimes their own family. Charles says that younger children fear the police, but as they get older they begin to hate them. Andrea, an 18-year-old high school student, said about the police:

> To be honest, I have a hatred towards police. And it's because of like, my own personal experiences with police. Because…I've seen a lot of things go on. Like I've seen my uncles and my dad and things like that. And…I've seen a lot. And for me, like I never had a good experience with a police officer, so I have a hatred towards them because anything that, any encounter I've had with them has been bad. So I really don't mess with them at all. Like don't come near me, that's the type of relationship that I have with police officers…But it was more so like, when they have a job to do, they really don't care who's involved in that process of doing their job. And it has affected me. Not only me, but my family. – Andrea, Resident

What Charles described earlier about teenagers' fear of police truly happens, as evidenced in the above statement from Andrea. Her feelings of hatred towards the police are based on her personal interactions with them, and what she has witnessed with her family. Andrea grew up in the city, where police were always present in her neighborhood, and over time she came not only to distrust them, but also to actually

hate them and want to avoid them. While such hatred may be startling, it did not happen immediately or over a short duration of time, but through a process. She witnessed how the police treat others in her neighborhood and how police treated her own family, until she eventually had her own negative encounters with police. At that point in time, her opinions were likely already taking hold, but the fact remains that youth in the city have strong animosity towards the police. As Eli, who works with youth, says:

> I think that it's taught too, in the home and in the community. When you grow up in communities where there is high crime, you have a natural distrust because you're taught to not trust the police. You know. You might have family members who have criminal histories or may have done time. So quite naturally they pass that distrust down, unfortunately to young people. – Eli, Resident

Recall that Eli works with young people in the community, at a center that is located in a high crime neighborhood. He has witnessed questionable interactions between police and juveniles. To him, and many others, the distrust of police is a learned behavior, especially in minority communities where juveniles might experience policing firsthand or vicariously through family members (Bishop, 2005; Lee, Steinberg, & Piquaro, 2010). Their parents, guardians, relatives, close friends, and others teach them that the police are not to be trusted early on in their life, and these attitudes persist as they get older (Hursta & Frank, 2000). This can stem from, for example, some of the personal encounters citizens described above. If they tell their children that police are constantly stopping them because they are in a bad neighborhood and look suspicious, those children will grow up doubting police. This doubt is then reinforced each time they or a loved one has a negative encounter with law enforcement. Police officers understand how this happens as well, and are fully aware of why some youth and others in communities do not want to interact with them:

You'll have the others that…they've grown up, maybe as a kid their
families were done wrong by police as they were growing up, they've
seen nothing but bad from police so they have that in their head, police
are bad. Doesn't matter what they do, they're all bad. Alright so that's
the extreme side. – Adam, Patrol officer

Vicarious experiences with police, particularly negative ones, tend to influence

others' attitudes toward the police (Rosenbaum et al., 2005; Weitzer, 2000). Feagin and

Sikes (1994) found that black residents often share stories of mistreatment by the police

with friends and family, so they do not have to bear the burden alone. These shared

experiences affect others in the community, and their perceptions and future possible

encounters with police.

Professionalism

Police officers work in an occupation that exists in a very separate sphere from

ordinary citizens. Police see themselves as different from society, pointing out how

citizens do not understand what they do (Crank, 2004; van Maanen, 1974). Therefore,

police officers reiterated that one of the biggest challenges in communities, and more

specifically with citizens capturing them on video, is that the public does not understand

police work:

I got a little joke, I say yeah, I locked up a couple law scholars today.
Everybody thinks that they know my job better than me, because
whether they were in jail and they got all that prison talk or they're
standing on the corner talking to their buddies, saying 'oh yeah well they
can't do that because of this'. And 99% of the time, they're wrong. They
don't have any real clue on what we can and can't do and what we're
allowed to do within the law. But everybody thinks they know it. – Nick,
Patrol officer

The 'law scholars' that this police officer locks up are citizens who have a

disagreement with police. With recording the police in particular, citizens have a wealth

of knowledge available to them to 'learn their rights' as far as filming the police, and

how to act during a police encounter in general. For example, some 'Know Your Rights' campaigns maintain that there are only four words you should ever say to a police officer: Am I being detained?

A local resident, Jonathan, who works with youth in the community and has several family members who are police officers, makes sure that the kids he works with know their constitutional rights. He even gives them a copy of the Bill of Rights on a piece of paper that they can carry with them. Still, it is not surprising that citizens do not know the laws as well as police officers. The term 'law enforcement' means exactly that. Police are there to uphold and enforce laws, and if they see someone breaking a law, they are likely to engage that citizen. Citizens might act like 'law scholars' but that does not mean they do not understand their basic rights or have a right to question what a police officer is doing. In these instances, though, police officers are adamant that they will not hold 'street court':

> We're dealing in this age right now where we're having people that are going to confront us a lot more. And what I mean by that is, in the past if I said you were speeding and can I have your license, registration, and proof of insurance, you would give it to me. Nowadays you're getting people to be more defiant. Where you're gonna hold, what we call it is, you wanna hold court right then and there. This is not the place. 'I wasn't speeding!' M'am can I have license, registration, proof of insurance. 'I don't know why I have to give it to you!...' There's a process here. And the process is if you don't agree, allow it to take place, allow me to write the ticket, you turn around and plead not guilty, we'll have a trial. But what we're not gonna do is we're not gonna try this case on the side of the road. – Maurice, Captain

This 'day and age' is one in which technology has not only made citizens start recording the police during minor interactions, but has also given citizens a sense of empowerment to where they are more likely to display their disagreement. As another officer noted, if a citizen feels they are wrong and the officer is infringing on their

rights, they should take up the fight later. Part of this relates to the authority that police

officers exercise. They will not tell a citizen they are under arrest or getting a ticket,

only to then change their mind when the citizen begins to argue. They are not willing to

hash out details or long explanations with citizens in 'street court'. Citizens themselves,

however, argue that police officers engage in this themselves:

> But they hold it. And then they hide behind, oh I was scared, he was
> a…he frightened me. Like when you look at, one that I found disturbing
> was …the Brown case. Of his testimony. The officer kept saying, he
> described him like a beast. His eyes was red, he was looking through me,
> he had this venomous, this and that. Like you described this man as if he
> was prey. So that's how you was thinking of him at that time, that's your
> projection, you came to that. …That was your analogy and you just laid
> down a beast. So if you was that scared you could have got in your car,
> locked your door, and waited for back up. But then he would have been
> like, oh that's too punkish. So I'd rather hold court right now and be
> judged by my peers that I killed you, than to be judged by my peers that I
> let you live. – Theo, Resident

High profile incidents, like the shooting death of Michael Brown, become

reference points for citizens and police officers alike. As Theo explained, police officers

are holding street court by using deadly force. Officers explain that they have to make

split second decisions, with very little time for hesitation. One officer described this as

"code black", when you experience tunnel vision during high adrenaline encounters.

Another officer told me, it is hard to explain the feeling until you have done it yourself,

because otherwise you will not "feel that feeling of fear", when officers are thinking

about what they have to do to go home to their families. As one officer explicitly stated:

> I would always rather be second-guessed or brought up on IA [Internal
> Affairs] charges for excessive force than to not go home to my family
> because I was too scared to tell someone not to do something or
> something like that. – Dylan, Detective

For Detective Dylan, while he is certainly aware of the increased scrutiny, he is also adamant that citizens do not understand what kind of work he does, the people he has to deal with, or the fact that most of the time, force is allowable and justified. He is not going to question doing his job like this, because at the end of the day, every police officer just wants to go home safely. He continued on to say there is a disconnect between public perception and reality. Even if police officers are doing the right thing by law and the way they were trained to do it, the public might still have significant problems with it. This was relayed by a specific example from another officer:

> I always believed that at the root of our issues with the community is that they don't understand what we do, and why we do it, and how we do it. Case in point- car stop. I get out, I walk up to a car. It's got tinted windows, it's at night time. For me, I also know from my training and experience, that a vast majority of the police officers get killed on the car stops. When I walk up, you best believe, if it's a tinted window car, it's dark, and I don't know who's in that car? I will take my gun out, and I will put it along the side of this leg [Puts hand down my right leg], as I'm walking this way. You will never see it out. But it's right here. And the whole time I'm having a conversation with you, this is all you'll see. You'll never see the gun out. But if you actually are able to see it, you may have an issue with that. But I never pointed it at you, and I'm allowed to keep it out…And that's the whole misunderstanding sometimes where…we had cases where an officer will walk up and not take his gun out, but have his hand resting on his gun. It's in the holster but just resting there, because we teach 'em about officer safety. The motorist…later on calls in a complaint. Because they feel offended that the officer had his hand on his gun. And 'I think he treated me like a common criminal'…they're talking like we know you. – Maurice, Captain

The scenario described here might be jolting to some who have never experienced this themselves, or seen a police officer do this. In truth, it might be because people do not actually notice. However, one citizen made a crucial point about this. Marcus, a black man who was previously incarcerated and now works in and for the community, talked

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about how during police-citizen encounters, minorities are often more likely to notice these displays of authority from police. Whether because of personal or vicarious experiences, or just growing up understanding the nuances and difficulties in police-community relations, he explained how people he knew and in his neighborhood always noticed if a police officer did something like this, as if the residents always have to be on guard when around law enforcement.

A common phrase that police officers used was "Monday morning quarterbacking" or "armchair quarterbacking". This happened in reference to both themselves and other incidents. For themselves, they know that the public does not understand their profession well enough to know whether or not using force is acceptable:

> Part of it makes me feel a little uncomfortable, 'cause it's like is everything I do gonna be Monday morning quarterbacked by people who don't know what they're doing, who don't know what they're talking about? – Dylan, detective

Officers also do not want to engage in 'Monday morning quarterbacking' themselves, so when asked about some of the high profile police-citizen encounters from the news, they would preface their statements by saying they were not there, they did not see the totality of the incident, and therefore did not want to judge based on such a short video clip because we do not know what happened before that. As one resident brought up the Fraternal Order of Police, and how it "runs deep", this could be in line with what many call the "Blue Code of Silence", in which the tight-knit subculture of policing values loyalty to fellow officers (Skolnick, 2002). One Captain, Maurice, described how this "thin blue line stuff" is going away, because police being captured on film, and then lying about an incident, are causing harm for the occupation as a

whole. As a result, police departments are dismissing these officers and becoming less tolerant of such issues.

Police also discussed problems with the community not understanding the laws and misunderstanding why there is a higher police presence in some communities. According to one police officer:

> People don't understand the laws. And…they don't understand that we're in these crappy communities over and over and over because they have such a crime problem. And they say that we're just targeting them. And like, why don't we go to more of the affluent communities. Well don't have to go there 'cause there's no crime there. We go there when we're called there. But here there's always crime going on so we have to come here and target the people who come in and out of here. And they think that we're just doing it to harass them, but when you have 4 murders in 3 months in your neighborhood you're gonna get more cops there. – Eliot, Patrol officer

In a way, the citizens of these neighborhoods are being targeted; police officers know there is a high crime rate, so they police these hotspots accordingly (Ratcliffe & McCullagh, 2001; Terrill & Reisig, 2003). However, even with a strong police presence, citizens do not feel safe, rather they feel unfairly targeted. Several people, citizens and police officers, told me that people really only film police in the 'bad neighborhoods'. It is no surprise, then, why citizens in these neighborhoods are recording the police, if they feel targeted and do not trust them.

Mass Media

The high profile events caught on tape by citizens and uniform body cameras in recent years have made citizens and police both more aware of negative or even deadly police-public interactions, leading to a heightened anxiety between the police and the community. As expected, these prominent incidents have affected perceptions of both the public and the police. Citizens spoke about the events as a continuing saga of poor

police-public relations. One resident remarked that "we're forced to take a look at these things and to address this problem because now it's on film in front of you, you can't just bury your head in the sand". Media and news consumption is less important than first-hand personal experiences (Callahan & Rosenberger, 2011), but the media effect has not been examined for citizen recordings specifically. Based on responses from citizens and police officers, however, it became clear that media coverage of police-citizen encounters was a common reference point, and made citizens question and contemplate the power of citizen journalism to hold police accountable. For example, one resident commented on how high profile events bring problems to the forefront, but at the same time police officers "get off" for use of excessive force, ultimately questioning the utility of recording the police. For police officers, they spoke of the incidents as a "passing fad":

> I think it's a fad. When the media move on to something else to focus on and to really feature…I think these, the whole police officer scrutiny thing, it'll… not go away, but it won't be like it is now. And history has shown that it's happened in the past. You had the 60s, you had the Rodney King incident. It comes and goes. – Stephen, Patrol officer

The fact this officer makes a point of mentioning the Rodney King incident is important because for many in the community during that time, the Rodney King beating caught on tape was a defining moment. It brought to the forefront what citizens, especially minorities, had been claiming for many years- that they were unjustly subjected to routine police brutality. A 1994 study by Lasley found that citizen attitudes toward police were significantly lower after the Rodney King incident, but this was especially true for African Americans. Since Rodney King, and now with the proliferation of current events involving police and citizens, the public resounds this cry. What the officer is referring to specifically is that media depictions of these

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encounters become extremely popular, and then quickly forgotten. As with most media coverage, this is true, although it remains to be seen with current circumstances and the volume of police-citizen encounters being caught on tape. Citizens, however, argue that police misconduct and their negative experiences are not a fad, but that these incidents have been happening for a long time, only now they can more effectively capture the encounters and prove their point. Furthermore, some police officers used the shooting death of Michael Brown in Ferguson, Missouri as a reference point. Specifically, they note how citizens reference that incident, and the subsequent protests and media attention, in their interactions:

> I think it's creating distrust even more. I mean they think we're just really going out there just shooting people. I know this is a job that we signed up for and this is a reality. But I think those videos that are being released are doing more harm for distrust. 'Cause I mean what's annoying is…especially the Ferguson thing. When I…cause I live…I work in a fairly busy area, incorporated outside the city, so I basically deal with people from the city. We'll stop people and they make jokes all the time, 'oh hands up, don't shoot me' and it's like, it gets old. – Brandon, Patrol officer

The reference point of Ferguson also highlights what FBI Director James Comey said in 2015, suggesting that because police-citizen encounters are being filmed, officers are becoming more reluctant to do their jobs and combat crime. He dubbed this the "Ferguson Effect" (Graham, 2015, October 26). There is no evidence to support that the Ferguson Effect is real, although one respondent, a detective, did mention a specific case in Alabama where a police officer was beaten with his own weapon, while others filmed the incident. The officer later claimed that he had hesitated to do anything out of fear of repercussion and accusations of using excessive force (Valencia, 2015, August 15). While police officers are exasperated with some of the media attention on police-citizen encounters, they do acknowledge the problems it causes for them as a whole:

> And so it doesn't do us any good when we see police officers around the country that are caught up in truthfulness issues, because it kills the credibility not only for that officer, but I think what they don't realize is, it kills the credibility for all police officers across the country. And this is one of those type of professions, just like doctors and some other professions, that if it happens in California, it comes across…all the way through the United States. – Maurice, Captain

The captain goes on to describe how after the Rodney King incident, police departments all over the country prepared for riots and protests. Police officers are not viewed as individuals by the public, but as an organization. The perception of police as one fraternal order means that citizens perceive police organizations similarly regardless of minute differences between them and the individual officers working for them. If they have a negative experience with one police officer, it changes their opinion about all police officers.

Another important component of the mass media is the focus on negative or shocking events:

> I think… it's when you have the citizens that only see the bad things that the police are doing that sort of clouds their judgment because they don't get to see the good things. They don't get to see the good interactions that the police have with the citizens in *their* community. You know, it's certainly outweighs the bad and there's more good than bad going on, especially around here. And…I venture to say it's the same across the country, but you don't ever get to see that, they don't publicize that. People don't write in and say an officer came to my house and handled my domestic situation and he or she was one hundred percent professional and it was great to have that officer here. Nobody writes about that. It's the officer that came in here and started yelling at my husband and this, that, and the other… that's what you hear about. – Adam, Patrol officer

The police officer's perceptions of what has happened in the media are also quite telling. While there have been numerous negative portrayals of police in the media, there have also been 'viral videos' of police officers engaging the public, singing

in their cars on dash cam, and generally having positive experiences with members of the community. One resident has actually engaged in recording police officers playing basketball with youth, as a varied perspective from the negative publicity. These positive encounters are publicized, but perhaps do not have the same effect on perceptions as negative encounters can, and the negative encounters can instill a fear in residents:

> It's still shocking and still alarming for me to stop a car, or to stop someone and talk to someone, and actually see that they are nervous and they are scared to be talking to me. And usually it's scared to be seen talking to me, and I can deal with that. Because you know, you're out and people don't wanna be seen talking to the cops. But they're actually scared of me. And I've had it so far as the little old ladies saying, 'you know what's going on, on the news, I'm terrified.' – Alex, Patrol officer

Police officers are slowly getting accustomed to the increased scrutiny that the high profile events caught on tape have brought to their profession. They understand that in many ways they are under a microscope, and should always behave as though they are being filmed. What the police officer described above, however, shows how even citizens who have not had negative experiences with police themselves, with no true reason to fear the police, are still hesitant to speak with them and worried about how police-citizen encounters could end for them.

Reasons for Recording the Police

Accessibility

Without a doubt, the proliferation of cell phones and other handheld technological devices, with specialized features and high definition videos, has made recording the police much easier for citizens. According to Pew Research Center (Smith, 2015), 64% of Americans now own smart phones. Cameras are now smaller,

less expensive, and are common features on cell phones (Schuck, 2015). Therefore, one

of the most basic and rudimentary underlying reasons for recording the police is the

simplicity of it:

> The ease of it now. Cause with phones it's just so easy. Before then it's
> like you wanted to but you had to carry around this big bulky thing. So I
> think just the ease. And it's always good to have a back up. - Theo,
> Resident

As Theo, who has recorded the police himself in the past, notes, smart phones have

made it easier and faster to record the police. Although the public had the ability to

record the police before this technology came about, instances of citizens recording

police have increased noticeably because so many people now carry phones with them

all the time. Police officers, especially those who have been on the police force for

many years, have seen this change take place. Officers who joined the department

within the past several years "grew up" in their career experiencing this, but

respondents who had been police officers for eight years or more have noticed the trend:

> That has constantly led to just a little bit more, a little bit more, a little
> more…you know, of people, up to now it's almost commonplace now.
> As soon as you show up. Especially if there's any more than one or two
> of us. If there's like 4, 5 officers, everybody thinks it's some huge big
> massive police thing that's going on and everybody just stops what
> they're doing and records. So it's almost common practice.- Nick, patrol
> officer

The advancement of recording technology on phones has undoubtedly made

recording the police commonplace in recent years. One officer, with over 20 years of

experience, noted that citizens recorded them with large handheld camcorders after the

Rodney King incident, but also mentioned that videotaping is more common now

overall. He described how residents would record all sorts of things happening, such as

a street fight. Officers who recently graduated from the academy mentioned that they

were told to expect people recording them, so they are prepared and not surprised when it happens. Recalling the first time seeing a citizen recording him, a detective, who has been in the department for six years, thought "what are they, trying to become the next CNN star?" It was around the time he left the academy and began patrol that he noticed citizens were first beginning to record the police. Although it seems that police agencies have better prepared officers for accepting the reality of being recorded, some officers may not necessarily be ready for taking up this challenge. As one police captain, who has been on the force for over 25 years and teaches in the academy, mentioned:

> I think officers are sometimes a little bit taken aback when it happens. And I think it's just the fact that they have to understand…they're slowly understanding that that's the way we're going now in the future. – Maurice, Captain

Resistance

The accessibility of devices has not only made recording the police a common occurrence, but also granted citizens a sense of countering police authority by recording all kinds of incidents and police conduct (or misconduct):

> I think there's a gotcha moment, that's part of it. [Police] can give you a ticket for speeding, can give you a ticket for running a red light…I think the average citizen likes to have that…balancing affect by saying got *you*. You're not always perfect. – Gregory, Resident

> So like I might catch one on the phone, 'cause they love to pull you over for being on the cell phone, but you'll see them on the phone, on the computer, driving. So I take a picture and just put it on Facebook and be like, see? Little stuff like that. – Theo, Resident

Indeed, being able to record so easily and quickly has made citizens more willing and able to record the police and, in some ways, made them feel empowered. Citizens could be incited by a minor incident and use recording as a form of resistance. Even if there is

nothing notable happening in the encounter, as one citizen notes, it can have a balancing effect of at least making a citizen feel protected.

Other times, citizens use the minor incidents, as Theo described above, to simply reaffirm their opinions about the police and to show friends on social media. Most community members might agree that talking on a cell phone while driving or doing something else distracting is not a serious infraction, but photographing police doing the same act proves a point. Citizens capturing these glimpses into minor police mistakes exposes, to them, the double standard often exercised by patrol officers, who engage in similar minor breaches (e.g., talking on cell phones while driving) but frequently use such violations as reasons to stop citizens and look for more serious offenses. Citizens are less likely to report such violations to police superiors or file complaints against officers, but posting their recordings to social media and even witnessing police actions in person certainly reinforce their personal and vicarious negative opinions about police officers in their community.

Accountability

Holding police accountable for their actions is a primary reason cited for recording police-citizen encounters (Jeffries, 2011; Kies, 2011; Mishra, 2008; Robinson, 2012; Walker & Archbold, 2014). Findings support the notion that filming the police is motivated by a desire to hold police officers accountable for their behavior, and recording can be a way to enact a positive change in the way police handle complaints, deal with citizens, and ultimately in the communities they serve. It is important for citizens who do it:

> I think it increases accountability. And that's the main thing is accountability. Because in the past, when things have taken place, you know there was no record of it and it's your word against theirs. I mean

> even now with recording, the video recording, even seeing it right before
> your eyes, some people look at that and say, 'well you did something to
> deserve it'. And that's a crock. That's a crock. It dates all the way back
> to Rodney King. Who could beat a dog like that? - Charles, Resident

Charles is an activist and has filmed the police several times in the past, and says he will continue to do so. Some citizens who have recorded the police explicitly stated that accountability is a major factor in their decision. Police accountability is imperative as public mistrust of the police is largely influenced by their general opinions on police culture and police organizations, rather than individual officers. Police officers mentioned this as well, one using this analogy:

> If you go to the hair salon, and your hairdresser messes up your hair,
> that's alright, she messed up, I'm gonna give her another shot. Our job
> isn't like that. You mess up, and it doesn't have to be the same officer.
> One officer messes up, it changes everything, someone's entire
> interpretation or entire view of all officers. And…I don't agree with that
> thought because if you would give your hair stylist another chance at
> cutting your hair, give me a chance. You've never had any interaction
> with me, but because you had one interaction with an officer than you
> didn't like, or that you didn't agree with, now it's a broad stroke that all
> officers are that way. And we're different. – Shay, Patrol officer

What Officer Shay says resonates, as many citizens talked about policing as an institution, not in terms of individual officers. Importantly, media influence and portrayal of police-citizen encounters could be instrumental in shaping citizens attitudes toward the police (Gallagher et al., 2001; Kochel, 2015), although this has been questioned as to how much of an impact it could have (Dowler & Zawilski, 2007). Whereas the accountability factor is vital, some citizens were cynical and less optimistic about the real impact of recording on holding the police accountable:

> I think it's more of keeping people informed. 'Cause we may see
> scenarios, or see situations that we wouldn't normally see. But I don't
> think it would help hold them any more accountable. When people are
> informed hopefully when there is wrongdoing then more people will
> come together to speak up and say that, you know, we're not gonna

accept this wrongdoing. And even for those who feel like it wasn't okay, they should've done something different, you know. Everybody is informed that this misjustice happened, but I'm not seeing a lot of action as far as people coming together to, you know, go down to the police department or do anything…to try to hold these officers accountable. – Trey, Resident

Trey is a black male who works with ex-offenders in the community, and overall does not trust the police. He sees problems in the community regarding how the police patrol neighborhoods, but he feels differently about what recording the police can achieve in this regard, mainly because many of the videos never make it further than citizens' own social media pages or friends. Skimming any website with video content of police-citizen encounters proves this point. There are numerous citizen-generated videos online, occasionally posted with a call for action, or a statement about police misconduct, but the vast majority of these videos never make it to the mainstream media. It is unknown if these citizens have shared the video and also filed reports with their local police department, but based on the respondents in this study who filmed the police, that is unlikely. This is a problem of mobilization with public opinion and community members in holding police accountable, and following through with incidents captured on video.

While recordings of the police are often personal grievances, they can have an overall effect on the community. As Trey, a resident who works in the community, notes, he would expect a movement to begin, and changes to take place, if police were really being held accountable. The lack of mobilization in the community has convinced him that this is not the case. The respondents who filmed the police in the past either deleted the recordings because nothing notable happened, showed a few friends or posted to their social media page, or in one case even notified some friends who were police officers. However, they never filed formal complaints. There could be many

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reasons for this, including not believing it is worth the hassle to go through the process,

but also because they do not want to get involved and cause problems for themselves:

> And I showed [my friend]. And he was like woah, woah let me see this
> again. He was like send that to me. I was like no, I don't want it to go
> any further. Because I'm on the video, saying I'm gonna record this and
> saying my name and everything, and then going from there. I said 'cause
> then you know it'll be on [the news] and next thing I'm wondering why I
> keep getting pulled over, not using a turn signal. L-O-L-. Just being
> honest!- Jonathan, Resident

There is concern and reservation among residents about not only reporting to the

police department, but also disseminating videos too widely outside of their social circle

because of worry about repercussions. Several residents commented, for example, that

sometimes police arrested a person for filming them, or in some cases people are afraid

to come forward because they do not want to get into trouble or become involved. This

was the case of the shooting death of Walter Scott in North Charleston, South Carolina

in spring 2015. The incident was filmed by Feidin Santana, an immigrant from the

Dominican Republic. Although Santana recorded the police officer, Michael Slager,

shooting Scott as he was running away, he did not initially make this known out of fear

of retribution. He decided to share the video after realizing via media reports that the

officer had lied about what happened (Helsel, 2015, April 9). The apprehensiveness he

felt, however, was real, and it almost prevented him from coming forward with

information. In America, the public acknowledges that the police have the weight of the

system behind them and their actions, and this is reflected in the fear and mistrust

community members feel.

Another reason may have to do with the police directly, as citizens believe that

even if they do report a minor incident, it would never go anywhere. That kind of

feeling is somewhat confirmed by a police officer's comments on citizens reporting

officers for misconduct or wrongful behavior:

> The benefit is never like this [motions with hands next to each other as
> equal], the benefit of the doubt always is with the police officer. Because
> if not, then we knowingly are putting a person out there that's bad. So, of
> course it's like this [motions with hands, one higher than the other]. So
> when you make a complaint, we work from here first. And as we look
> through it, if we find out that there was some issues going on, we're
> gonna take it and deal with it. So the notion that everything is even when
> you come in and make a complaint, it's not. That's being honest. That's
> being real honest, is the fact that it never starts out even. We always give
> the benefit of the doubt, and in some cases we have to. Because if we
> know [the officer] has a temper, and he's heavy handed, then why is he
> out there? – Maurice, Captain

This officer, who is a supervisor, understands the nuances behind how

complaints are handled, and the fact that police are often given the benefit of the doubt

in how complaints against an officer are handled. Telling the public that they hold the

police officer's word in higher esteem would likely to cause controversy, but this

tendency elucidates why they should not have an officer out on the street who the

department does not trust to do his/her job. It is unlikely that this reasoning would be

acceptable for the public, especially when they already question accountability.

However, this is an honest portrayal of how and why it seems that few incidents filmed

by citizens are ever followed up with formal complaints. It is obvious that a police

officer's word usually holds higher credibility than that of a citizen, but oftentimes

police departments aim to convince the public that their concerns will always be taken

seriously, so as to maintain or repair relations with community residents who already

mistrust the police. It is also apparent, however, that citizens are aware of this

discrepancy, and this is a central reason for not reporting incidents to the police, even

when they are filmed. Therefore, concern with police accountability could promote

more recordings of the police, but in reality, few citizens have actually used their recordings of police and filed formal complaints against officers.

Witness Questionable Police Behavior

> "They wasn't aware I was recording them. Just…turned my phone on and started recording. But I did approach the officer and I did say, 'hey officer, everything alright?' He said yeah, he asked why. I said 'are you planning on taking this kid into custody?' He say, uh no, why. I said 'well you searching him outside in public. You can't do that, you're not supposed to do that.' If you're gonna take him into custody you need to arrest him, and then conduct the search down at the police department. I mean this is demoralizing to do something like that to somebody. And he agreed and his response was well how would you feel if they called you names from afar. I said, I'm sure you've gone through the police academy, you've been trained to deal with that type of mindset. It doesn't matter - Eli, Resident

The quote above from Eli, a man who works with youth in the city, highlights another reason for recording the police, and that is when witnessing something they perceive as questionable or wrong. Eli was not the only citizen to discuss how police officers deal with people when stopping them for alleged violations, particularly juveniles. Another citizen, a caseworker, has witnessed similar situations with police searching youths on the street, although he did not film it. In both situations, the citizens approached the officer in question, pointing out what was happening. Eli eventually told superiors in the police department about what he saw, and left it at that.

The fact that Eli was a bystander in this incident is important because of his willingness to potentially get involved for the sake of another. This relates to his sense of social justice, and feeling that because something wrong was happening, he could not stand by without doing anything. Although some residents described filming their own encounters, primarily traffic stops or minor violations, they more often filmed as

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bystanders outside of the incident itself. Witnessing a police-citizen interaction as a

bystander, and their perception that something wrong was happening, prompted them to

stop and actually record the police, even though they did not know the individuals

involved. This was reflected in comments from police officers as well:

> They'll just scream…like 'brutality'. Or 'you're stopping them 'cause
> you're being racist' and they really don't know a single thing about why
> we're stopping the car to begin with. – Eliot, Patrol officer

> They could take their cell phone and come up close to us, walking
> around us while we're talking, talking on their cell phone while they're
> recording us and saying things like 'You can't do that, why are you
> doing that", and if they're not involved in the issue, it just distracts from
> us dealing with the person. – Maurice, Captain

With bystanders filming, this appears to be related to two very different

motivations. The first is a sincere desire to help the citizen involved in the encounter, by

at least documenting what happened. This is the case as described above with Eli. The

second reason is based on an expectation that something might happen, and if it does

they want to capture it and share it with others. Both of these can be influenced by the

strong media presence of police-citizen encounters previously caught on tape and

disseminated. It is difficult to ascertain if the comments from bystanders filming are

based on what they are witnessing or simply inflammatory, aimed at antagonizing the

police.

Certainly police officers perceive these comments from the sidelines as

distracting and 'annoying'. The things people say to officers as they record is also

revealing, not only for how it can change an officer's perspective of an encounter, but

also for the motivations behind why citizens are recording:

> There was one, and this was probably about two months ago I stopped a
> car and people came up to the car and started photographing and said
> hey, they're talking to the person that's operating the car, saying don't

worry we're putting everything on tape, we're photographing everything.
Jay, Patrol officer

In this instance, as described by the officer, the bystanders did not actually know or understand what was taking place, but instead were assuming what was happening. Bystanders telling the citizens "don't worry" serves not only the benefit of the citizens, but could also be a warning to the police. Citizens that make it known they are recording essentially inform police officers that they either believe something wrong occurred or they are making sure nothing wrong occurs, greatly extending possible pressure over officers who are under watch. Voluntary recording of the police by bystanders could be simply a preventive and precautionary measure against possible police misconduct.

In this vein, it also became apparent that police officers are extremely receptive and responsive to citizen attitudes, especially when residents voice those attitudes. This is something that was discussed by officers, but not by citizens. Thus, while the police interpret these encounters as a challenge to their authority, citizens do not perceive it the same way. Furthermore, citizens discuss recording simply as an act they can engage in, without realizing how police might interpret their behavior.

The number of police officers is also a factor in promoting citizen recording. As another resident who filmed an encounter described:

It seemed there were so many police there for this one kid. So that prompted me to pull my phone out. I mean… saw it, one young man who looks like he's around 20, if that. I'm like okay I don't know what this situation is, but who knows what it could turn into…You never know what might happen. So, and of course at that time I wasn't the only one there who pulled out their phone and started recording. I mean that's just the mindset now. Look at all these cops for this one young kid. You know, and that was the thing. I just didn't see, I thought it was overkill, you know. I didn't know what the young man had done or whatever, I didn't know if maybe he had been involved in violence. And I thought

about that later. But it turned out to be routine. Just the same, there's 6-8 cops there, 3 cop cars. It just seemed like overkill. And that's what prompted me to record it in the first place. – Charles, Resident

What happened in the situations witnessed by Eli and Charles also points to another factor in recording the police, and that is whether or not they do it secretly or make it obvious. Eli secretly recorded, partly because he did not want to get directly involved in the case as either a potential witness or possibly a suspect. Furthermore, he is aware that police officers can arrest citizens for interfering. He noted that he advises people to stand off to the side and observe and record. Afraid of being arrested is an important reason why some citizens would not record the police. Realizing the potential risk of having excessively long encounters with officers, many citizens wanted to end their contacts as quickly as possible, or they wanted to avoid encounters altogether:

> So I tend to, you know, the idea comes up to take a video or take a picture or post. But, a lot of times when these type of situations are going on, if I am present, I'm more concerned with keeping myself at a distance from the situation than trying to record it. – Trey, Resident

> But the point of about recording the police…like I can't. The guy who recorded Eric Garner in New York, he got indicted. The police got off. The guy who recorded it got indicted. So just as a black man in this country who wants to go home at night, if I ever see anything, I'm not recording anything. Because it's not so much of justice or having documentation that this happened. There comes a certain point to where, like, just survival instincts take over. And I'm not saying that anything bad could happen to me if I recorded something, but I'm very grateful for the ones of any color who do record things. But me, personally, I wanna go home at night. So…I'm just gonna keep my phone in my pocket. – Brent, Resident

As noted by the two citizens in the above quotes, their refrain from recording the police is not because they have never witnessed or experienced anything negative as far as the police are concerned, or because they trust the police and believe they are doing right. In fact, it is quite the opposite. They want to avoid having interactions with the

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police altogether, even if they are doing something as simple as recording them from afar. Given their tenuous relationship with police in their community, they did not want to initiate any contact with law enforcement.

There is fear laced into the conversation about recording police-citizen encounters. Brent is glad that others record the police, even though he is not willing to do so himself. Race is also a factor. As a black man, Brent is aware of the historical conflict between minorities and the police, and also how little this has changed, at least in the eyes of minority communities. He went on to say:

> Like you remember when Rodney King first happened, the only time you saw it is on the news. Now, you can click, or you can go back and watch it on YouTube and now any time something happens, it's on Twitter, you can click a Vine and you can see it over and over and over. But…this stuff has been going on like forever…But like police brutality, black people have been telling the world that police brutality has been going on and on for like centuries…This has been happening, it's just that everyone thought we were lying, they didn't believe us, and now that technology has brought it to the forefront it's actually happening and people can see it. Clear as day in their face, and now the general public finally sees what it's like…when you're that little kid and your parents don't listen to you. 'It's a monster under my bed' and you finally look, oh it's really a monster under their bed. It's like I've been telling you! There's monsters down there. – Brent, Resident

The Rodney King incident provides a reference point for many participants in this study. As Brent continued the conversation, he said, "every generation needs its own Rodney King". What he meant by this is that we often forget history, and thus it repeats itself. His analogy of monsters under the bed is meaningful, and provides a glimpse into reasons citizens are not willing to record the police, but encourage others to do so.

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Citizens might decidedly not want to record the police, or not be willing to record the police, for other reasons as well. Another explanation offered by a resident points to social justice action:

> To be honest, I wouldn't film it. I feel like I'd be the person that would jump in the situation and try to stop the situation. Like that's just my personality, just how I am. I don't like seeing people get in trouble for stuff they haven't done. Or see people just being bullied for no apparent reason. So for me, like, that's what I'd do. I'd jump in, try to jump in and stop what's going on. – Andrea, Resident

Citizen journalism itself encompasses social justice for some residents, especially those who want better police accountability, or have filmed police officers acting questionably. However, for Andrea, she would actually get involved. Her choice to not record the police is predicated on the fact that she would act, rather than standby. This is a hypothetical, as she has never actually become involved during a police-citizen encounter, but it does point to strong beliefs in social justice that extend beyond citizen journalism.

Capturing Evidence

According to the police, citizens who film them will make it known why they are recording. This highlights that citizens are more likely to begin recording if they feel the officer is violating their rights in some way. Even if officers are following all procedures, the citizen might perceive this differently. One citizen, for example, described how he filmed an officer after being pulled over for a traffic violation. According to him, the officer's demeanor changed when he noticed the citizen was filming. A police officer noted that they usually get recorded when there are disagreements with citizens, and these citizens will make it known. Another reason for filming, then, is to actually capture evidence of perceived wrongdoing:

So we were patrolling that neighborhood. And we roll up on a car that's been sitting there for some time. So we were just gonna get out and talk to the occupants. Turns out that the person who is sitting in the car lived in the house that was right there. So, as we're approaching the car, he automatically jumps out, says he lives here, why are we harassing him, gets the attention of his wife, who's inside the house. She comes out, camera's already recording. "This is harassment, this is harassment"…um…they're having a conversation with us the whole time, and they got the camera up, she's threatening to call her lawyer, and things like that. Just saying that we're harassing them, basically, and you know we're trying to explain to them the reason why we're there, what we're doing, we're just gonna talk, nobody's getting arrested, you know. – Brett, Patrol officer

In the circumstance above, the couple obviously felt like they were being harassed, as the man was sitting outside of his own home. The police officers were adamant about doing their job, as to them it seemed suspicious that someone was sitting there for "some time". The communication breakdown between police officers and citizens makes situations such as this more difficult. From a citizen perspective, it is simple to see why they would feel irritated about police approaching them outside of their own home. The officers, however, felt they were adequately doing their job by being proactive. It is this proactive approach that can toe the line, from causing problems to actually invoking a sense of safety from residents. Many citizens want the police to take a proactive, rather than reactive, approach to crime. Respondents talked about how the police currently, in their opinion, do not get to know residents in the neighborhood, and only show up after a crime is committed. When using proactive approaches, however, police will be more visible in neighborhoods, and this means more police-citizen interactions, for good and bad. Citizens might easily feel harassed if the proactive policing approaches make them feel like suspects or they are unfairly targeted.

> When we talk about let's say for instance, Rodney King. And I always pose the question, if the officers knew that they were being recorded when that whole incident happened with Rodney King, because this person that recorded them was up on the second floor with an old time video camera. If they knew that they were being recorded, would they have acted in the same manner that they did? And…most of them say no. And I said, see that's what I'm saying. So the fact of the matter is…if you're not confident what you're doing at that time is legal, you better rethink how you're doing it, because you never know who's recording you. I used to tell them, you guys I'm telling you right now, that happened overnight. So that thing didn't come out until the next morning. And so those officers got off shift. They went home. And they got some phone calls like 'yo you better turn on the TV'…and there you see yourself beating a guy and you're like 'uh oh' and next thing you know there's a click coming in on the phone, it's the police department saying 'we're gonna need you to come down'. And so we always are stressing, you're always recorded, even if you think you're not, you're being recorded. – Maurice, Captain

Rodney King is arguably the most infamous police-citizen encounter to be caught on tape. It changed perspectives of police nationwide, and brought race relations to the forefront of American policing. What Maurice, a captain in the police department who also teaches in the police academy, understands is that it never would have happened, according to most, if the officers knew they were being recorded. Citizens might argue differently, especially given the wide dissemination of police-citizen encounters taped by citizens today, where officers do know they are being recorded but still come under fire for the tactics they used or force applied during the encounter.

Meanwhile, there are citizens who believe that recording the police is a measure to not only hold them accountable, but to prevent any misconduct from taking place:

> I think that…it's taken now from my understanding, just with conversation with the youth, as a preventative measure on the police killing. This is what [the youth] feel, [police] killing or physically abusing, you know, a citizen. And being quote/unquote bullyish with the

power that comes with having a badge and a gun. And I think that means a lot. – Jonathan, Resident

Conclusion

Police-community relations at the research site were poor and citizens have high levels of distrust of the police, which were principally due to local residents' personal and vicarious negative contacts with the police. Citizens felt that the police did not care much about local residents and targeted their enforcement unfairly at poor and predominately black neighborhoods, while officers claimed the need to concentrate their aggressive patrol interventions in high crime rate areas. A high level of disagreement between officers and residents in policing strategies and approaches has impeded the development of healthy police-community relations.

Findings reveal insights into how and when citizens choose to record the police, and likewise why some choose not to film the police, even though they harbor resentful or distrustful feelings toward law enforcement. Filming the police happens because the accessibility of recording devices has increased, citizens want to hold police accountable or prevent possible misconduct, or on an individual level, citizens want to capture evidence or proof of wrongdoing. Despite these reasons, no residents in this study who had filmed the police filed any formal reports. Instead, they showed a few friends or family, posted to social media, or in one case showed police officers that were friends, and assumed they would follow up.

Police officers know that citizens are allowed to record them, but nevertheless find it to be bothersome at times. This is especially true if the demeanor of a citizen changes and they become defensive or argumentative. Police are also concerned that recordings can be misinterpreted by those who view them, and their image will suffer negatively because of it.

Recording the police does, and perhaps has, changed the dynamic between police officers and the community. As one citizen, a former police officer himself, noted, police are only "chasing calls" and not engaging residents proactively. Filming the police can also make a police-citizen encounter more complex, especially if bystanders are filming, or if the individual filming the encounter becomes hostile. In this respect, it has possibly made the job of police more difficult. Likewise, there is evidence that filming the police can change their behavior. Police officers noted that they might think twice before doing something if they are being recorded, and citizens support the fact that capturing what police do on film can make them act differently. Ultimately, there are many complexities involved in whether or not citizens decide to record the police, and how police are likely to respond.

Chapter 5

**DOES RECORDING REALLY MAKE A DIFFERENCE?: ATTITUDINAL AND
BEHAVIORAL MODIFICATIONS AND POLICE LEGITIMACY**

The previous chapter identified several reasons for why local residents were

willing (or unwilling) to record the police. This chapter focuses on the impact of

recordings by discussing first generally how officers and residents have changed their

attitudes and behavior due to recordings, and then specifically how recording the police

has shaped public perceptions of police legitimacy. Recent tragic high-profile events

that occurred in Ferguson, New York City, and Baltimore have made police legitimacy

a central issue of police-community relations. Therefore, it is important to assess the

impact of recording the police on not only potential attitudinal and behavioral

modifications among officers and citizens but also on police legitimacy in the eyes of

the public and police officers.

Attitudinal and Behavioral Modifications

Police Perceptions of Being Recorded

Before discussing changes in officer and citizen attitudes and behaviors, this

section touches on officers' perceptions of being knowingly or unknowingly recorded

by the public, which could shed the light on the context of their attitudinal and

behavioral modifications. Fourteen of the fifteen police officers had, to their knowledge

at least, been recorded by citizens. Since some citizens secretly record the police, it is

entirely plausible that the one officer who had never noticed anyone filming had

actually been recorded without his knowledge. By and large, police officers are aware of citizens' rights to record them, although they find it generally bothersome:

> Well, it's kinda annoying. And I'm like, the cops are no different than anybody else. If I showed up to your work and followed you around with a video camera, you would get annoyed. Forget the video cameras. Someone just followed you around watching everything you do, it would be annoying…You know if you're at your desk and I show up and start videotaping you, you immediately feel like you're doing something wrong. So it's not, I don't like that. – Patrick, Patrol officer, SPD

As this officer, and many others, pointed out, there is no other job where someone is going to be filming you and your interactions with the public constantly. As another officer put it, "who likes to be scrutinized at work?" Contrary to surveillance cameras, recordings between police and citizens are often much more personal. This logic makes sense, if citizens put themselves in the officer's position. Having someone film everything during an interaction absolutely changes that encounter.

Further, police officers have problems with citizens distracting them, getting too close and risking interfering during an incident, and making officers feel a heightened sense of awareness from possible threats. For citizens who get too close, officers consistently tell them to back up or they could be arrested. This is a safety concern to the police, as the bystander could get hurt if he/she stays too close during an altercation. Specifically, officers mentioned that bystanders could be attacked, and now instead of worrying and focusing only on the person they are dealing with, officers also have to concentrate on others around them. This is extremely distracting and also poses a safety risk for an officer. As one officer described, citizens can absolutely record them in public, but they cannot interfere:

> But just 'cause most people who film are really obnoxious about it. Like, and they think that they can film anybody, which they can, but they can't get in the way of what we're doing. And they can't hoot and holler and

scream while they're doing it. So they can film but they can't walk up to
us and get in our faces about it. – Eliot, Patrol Officer, WCPD

Officers particularly disliked the frequent occurrence of citizens filming them,

and taunting or yelling at them while doing it. A local council member mentioned that

he is preparing an ordinance to create a safety barrier for police officers. The ordinance

would prevent anyone from filming or staying about 20 feet within the scene, reducing

the potential impact of recording on the officer and individual involved. The

councilman commented that because a police officer may be calming someone down,

when a camera comes out it could, "heighten that person back up again". Sometimes the

interference in the form of taunts is antagonizing and becomes distracting:

> When individuals are recording officers and what's going on, they're
> close, they're yelling at the officers, they're distracting the officers. Not
> that the officer can just sort of disregard what's going on behind them.
> It's kind of impossible. Because you have somebody yelling. You see it
> all the time. "That person didn't do anything wrong, what are you doing,
> ohhh this is police brutality", this, that, and the other. You hear that, and
> you gotta be cognizant of what's around you at all times, and if you're
> by yourself and you're dealing with an individual and you have people
> behind you recording, which is no big deal, but if they're yelling and
> screaming and now *they're* hostile, you don't know if they're gonna take
> a cheap shot and kick ya, kick the back of ya and then flee, because you
> know that 's just the nature of our jobs.- Adam, Patrol officer, WCPD

Police officers are always cognizant of their surroundings, and also always

aware that the public can and does record them. As evidenced by their responses, one

interpretation of this is that they dislike being recorded, even if they do not mind it and

understand that it will inevitably happen. There are also certain circumstances when

police officers are adamant that recording should not happen:

> Then there's some incidents where you feel like there's no need to
> record. You know, if you're at a murder scene, there's someone laying
> there, I just see that as inhumane to record someone while they, you
> know, may be dying, or while we may be trying to bring them back to
> life. That's inhumane to sit there and record that. In my mind, if that was

my loved one there I wouldn't want you recording that. 'Cause next thing you know it's uploaded to social media, and how would I feel finding out about a loved one who died based off a video I saw on social media. – Shay, Patrol officer, SPD

There is consternation about what some citizens film during police-public encounters. As bystanders, often citizens film in case something exciting happens- they want to be able to capture that moment and share it with others. However, as this officer pointed out, there are some circumstances when filming is not morally appropriate. There is not much that can be done in this regard, as it happens in a public space, and the most that police can do is ask witnesses to stay back. It is also important to note where recording the police is most likely to happen:

Where we come across it the most is in areas that are normally high crime areas, where there's always a constant police presence in there, for, you know, whatever reason that we're in there. And…normally whenever something happens with one individual that's…you end up getting numerous people that just come out…they seem like they come out of nowhere. And they're just right there. I mean, people…they'll yell at ya, and tell ya that you had no reason to do what you're doing, and they have no idea why we just stopped this person, you know. – Nick, Patrol Officer, WCPD

Several officers pointed out that not only are they filmed all the time, but they are most likely to be filmed in areas with high crime rates, which are likely to be hot spots subject to higher levels of patrol intervention. Citizens in these areas commonly do not trust the police (Tyler, 2005) and this can be linked to their increased willingness to record and scrutinize police behavior. Oftentimes, citizens feel targeted by police, especially in certain communities that are low-income with serious crime problems. Police officers may not say anything to citizens who record them, but their feelings on the matter are often not well hidden. As one citizen who filmed the police said:

They glared at us, you know, and kinda looked around like letting us know they didn't particularly care for it. You could just tell by their

demeanor. But, no they didn't approach us or anything. – Charles, Resident

Citizens are aware that their recording of police-public interactions is unfavorable, but often they are more concerned with how their position in society, as powerless compared to police officers, makes them vulnerable, and that filming the police can balance that power.

Changes in Officer and Citizen Attitudes and Behaviors

While some citizens do explicitly advocate for recording the police as a measure to hold them accountable, there is still a question as to whether or not it can change behavior and further prevent any misconduct. Opinions mostly clearly delineated between yes and no. For citizens who felt recording the police did not matter in preventing misconduct, they referred to past incidents and how little has changed:

> Nah, only because I feel like police brutality and police using deadly force when it is not necessary has been a problem, but it's only come to our attention because of community people videotaping. And even with all of the videos over the past 2 years, accountability still has been low. You know, when you look at the majority of these situations, very little happens to these officers. Although they've been taped. So…for some reason it seems like in this country police just have, you know, a pass that everyone else does not have. – Trey, Resident

> Yes, to a moral upstanding officer that already has a conscience. The film is only gonna remind him that he has a conscience. He's like 'oh yeah, let me act right'. But the one who just don't give a fuck, he don't care if you're filming him or not. – Theo, Resident

As Theo points out, being filmed or caught on tape is unlikely to change an officer's behavior if he or she is prone to misconduct. Citizens referencing past events also make a good point, especially given that police officers in high profile incidents have either not been brought up on charges, or were acquitted, or a grand jury did not

find sufficient evidence for trial. Therefore, even with citizens filming and attempting to hold police accountable, there is still a sense of futility.

There is a belief that interactions with police can be extremely negative, and citizens want some sort of protection. Using the act of recording as a protective measure makes citizens feel not only like police might be less likely to use unwarranted force against them, but also can be used as evidence in case something does happen. In this respect, they are acting on the assumption that officer behavior could change. Others, citizens and police officers alike, believe filming the police has changed their behavior and interactions with citizens:

> I think it already has. I honestly do. I think that if you look at what's going on in [the city] now…lot of officers are not engaging people. They're not getting out of their cars for minor things. You know, the public wants the officers to walk a beat, they want the officer out of their car walking around. The officer doesn't want to be subjected to…just cameras on 'em constantly. Baiting them, getting them to engage. They don't want that hassle. So I think a lot of officers are just…chasing the radio calls and just doing what they're supposed to do and not anything extracurricular. So I think it's already taken effect. It already has it's effect.- Gregory, Resident

The citizen quoted above, who is a former police officer, believes that increased instances of people recording the police in public has already had an impact and a detrimental effect on how police do their work. The suggestion is that police officers will not go out of their way to engage the public, because they do not want to be harassed, antagonized, or filmed. Other police officers noted how being filmed by the public can change how they police in general:

> As a police officer, it's going to make me conscious and aware that everything that I'm doing can definitely now be reviewed, and it's no more of this he said/she said stuff. It's, I hate to say this, but it's going to make sure that I 'm on my best behavior…You hate to say that you need to be recorded to be on your best behavior. You should be able to…go

out there and have the integrity, the level of professionalism that they can do their job, without him saying, well I'm doing it, but I'm only doing it because, you know, am I recording, I see that camera on over there so I'm gonna talk a certain way. For me that's all staged. Because when you know you're on camera, it's staged. And I don't know really if that's how you would handle that complaint, if you didn't have the camera on you. And so, that's why I hate to say it…If you didn't have the camera on would you be calling me an asshole, would you be saying jerk? You know? My thing is, yes I would hope that you would be doing your job the same way on or off camera. But I know sometimes the camera for some people, is a motivator to make sure you behave. – Maurice, Captain, WCPD

Being filmed, as Maurice states, can prompt police officers to be on their best behavior, and do everything in the way that they are expected to perform their duties. This is in line with what many officers said. Police acknowledged that people act differently when they know they are being recorded, both officers and the public. Another officer admitted that sometimes there are police officers who might restrain themselves a little more if they are being recorded. There is noticeable change that takes places when people, whether it is officers or citizens, know they are being filmed or photographed. Police officers said that they might "watch their mouth" or "be a little more nice" if they knew they were on camera. This echoes findings from previous research on police reactivity during systematic social observation, which suggested that indeed officers may change their behavior when they are accompanied and observed on patrol by researchers (Spano, 2006).

Importantly, however, officers routinely mentioned that if they are doing the job the way they are supposed to be doing it, they have nothing to worry about. Some officers noted how being filmed has already affected their behavior:

And you know there's been times where I've seen individuals recording when I've made a drivers side approach and then I switch it up when I come back to the car and go on the passengers side and I'm looking at the driver's side window because they didn't switch the camera angle.

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So, and I tell them 'look you don't have to hide it'. If you wanna record officers, you can. – Adam, Patrol officer, WCPD

This is an interesting response, because although the citizen in question was attempting to be conspicuous, officers are trained to notice everything around them. Furthermore, even though the officer would claim that nothing wrong happened on his end and the citizen is allowed to record him, it still caused him to change his behavior in this instance by not going back to the driver's side window where the camera lens was pointed. This is evidence that officers not only have changed their behavior when noticing a citizen recording them, but they have modified behavior even when it was not necessary. One of the most important, although nuanced, changes in behavior, though, affects every police officer regardless of whether they are following procedures:

I'd be lying to you if I said it doesn't bother me all the time. It's just something that, we're used to being in uncomfortable situations. That's just the nature of what we do. So it's just one more thing that… you know, it's just someone looking over our shoulders. It's like, you don't wanna second guess yourself in any situation. But when the camera's are out, there's that split second where it's like…being recorded. And you just gotta make sure you dot your i's and cross your t's and do everything that, you know, you've been trained to do. – Brett, Patrol officer, WCPD

Yeah, cause now you're being filmed, now you're like double thinking everything you're doing. So you may concentrate more on that camera than on the person. And again, you know, you're on camera so even something minor may be turned into a big incident.- Patrick, Patrol officer, SPD

Officers do pay closer attention to what they are doing, whether or not they are engaging with a citizen. In this respect, perhaps filming the police absolutely could make sure they are "dotting their i's", so to speak. It makes officers more cognizant of what they are doing. It can also, however, make officers second-guess themselves more often, which may have some implications for police-citizen encounters and officer

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safety. Officers go through extensive training and a police academy, and yet they will still question whether their behavior is the cause of them being recorded. This has the potential to make some situations play out very differently, for both police officers and citizens. As one resident noted, police are already not engaging citizens as much. There are ways in which recording the police influences the behavior of the citizens as well:

> I feel that once that recording comes out, it's…I feel that they have some sort of, like, protection. That they feel they're protected because they're recording you. So they're a little bit more, um, less likely to follow your commands. That I've seen, that like, you know, anything such as like step out of the car, do this, this and that, or, you know, put this away, turn around. It's a little bit more, um, difficult from… because they have this recording, that they think that, uh, basically gives them immunity. – Will, Patrol officer, WCPD

Citizens' demeanor may change when they record the police, at least as indicated by police officers. It is likely that residents pulled out their phone and started recording because they did feel threatened in some way or felt that they would be better protected, which in turn can affect the dialogue between them and the officer. While local residents might feel that they are protecting themselves against misconduct or capturing evidence that police officers were in the wrong, officers feel like citizens are on the defensive and put a guard up, making it difficult to interact with them.

Police Legitimacy

Several themes emerged from the analysis of interview data, including obligation to obey the police and trust in the police, both reflecting legitimacy in Tom Tyler's (1990) work. Among issues of trust in the police, this also includes personal and vicarious experiences of residents, as these can have an impact on perceptions of and feelings toward the police, as discussed in the previous chapter. Other concepts relate to procedural justice, dividing obligation to obey the police from the original concept of

legitimacy as a separate consequence of legitimacy as proposed by Tankebe (2013). Finally, the importance of self-legitimacy is discussed, including how it relates to cooperation with the police.

<center>*Obligation to Obey*</center>

> Oftentimes we can create an environment of hostility because right away we're anti-police in our demeanor. 'Why you stopping me for, yada yada yada'. And I tell kids oftentimes that it's been my experience if you're respectful when law enforcement approaches you and you do everything that you're asked to do, 9 times out of 10, you will have a favorable outcome. You know, but our kids are taught to distrust police for whatever reason – Eli, Resident

There were varying ideas from residents about obeying commands from police. While residents noted their hesitancy about local police, particularly related to problematic policing tactics and corruption, they also did not outright advocate for disobeying direct orders from law enforcement. As the above quote indicates, local residents oftentimes approach situations with police respectfully and with deference to officers in hopes that it will end in their favor if they have a positive demeanor. From this, it seems that residents will for the most part obey police commands, regardless of their involvement in recording the police.

This vein of thought, however, is in sharp contrast to some residents' discontent with the police. Some expectedly were less favorable of police than others. While they all cautioned about obeying direct orders from the police, they also understood how others might find acceptable or justifiable reasons for disregarding police orders. One resident, Theo, began speaking about some of the high profile incidents that have transpired over the past year. In reference to this, and how some might act out against police, he said:

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[Y]ou're backing desperate people against a wall…There's an old saying from back in the day. 'I'd rather be judged by 12 than carried by 6'. So I'm gonna hold court in the street. I shoot you, you shoot me and we'll work it out. The same way that cops are doing, they're like okay I'll shoot you and we'll figure it out, after it's all said and done - Theo, Resident

Theo also remarked that he has been subjected to unnecessary traffic stops, being pulled over for no reason so the officer could run his plates. Another resident referred to this as "existing while black". Residents noted differences in how they had gone about recording the police in the past, referring to their rights in the process. One resident noted that he secretly recorded the police, because he did not want to get involved or be questioned about the incident he was recording. Another made it plainly obvious that he was recording, because "it's not against the law". He also said that it might get him into trouble one day but "oh well". Residents claimed that they would obey law enforcement in any future interactions largely because they felt knowledgeable of their rights and wanted the interaction to end quickly. Obeying the law/police for some residents thus is a temporarily practical resolution to their involuntary contacts with the police, rather than a feeling and consequence of being treated fairly and justly.

Police officers have become used to citizens recording them, as it has become a routine expectation of the job. Their experiences with citizens who recorded them differed from how residents portrayed their interactions with the police. Officers noted how citizens who recorded them depicted a subtle defiance and were engaging in passive resistance against them and their commands. As one officer mentioned:

They feel they're protected because they're recording you. So they're a little bit less likely to follow your commands. It's a little bit more difficult …because they have this recording, that they think that basically gives them immunity – Will, Patrol officer, WCPD

As discussed in the previous chapter, citizens are now much more likely to take out their cell phone, begin recording, complaining, and arguing with officers over the situation. One officer described this as a form of passive resistance. Therefore, while citizens indicated they would likely obey orders from police, officers described very different experiences in which citizens were less likely to follow commands, and more likely to argue, resist, or begin recording. It appears that recording the police has surfaced as a tool for citizens to challenge police authority and legitimacy during police-citizen encounters that have traditionally been dominated by a police-command and citizen-compliance model. Though recording the police may not necessarily change the power dominance of police in their contacts with the citizenry, it has raised the threshold of getting public obedience.

Trust in Police

I wanna trust the police…but it seems like it's getting out of hand. -
Conrad, Resident

The relationship between the police and the community was best described by one resident as "horrible". This strained relationship is largely influenced by a lack of trust in the police. Local residents' personal and vicarious experiences have undoubtedly affected the way they think about and interact with the police. As discussed in the previous chapter, personal experiences have been shown to shape attitudes toward the police (Skogan, 2005; Tewksbury & West, 2001; Weitzer & Tuch, 2005), and negative interactions were likely to influence perceptions of police officers (Hawdon & Ryan, 2003). The residents interviewed did not necessarily hate or despise the police. In fact, most of them acknowledged the need for police as an organization, but felt distrustful of individual officers. This opinion rested heavily on personal

experiences, observations of police encounters in their communities, and how they had seen police interact with others. In their personal interactions, they described the police as being disrespectful, unnecessarily hostile, and felt a sense of being targeted because of their race, neighborhood, or being in a certain high crime area and being eyed suspiciously by the police. One resident described an instance when he and his cousin were driving through a high crime neighborhood:

> An officer approached the car, and was like 'I'm gonna need you to pull over and turn your car off, you can't go this way', and my cousin said, 'well why what's going on?' 'Never mind what's going on, I told you what to do, do it.' What kind of attitude is that, you know? You ask a simple question, and this guy gets bent all out of shape – Charles, Resident

While not all of the residents had negative personal experiences with the police, they all had stories about friends or family members who had unpleasant experiences. Hearing about negative encounters from others shapes attitudes (Schuck, Rosenbaum, & Hawkins, 2008; Weitzer & Tuch, 2005). Residents believe that attitudes about police are a learned behavior, resulting chiefly from how they witness police-citizen interactions.

In general, citizens were unfavorable in their trust in the police and police accountability for their actions, which has implications for their perceptions of police legitimacy and authority. Residents referred to prior encounters, or stories from friends, when describing their lack of trust in the police. In many cases, this was directly related to their feelings about police treatment of them and others like them, supporting the importance of procedural justice in police-public contacts. It is not a far-reaching conclusion that a lack of trust in the police affects citizens' perceptions of police

legitimacy, but also increases the likelihood of citizens recording the police to validate

their perceptions of the police as untrustworthy.

One of the primary aspects of legitimacy, that is often an extension on trust in

the police, is cooperation with the police. Both residents and police officers talked about

why cooperation does not happen in the city. This is a point of frustration for many

officers, who need public cooperation for cases that go to court or to bring charges

against a suspect. As one officer said, a main hurdle in doing their job is

"just….cooperative victims. I mean we're trying to do our jobs and sometimes they're

not cooperative, like they don't wanna help us out." This concern was echoed by other

officers as well, who described violent crimes committed where many residents would

gather in the street, but when approached would deny witnessing anything. A major

reason for the lack of cooperation is fear of retaliation, which was noted by police

officers as well as citizens. As a resident described:

> You can't expect people to cooperate with you when there's fear of
> retaliation in the street. People see you talking to the police in certain
> neighborhoods, they automatically gonna label you as an informant or a
> snitch, and it can put your family in danger….there's been incidents
> where people and their family has been harmed through cooperation, so
> people are afraid to, you know, open up and openly be seen talking to
> police- Eli, Resident

This is an important and crucial element of legitimacy in policing. While

individuals may want the police as an organization to be present and deal with the

violent crime problems in their neighborhoods, they do not want to get involved and

often refuse to cooperate with the police, at least in part because they do not believe that

the police can protect them from retaliation.

Trust is intertwined with willingness to cooperate. Personal negative experiences

and stories heard from friends and neighbors cultivate distrust, leading to low

willingness to work with the police. One resident, who works in a local church, described stories that he has heard from his parishioners:

> There's lack of trust, there doesn't seem to be…well within the last couple of years, stories I've heard where police mimic unholstering their gun. I mean not taking it out, but sort of, harassment. Assault. I've not seen this personally but these are the stories I've heard. If the police do not have trust, people are not gonna talk to them, if they feel as though their lives are in danger – Conrad, Resident

These feelings of distrust have been deeply felt by police officers who interact with citizens and believe that the videos taken by citizens have further affected public perceptions and trust. One officer stated:

> I think it's creating distrust even more. I mean they think we're just really going out there just shooting people. I know this is a job that we signed up for and this is a reality. But I think the video are doing more harm for distrust. We'll stop people and they make jokes all the time, 'oh hands up, don't shoot me' and it's like…it gets old – Brandon, Patrol officer, WCPD

The same officer referred to the protest slogan that has been adopted since the shooting death of Michael Brown in Ferguson, Missouri in August 2014. He, and other officers, feel that the event stirred feelings of distrust among the public and has affected officers' self-legitimacy, as discussed below, in how they now interact with the citizens differently, and sometimes interact with a more hostile public.

Procedural Justice

> I've come upon incidents of police actually searching young guys outside for drugs, when the normal procedure is you take them into custody and you search them at the police station. You don't make them disrobe out in public…you just can't violate people's rights no matter what your intentions are. - Eli, Resident

Eli, who is an older resident in the city, demonstrates the significance of procedural justice in resident decisions to record the police. Eli works with youth in the city, and has witnessed improper procedures being followed, and then recorded these encounters. As described in the previous chapter, Eli has friends in the police department and made them aware of the situation because he felt that the juvenile's rights were being violated. He was content that administrators addressed it on their end. Eli was not the only resident to describe juveniles being "shook down" on the street by officers.

While Eli was satisfied with reporting what he saw to the police administrators, another resident, Theo, was adamant that he avoids the police because "you catch 'em on a bad day, it can end you." He also works with juveniles and described similar situations in witnessing police officers stop citizens without probable cause. Although these specific instances highlight examples of procedural injustice, there is general concern about procedures as well. As indicated in the quote below:

> Two wrongs don't justify. And that's the thing that…if you can't catch
> him by you doing the right things, then you need to be better at what you
> do. Cause these dudes is slipping up. You don't have to put yourself in
> their shoes to catch them. Like, you know what I mean? Then that
> defeats the purpose of having police. If you gotta do wrong to catch him-
> Theo, Resident

Citizen concerns about the proper procedures not being followed highlight how this could have consequences for perceptions of legitimacy related to trust in and obligation to obey the police. If obligation to obey the police is a separate concept as a consequence of police legitimacy (Tankebe, 2013), procedural fairness would be a one of the primary factors for consideration. Witnessing such unfair procedures during police-citizen interactions prompts residents to begin recording the police as evidence

of unjust processes. In turn, this also provides citizens with evidence that can be detrimental to police legitimacy, depending on how the recording is disseminated and what is depicted.

Self-Legitimacy

> You know it's really a shame that we have to go there. Because if the accountability was there, we would not have to have a talk of body cams and what have you. And that comes to two things- accountability and proper training and proper screening of police officers…So now we have a need to videotape you because you didn't know how to act to begin with. - Charles, Resident

Citizen interactions can certainly have an impact on police legitimacy, particularly for those officers who are on patrol and encounter residents everyday. Police officers are aware of how their contacts have been changing as citizens possess and employ new technologies. With the increased recording of police, officers reported that their authority has been contested. Those interviewed described citizens who film them as displaying defiance and a challenge to authority, sometimes causing confrontations. One officer described how, as police, they are "dealing in this age right now where we're having people that are going to confront us a lot more." This implies that officers feel the need to reaffirm their legitimacy. This is exactly the case in statements like the one below:

> When you wanna sit there and argue, you wanna not comply with what you're told, now they're gonna arrest you and now you're not allowing that to happen, you see how one little incident of selling loose cigarettes just turned into a huge incident now because you…if you just cooperate! Just do what you need to do, just listen to what you're told, right then. - Eliot, Patrol officer, WCPD

Self-legitimacy among patrol officers is important to how they exercise authority. For every police officer interviewed, they made comments referring to their

own legitimacy, and it is evident that they view this power as legitimate without any reservation. What is also evident, however, is how citizens are challenging this power more often. Traffic stops become longer encounters when someone wants to engage in "street court", bystanders begin recording when several police cars show up, and citizens are making it known that they are recording the police when they perceive any unfair treatment. With more citizens challenging their legitimacy during these interactions, police officers noted feeling annoyed by how residents would often bring out cell phones and begin recording them.

Although the effect of negative publicity on officer self-legitimacy has been reported in other jurisdictions (Nix & Wolfe, 2015), every officer interviewed in this study had the perception of high self-legitimacy. Much of this is presumably because of the training that they have undergone and the police culture in which they are embedded. As a police administrator who was interviewed mentioned, they are an organization that prides itself on community policing. They described "contempt of cop" situations, when an individual would intentionally try to make the officers angry by, for example, invading personal space or calling names. In their description of these incidents, officers always highlighted the fact that if the individual was doing nothing wrong, it was important to not let the citizen bait officers into situations. This underscores two important points on self-legitimacy. The first is that citizens are challenging the legitimacy of police, and are doing so by using recording as a method to ensure their procedural rights are justly enforced. The second is that even with this challenge from the public, police officers that were interviewed still hold a high level of self-legitimacy, which could have a positive impact on how they engage the public in

their policing efforts. Lastly, the police recognize the force they are granted through the process of legitimization. As one officer described:

> This is a very great responsibility having that authorization, being able to have that sort of use of force at our disposal. But if we have to use it, it's a very very heavy responsibility. So I mean…you know, those consequences are incredible - Stephen, Patrol officer, WCPD

Conclusion

Citizens expect that police officers will change their behavior if they are being recorded, and police officers similarly feel that citizens are changing their behavior when filming the police. Both assumptions seem to hold true. Police officers have full understanding that citizens are allowed to legally film them in public, and even though they find it mildly annoying, they do not mind so long as citizens are not interfering. While citizens have doubts that recording the police can positively affect change, they still advocate for recording the police, as a method of protection and as a mode of resistance. Police officers and citizens alike will behave differently when they know they are being recorded.

Legitimacy is an important concern in policing, and the way that citizens view the police forms the basis of police legitimacy. Citizen journalism has become a way for the public to contest police authority and challenge policing practices. Residents were likely to advocate for obeying police commands, but this was not necessarily resulting from their perceptions of the police as a legitimate authority. Some residents obey police commands because they want the encounter to end quickly to avoid more severe consequences. Residents generally do not trust the police, largely because of past personal or vicarious experiences.

Residents who have previously recorded the police reported instances of witnessing improper procedures being used by the police, making them question the legitimacy of law enforcement. Focusing on the concept of self-legitimacy, the police officers interviewed noted public defiance and experienced challenges to their authority as a result of citizens recording them. However, they still hold high levels of self-legitimacy, mainly because of strong organizational and occupational culture.

Citizen journalism is surfacing as an important phenomenon that can impact police-citizen encounters and citizen and police perceptions of legitimacy. The way police officers and residents have changed their behavior, or at least consider modifying their actions, is also a result of being recorded more often in public. Citizens use recording as a method of challenging police authority, which can affect the dynamic of police-citizen encounters.

Chapter 6

BODY WORN CAMERAS

In July 2015, Ray Tensing, a University of Cincinnati police officer, stopped a man for a traffic violation. The driver, Sam Dubose, was asked to show his driver's license, while Tensing commented on his missing license plate and a bottle of alcohol on the floor the vehicle. At this point, Tensing begins to open the driver's side door, asking Dubose to unbuckle his seatbelt and step out. Dubose refuses and begins to pull the door closed, and over the course of mere seconds, Tensing yells, "stop" and discharges his firearm once. The car slowly rolls away, Dubose presumably already dead at the wheel from a gunshot to the head. Tensing alleged in his report that he had been dragged by the vehicle and feared for his life. In this instance, however, the officer was wearing a uniform body camera. It was this footage that ultimately led to an indictment against Tensing for the shooting of Dubose, based on what the body camera showed as evidence that he had not in fact been dragged by the car (Perez-Pina, July 2015). Two other police officers, also wearing body cameras, were not sanctioned for their role in the incident, despite having surreptitiously reported that Tensing was dragged by the car and almost run over even though they arrived after the incident. This high-profile encounter, however, likely would have never been discussed by the public or mainstream media if body camera footage had not depicted what actually occurred. To this effect, arguments for and against body worn cameras (BWC) on police uniforms have become a part of police-citizen discourse.

While police departments have increasingly began implementing body worn cameras within the past few years (White, 2014), the technology has been available for some time. One of the first police departments in the United States to assign BWC to officers was in 2012 by the Rialto Police Department in California (Ariel, Farrar, & Sutherland, 2015). Officers were randomly chosen to wear the cameras for the duration of their entire shift, turning them on for every citizen interaction, with the exception of sexual assault cases. Results indicated that use of force rates dropped by 58 percent, and citizen complaints decreased by 88 percent. The authors of this study highlighted how under scrutiny of being filmed, police officers were more likely to adhere to departmental policies and change their behavior (Ariel, Farrar, & Sutherland, 2015).

Both police departments involved in this study have begun pilot programs to implement BWC. While only a small portion of officers are currently wearing cameras, it is a prominent issue for police and citizens alike. Woodley County Police Department (WCPD) began to deploy BWC over one year ago, and their policy on BWC technology is publically available. The 14-page document outlines procedures and policies about when BWC should be in use, when use is prohibited, and technological considerations such as creating evidentiary DVDs for reports, downloading recordings, and course of action if the BWC malfunctions. Swynford Police Department (SPD), which began a pilot program only at the beginning of 2016, also has policies in place, but they are currently not publically available.

All police officers and most citizens interviewed were in favor of departments implementing uniform body cameras. However, many of their statements of agreement were contingent on how the cameras were used, and the police and public opinions vary drastically about officer privacy while on duty. Citizen opinions on BWC are especially

pertinent because many departments view the implementation of uniform body cameras

as a method to increase police accountability and public trust in the police (Ariel,

Farrar, & Sutherland, 2015; White, 2014). The statements from residents below

highlight the divide in support for BWC:

> It should've been in place a long time ago. Because it keeps the officers safe, it protects them from undue liability, as well as the individual who may have their rights violated. But it also protects the police officers who oftentimes are being charged with this mistreatment. It protects the police officer and the suspect. So it's something that we should have done a long time ago. Every department in the United States should have body cameras. Every officer on the street should wear body cameras. It's just that simple. – Eli, Resident

> Body cameras are the biggest pump fake I've ever seen in my life. What's the point of body cameras if you can turn them off. They're pointless. They are literally pointless if you can go in there and edit and delete and cut them off, what's the point? They are literally pointless, they just, all these police…counties and state governments, oh we're doing body cameras. I remember when Obama passed legislation for body cameras, and I was like…dude. For what. Like literally for what. I know as a politician and President of the United States, you had to do that. But I know as a black man, who grew up in Chicago, I know you were like this is some BS, but I'll sign it, here. What do they do? Nothin'. – Brent, Resident

The inevitably of BWC is likely a factor in officers agreeing they would wear

one, as one officer pointed out, "[W]e know it's coming so there's nothing we can do

about it." Officers are also aware of how the current political climate and recent high-

profile events have led to an increased call for implementing BWC:

> I'd say it's definitely pressure from, like, the post-Ferguson era. I mean, to my understanding, it's all these shoots, all these people getting shot by police officers, and the lack of body cameras is just like, adding pressure on staff to basically give us body cameras, to be at that department that like already has body cameras, you don't have to worry about anything. And um, you know, it comes down to money as well. Right now the federal government is handing out money for everybody to get body

cameras so we're trying to snatch that before anyone else. – Will, Patrol officer, WCPD

The federal grant money that Officer Will is referring to is part of a pilot program funded by the United States Department of Justice through the Office of Justice Programs. This expands on President Barack Obama's proposal to purchase 50,000 body worn cameras within the next three years. Grants totaling over $23 million were given to police departments in 32 states to expand implementation of uniform body cameras. The money is for purchase of camera equipment, training and technical assistance, and examining impact. Departments are required to match funds and establish long-term training and data storage plans (Department of Justice, Office of Public Affairs, 2015, September 21).

The sections below analyze officer and citizen responses on the issue of BWC related to logistics, issues of privacy, usage of the recordings, discretion, and potential benefits of wearing uniform cameras.

Logistics

For police officers, one of the largest hurdles in implementing uniform body cameras involves the actual operation of the camera and how data will be stored and used. Data storage particularly can be a costly endeavor. Entwined with this is the duration for which recordings of BWC are kept. As stated below:

> I think the other issue for the police department to have to face, and it's a big issue, people don't really realize it, is the whole data storage issue. I don't think the public really understands the fact that all that needs to be stored somewhere. And that's going to cost money to store it…[T]here should be an expiration date. Maybe 5 years and then we can purge it. Because at that point, after 5 years, I mean c'mon. They still have to work on that. – Maurice, Captain, WCPD

The BWC policy for this department does include suggested retention times for recordings. The least amount of time is 30 days for a test recording, followed by 60 days for a traffic warning and for suspicious vehicle/behavior. Traffic citations are to be kept for one year. Five incident tags are to be kept indefinitely, marked as "manual deletion only". These include homicide, shooting, rape, officer injury, and use of force. Even with outlined policies on how long recordings should be kept, however, there is still concern because a citizen might file a complaint at any time.

Patrol officers had concerns about how much data they would be recording everyday as well, and how much data the cameras will be able to store:

> I go to like 15 complaints a day. That's about half an hour worth of me talking to someone. Where are we gonna store all this. How are we gonna be able to…you know, get it. Is it gonna be a cloud storage, is it gonna be a hard drive storage, how much is it gonna cost to really maintain videos, how long are they gonna be kept, etc. – Will, Patrol officer

Given that BWC is relatively new, the police departments implementing pilot programs to test the body cameras begin to realize the logistical problems they face in not only where and how to store data and the costs associated with it, but also how long they should keep the footage, in case a citizen complaint were to be filed in the future. Logistical concerns also arise in the basic operation of body cameras, and when they are turned on, what it can actually capture:

> What the public may not see and I don't believe our cameras do, is they don't record prior to when the recording is triggered, like our motor vehicle cameras. When we start to record it goes back one minute. So you get the minute prior to the actual lights being turned on, okay? So cameras, when they come out, and, you know, they press the button to start recording, that's where it starts, right from that point. There may be something that was seen by the officer 30 or 40 seconds prior to, where they're looking, gets confirmation, gets out of his car, starts to record, and then goes out and starts dealing with individuals or whatever the

case may be and tension's already high... So that's all the public is gonna see, so why did the officer run up and start doing that then? – Adam, Patrol officer, WCPD

This concern about when and what the camera can capture can certainly be dealt with in policies and procedures on when to turn cameras on and off, but it does highlight some important points. First, while officers may be willing to wear a body camera, they are still reluctant to its use in standard operating procedures unless policies are outlined clearly before implementation. Second, many police officers themselves are unsure of how cameras will be used, and when they will need to be turned on and off. For WCPD policy on BWC, for example, there is a list of events in which the police officer should have the BWC turned on, but the final points on the list are "any law enforcement activity the officer deems appropriate" and "any incident in which arrest is likely to occur". As one patrol officer who is currently wearing a BWC commented, this applies to almost every encounter. Furthermore, the policy states that the BWC should be turned on before any enforcement action, traffic/pedestrian stop, and call for service. This can be interpreted rather broadly, and police officers do understand it differently.

It was rumored that one of the departments in this study had reportedly implemented a policy that police officers must turn on cameras as soon as they receive a call to respond, while they are still in their vehicle. The reason for this is to record response times, but a secondary benefit of a policy like this is that it clears up any misunderstanding on when the cameras should be in use, and at what point in time it should be turned on. Further participant observation at community awareness meetings, however, revealed that this is not actually the case. Police officers are to turn on their body camera whenever they come upon an incident where they might have to use law enforcement powers, i.e. make an arrest.

The body cameras being used in the pilot program of this particular department, however, do have another beneficial feature. The cameras capture visual images starting 30 seconds before the camera started recording. For this to happen, however, the camera has to be in "on" mode. The camera itself can be "on" and buffering, but not recording until the "record" button is turned on by the officer.

The clarification on when to turn cameras on during an anticipated or actual citizen interaction is crucial, because many officers expressed concern and doubt on when cameras should be in use, and when they were not required to be recording. For example, one of the officers wearing a body camera said citizens will notice and ask if they are being recorded, and oftentimes he says no because he is not on a call and he is simply patrolling. Clarification on this point also arises as an important matter, as another officer interviewed who wears a body camera said it always remains turned on when he is with citizens. Police officers are unaware, for example, of whether or not a body camera would need to be turned on if patrolling an area on foot. While they are not on a call or responding to a complaint, they could encounter a citizen and have an interaction that leads to an arrest.

Other logistical problems are about the model of the body camera itself. This is of great concern to police officers who now have to be responsible for another piece of equipment. Various models have been tested in the pilot programs, and some of the more serious concerns are with the sturdiness of body cameras and the safety of the officers, and if they can truly capture what police officers witness:

> Because I see…180 degrees right now. This camera is gonna see literally just right in front of me. So it sees right in front of me, so if something happens here, something happens there, it doesn't get the whole body…I've literally had this camera up here before, at the very top, and all I was getting was people's heads up. So I literally had to make a slit

in my uniform to basically put this in the middle of my chest. And all I get is waist up. So I mean, depending on how close I am and things like that, I mean it's definitely limitations of what it sees. At the same time, officer involved shooting. I mean it's in the middle of my chest, I have my gun out, it's probably blocking it. –Brandon, Patrol officer, WCPD

And that's why I think maybe like a….the glass mounted one would be better, because it sees what you're looking at, as opposed to my camera here is looking at her, but I see a threat over there. And I think that's gonna be a huge sticking point with the cameras, and people say oh well, you didn't capture the incident the cops covered it, or…something like that. – Jay, Patrol officer, SPD

One of the negative things with these body cameras is at night, when this flips down there's a little green circle that goes around the lens. So at night, if I'm in a dark area, it's really not good at night. If the area is not lit at all, you really can't see anything. But you see a green circle on my chest. So it's lighting me up. So if somebody wants to take a shot at me, they got a clear target, it's right at my chest. – Brett, Patrol officer, WCPD

As several police officers noted, their concern with capturing video footage is that if something happens out of their line of sight and they have to react a certain way, especially with force, there will be no video evidence to support their claim of what occurred. While the officers are all in favor of wearing body cameras, and some are even wearing them already as part of the pilot program, they realize the limitations in how the camera facing out from their chest pocket will not capture an incident to their side if they are to turn their head. This is a problem unique to BWC, because without them an officer would simply write a report about what happened and no further explanation would be necessary. Some simple features of BWC can be problematic in the job duties and perhaps even safety of officers, as noted above with a "green circle on my chest… they have a clear target". This is a valid concern noted by Brett, who is currently wearing a camera as part of the pilot program, because officer safety must be an important consideration to BWC. As another officer noted, even if wearing a

uniform body camera, it might not pick up everything on video. For example, the officer might be able to see or sense something that is not shown, obstructing the view, or is blocked by a vehicle. While these scenarios are hypothetical, they do raise concerns about some potential downfalls to wearing uniform cameras.

Similar to public recording of the police, officers do consider how BWC have the ability to not only change their interactions with the public, but also change their routine day-to-day:

> I think that body cameras hopefully one day will take …replace the report writing. You know, so that way you can just upload your video and basically say, refer to the video, as opposed to writing like a 6 page report as to who you talked to, what they said, what wasn't said, etc. – Will, Patrol officer, WCPD

> I just have to take time out of my day sometimes to come here and upload the videos that it captures. Cause this thing doesn't store everything, like I have to put it in my docking station in my car and come back here, and download it out in the parking lot. That's where the servers pick it all up. So that could be time consuming at times, depending on how much data is on here. So it takes me away from my patrol area. Where I could be handling other stuff. –Brett, Patrol officer, WCPD

Therefore, as these officers indicate, having a BWC will change simple tasks that are a routine part of the job, as well as change some routines altogether. It is difficult to ascertain if this would become problematic, although according to the officers currently wearing cameras, the biggest inconvenience, as described by Brett, is downloading the footage to the servers, which means going back to headquarters during patrol. The downside to this is that it means officers will presumably be leaving their patrol duties.

Privacy

Not a single police officer interviewed was agreeable to having a uniform body camera turned on their entire shift. They value a sense of privacy, not necessarily when they interact with the public, but when they have down time on the job, take breaks, or write reports. As police officers discussed, their job is hard, and sometimes stressful, and they need to be able to release occupational stress. Some of the reasons for this are predicated on the fact that police officers do not constantly interact with the public, and should therefore be allowed time to decompress on the job:

> Well the biggest thing is that we need to be able to turn it on and off. 'Cause like anything, we gotta smoke and joke, basically. That's what we call it. We gotta hang out, we gotta eat, we gotta cool down from like a hot call. Like 'hey man that was crazy, right?' We don't want that, we gotta complain about our separate lives. The wives, the boyfriends, the girlfriends, you know. So we wanna be able to turn that off. So supervision doesn't see like, hey! He's having problems in his marriage! – Will, patrol officer, WCPD

> Because when you're not handling a call and you're in the car, you know, with your partner, you're talking freely to your partner. You know, you're not saying anything wrong or disrespectful, but it might be a personal conversation between you and your partner that you don't want recorded on a body camera for everyone else to know about your business. – Shay, Patrol officer, SPD

> In any job, would you feel comfortable being filmed all day while you're at work. You know, I mean I'm sitting here in this tie right now. I'm hot. When I'm in the car, I like to take this tie off and unbutton my shirt, let some air get into, you know, all this stuff I got on. Being filmed, I might not do that. Officer, why are you not in uniform while you're out performing your duties? You know, and you can't …decompress for a second. You can't, you know, let your guard down. Cause now you know, I'm on camera, I have to…be in compliance with all my departmental policies all day long. – Demetrius, Patrol officer, SPD

The concerns noted above depict how BWC have the potential of changing policing if they are required to be turned on the entire shift. Almost all officers want

some privacy, and in fact have an expectation of privacy when they are not interacting with citizens. This is the same whether they are talking to their partner about work issues, complaining about something that happened on the job, or taking a short break to make a phone call to a loved one or friend. As one officer said, "I'm talking to my daughter the other night. I don't want it being recorded that I'm being all mushy when I'm supposed to be this macho guy."

Some privacy issues are basic concerns about what to do when using the bathroom or taking a lunch break. As officers noted, these are situations when they do not interact with the public, and it would be incredibly invasive to keep the cameras on at these times. Numerous officers used comparisons with other occupations in making this point. For example, regardless of occupation, even if there are security cameras in place, there is still a sense of privacy when you are having a personal conversation, taking a bathroom break, or eating lunch, and officers expect this same kind of privacy. Police are naturally wary of having body cameras recording that can capture personal or invasive information about them, their feelings, or how they might have handled a call. In the WCPD policy, it explicitly states that officers shall not record personal or non-work related activity, as this is a prohibited action with BWC.

Citizens, however, consistently feel that BWC should be turned on for the duration of the shift. While some citizens understood that the nature of police work means that body cameras are unlikely to be on during an entire shift, the general sentiment from the public indicated that body cameras must be turned on the entire time if they are to serve their purpose:

> Now, with police body cams, they have a shut off button. And, I think that should be disabled, they shouldn't be allowed to have a shut off button. Because they know they're gonna do something that's nefarious or that's outside the guidelines, and they shut it off. They shut it off, and

then they get together with other police, their fellow police men and what have you, and fix up a story. – Charles, Resident

I disagree with that. I think if you're on the clock, you're my property. Literally. I'm a citizen. You work for me, from if you clock in at 8 o'clock til 9 o'clock, I should know what you're doing. – Theo, Resident

I think it's a loophole created avoid everything we just talked about. So I didn't know that about those, that they were, you know, constantly taping or you're required to have them on for a certain amount of time. I don't….like the bathroom issue, I don't get it. So, I think it's a loophole for those officers that are doing wrong or that do need to be held accountable for them to be able to avoid it….I think if they have free will to turn it on and turn it off then it doesn't do anything. But if they, if it's mandatory that hey, on an 8 hours shift you have to come back in here with at least 7 hours of footage off that camera, then you know. That gives you time to have a 30 minute break and take as many bathroom breaks as you need, and still have the footage of you patrolling on the camera. – Trey, Resident

There is a clear divide in how citizens expect body cameras to be used and what police officers are willing to do by having discretion to turn body cameras on and off. For residents, this issue is largely related to trust and accountability, rather than privacy. As another resident mentioned, it is a good idea conceptually, but it needs to be monitored. If body cameras are to be used to create transparency in policing and establish trust and legitimacy among citizens, then such a goal is unlikely to be accomplished with police officers having discretion to decide when to turn cameras on and off. This was not a steadfast point among citizens, however, as some recognized that policing is a difficult job, and having cameras on all the time would be invasive:

Well I think that you turn them off at certain times, cause you don't wanna be real intrusive. But me, I'm very private person and I don't want anybody to record everything that I'm doing. And it seems like the world we live in today that's just what they're doing. So body cameras is a positive on one end and it's a negative on the other end. Cause they can be used in a mistrustful way. I think that they need to be monitored, they need to be, the officer needs to be trained on the uses of them and when

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it's time to use them and when it's time to turn them off. I think that's important. – Eli, Resident

While recognizing that police officers should be afforded some privacy during their job, it is also important to address officer training and policies that dictate when cameras should be in use. Having these policies in place will prevent much misunderstanding and align with the transparency that the public wants.

Similar to officer privacy, citizen privacy is also an important concern that could potentially pose problems. While citizens themselves are not privy to how body worn cameras work and how they will be used, officers are well aware of how BWC can change how they interact with citizens, highlighting issues with ambiguous policies regarding citizen privacy. One of the biggest citizen privacy issues is whether or not police officers need permission to come into people's homes with their body camera turned on, or if citizens may request the camera to be turned off before the officer enters. Police officers have different opinions on this, and it became apparent that this was an issue that has not been adequately addressed by policies, or at the very least there is uncertainty about whether or not an officer has the discretion to turn off the recording in a private residence.

Several police officers, especially the few who were wearing body cameras as part of the pilot program, had given the issue of citizen privacy some thought, particularly as it relates to sexually based offenses. In more general terms, they were unclear about policies, but well aware of how BWC might affect the privacy of citizens in their own home:

> What about if I'm coming to your house and you were trying to report a rape, but you don't wanna be on camera? We have to have that discretion, where we still wanna serve you, but we understand that you don't wanna be videotaped so it goes off. I think, the way our policy states that if they request not to be on camera, then we have to turn it off,

'cause obviously we're going in their house and it's a privacy issue. But we also have to take into account the citizen who's reporting a crime, if they don't wanna be on camera. So a lot of police departments around the country have to deal with that, 'cause just because it's mandated for me, I can't push that on you in your own private home. – Maurice, Captain, WCPD

I mean, my gut instinct, I mean if it's a criminal investigation, it's staying on. I mean just 'cause they want it off doesn't mean I have to have it off. I mean obviously if there's a specific crime, like a sexual assault and things like that, yes, it's gonna go off. We may notate that in the report. That's what I would say is a privacy issue. I mean, they obviously just had a horrific event, I don't need to record that. I mean, 'cause the last thing you wanna do is to add to it, 'cause now it's discoverable evidence and that goes to trial and her… in her weakest moment is now being played again in trial. So I know we do have a policy that… for those types of crimes. Especially if were interviewing the victim, it gets turned off. – Brandon, Patrol officer, WCPD

From what these officers discussed, they are aware that policies at least need to be in place about privacy in residents' homes, and have few questions or issues with turning off the camera for a sexual assault case, to protect the victim. Policies covering criminal investigations are less clear, with some officers agreeing that if entering a private residence, they should either make citizens aware the camera is on, or turn off the camera if requested. Other officers, however, feel that if no policies are in place to address privacy for citizens, they will err on the side of caution for themselves, and refuse to turn it off. One officer was adamant, for criminal investigations, it will stay on. In the WCPD body worn camera policy, it simply states that officers should not intentionally use the BWC to record a private residence to later obtain search or arrest warrants based on video content. As officers discussed below, they are either unsure of what to do if a citizen wants the camera off or they will agree to notify citizens about the body camera, but decline to shut it off:

Someone mentioned legal issues. 'Cause if I walk into your house and I'm videotaping, do I have your permission, you know? And then, the

roles switch, cause you're like, I'm a decent person and I'm having a bad day with a family member, but now the cops have me on video acting a fool. And that's not who I am, that was just a bad day. – Patrick, Patrol officer, SPD

I think that citizens would then complain well, I wanted the officer to come help me, with the domestic I was having with my husband or wife, but I don't want them recording my, you know, entire house. You can't pick and choose. If there's body cams, if I have to enter your house, you know, I would let you know like hey I'm wearing the body cam and I have to enter your house…but I cant pick and choose where, or what I record in your house and what I don't. I think privacy issues for citizens will arise and then they might think differently of the body cams. – Shay, Patrol officer, SPD

It is alarming, although perhaps not unsurprising, that various officers feel differently about how to use body cameras in private residences. Because BWC is a relatively new practice, the police undoubtedly have to address privacy issues once body cameras become more common. Some officers maintain that if citizens call the police to an issue in their home, it has to be recorded as part of the investigation, and that calling 911 is an invitation itself into citizens' homes. It is important to note, however, that citizens themselves are largely unaware of how these issues can affect them. Many citizens were also unclear about what they would do if a police officer came to their residence and was wearing a body camera, as they had not previously even considered the implications of how BWC might affect how police conduct investigations. Police officers conducting investigations also must consider informants and how it can change citizen willingness to disclose information to them:

I hope that I'm able to turn it off, or that we're gonna be able to not upload it or make that not discoverable. I mean, for example, if I'm talking to someone, I read their Miranda rights based upon the case, they admit or they invoke, whatever it is. My investigation of the case is done, so I can turn off my body camera and then I can say hey listen, this is what's going on, these are your options, so you know. Something that you may consider doing [becoming an informant]. You know, I would

not want that to be discoverable. If right now every single officer was recording, everybody knew that, I mean people are gonna act different. Every statement that you take is gonna be basically...an admission of guilt. So they're gonna be a little bit more hesitant to really come forth and talk to us. – Will, Patrol officer, WCPD

This is an important issue to address, because police officers do routinely work with informants, and claim that they need the discretion to turn the camera off because it otherwise might impede gathering information or prevent citizens from disclosing. The publically available BWC policy for WCPD states that officers can use discretion with interacting with confidential informants or witnesses. Officers might still feel obliged to keep the BWC turned on, depending on their experiences with informants. Citizens, while largely unaware that this could become an issue, are concerned in general about how they can be used:

Like certain forms of privacy come into play. A man wouldn't want his wife that is downstairs having a discussion about one of her children, who may have run away from home, being recorded while she's in her robe. You know? Say, you know, they enter our home…the what-if. Well darn. Can you do that? What *can* you do. – Jonathan, Resident

Most police officers and residents are not sure of what can and cannot be done, as policies are in the process of being written for the BWC technology. This will become a crucial point, however, if and/or when police departments implement BWC. There is a possibility that it could further damage police-community relations, especially if citizens have problems with police officers wearing cameras into their homes, and if police officers refuse to turn them off, or by policy are not allowed to turn them off.

Usage of Recordings

In addition to privacy, police officers have further concerns about how these recordings might be used against them by their superiors. One of the primary matters is

how superiors and court officials could look back at body camera footage and scrutinize the police officer's decisions. While officers maintain that they act professional and are told to behave as though they are always being recorded (regardless of whether or not they are), police were also forthcoming about mistakes they might make. Many officers cited, "we're human" and acknowledged that errors could be made, just as long as they are honest about what happens. Concerns, then, about being filmed by body cameras all the time revolve around actions their superiors might take if they overhear something on body camera footage:

> [Y]ou get into officer's in his patrol car, he starts saying things to a buddy or he's on a phone call, somebody's listening and then they use…they could use those statements against him for discipline. You know, who's going to be listening at all times? If another officer comes up and says hey we need to talk about what just happened back there, you know. What did I do wrong, what did I do right. Officer addresses you or just talking and you know, helping each other out, and an administrator or, you know, staff officer hears that, and goes "oh, so that's what he did back there, okay so now I'm gonna discipline him for it because I listened to it and I heard him admit it". So, 24/7, I'm against that. Uh, if…there would have to be a lot of, I would have to say agreements made between the fraternal order of police and department if that were the case with those type of cameras. – Adam, Patrol officer, WCPD

Citizens also acknowledged that patrol supervisors should be aware of what officers are doing, and have mechanisms to monitor their activities. One story mentioned by a citizen, Conrad, was about a citizen-generated video that secretly filmed two police officers in San Francisco candidly discussing shooting someone, even going so far as to mention 'brain splatter' (Vibes, 2015, September 12). The short video clips were recorded secretly by a citizen sitting next to them in a donut shop, and then posted to Instagram. It is for this reason that citizens feel it is important to catch these moments on tape, not to discipline an officer, but to address any possible underlying issue:

I would imagine the superior would want to hear that. 'Cause if that cop is thinking that, what's gonna happen? What's gonna happen in the heat of the moment, where they're joking about that, or anything they say that they think is funny but it could be very offensive to somebody else. So, I mean as much as it's probably an intrusion on their privacy, how else do you get to it? Maybe that's none of our business, but it's gonna come out somehow. I mean I imagine that those attitudes are still there. And if these recordings help shed light on it, so I don't know. – Conrad, Resident

Oh definitely, because with a citizen filming it…I mean an officer could be naïve enough to think, hey, I'm in this uh…low income community and the video is not gonna make it out of this community, right? But when you're being recorded and it's going back to your office and your superiors will be responsible for reviewing this footage every so often, then I think that really holds a heavier impact. – Trey, Resident

While officers maintain that they need to 'blow off steam' and vent without supervision, these are some of the very reasons citizens want police to be filmed at all times. As Conrad points out, what officers talk about on their down time can be useful in understanding police culture, but also to understanding their feelings in approaching police-citizen encounters. If a police officer is overheard joking about shooting a citizen, as with the San Francisco officers (Vibes, 2015, September 12), this can give insight into how they might treat citizens.

Discretion

One of the most important emerging concepts from this research is how body-worn cameras (and to a certain extent citizen recordings of police) can affect the discretion of a police officer. Police are afforded a great deal of discretion in their everyday work (Davis, 1975). They can choose whether to enforce a law and to what extent (Davis, 1975; Rosett, 1978). During an encounter, a range of nonarrest decisions occur, usually affected by seriousness of offense and demeanor (Schulenberg, 2015). While officers share many of the same experiences and choices in their everyday patrol

work, there are significant differences in how they choose to respond (Brown, 1981). Sometimes officers can choose not to give citations or even make an arrest. Some consider this useful, as police have established patterns of nonenforcement, especially for minor offenses, and are appropriately lenient (Davis, 1975; Rosett, 1978). Police discretion has also been criticized for the possibility of favoritism, corruption, and racial profiling or discrimination (Tomic & Hakes, 2008). Discretion is ubiquitous, and cannot be efficiently monitored or controlled (Walker, 1993). This can work both for and against citizens, but it also prevents the court system from becoming overburdened with minor offenses. More generally speaking, officers do have the ability to bend the rules and give citizens the benefit of the doubt:

> With every interaction with the public being recorded, I think you're gonna see a lot of officer discretion taken away. Because as you understand, there's the letter of the law and the spirit of the law, and we apply it accordingly. 'Cause we give warnings, there are circumstances, every situation is not the same. The law doesn't apply the exact same way to all circumstances. So, I think with the cameras and things being recorded and as these body camera cases start going to court I think you're gonna see officer's discretion to act where, for example just simple traffic court. If it's all recorded and someone's defense attorney is able to pull up all of your recordings of all your traffic stops and go through them, they go there and say well officer, you gave this driver a warning, and my client a ticket. Is it because my client is a female, my client's this, my client's that, and why did you give them a warning and if they all broke the [law]…infractions…Officers are just gonna say alright, well everyone's getting a ticket or everyone's getting a warning…Everyone's gonna get tickets. Everyone's gonna get arrested.
> – Stephen, Patrol officer, WCPD

As the officer describes, they do not want their work to be scrutinized nor do they want to put their jobs and character into question. The fear that something they do, or decisions they make, can be looked at by an outsider as unjust is frustrating for them. Another officer described how discretion might be used just to cut someone a break,

especially around the holidays. Police want to give people a chance, especially for minor traffic violations, but feel if there is a possibility that a judge or supervisor will look at them negatively for those decisions, they will simply apply the law by the book to everyone equally. Sometimes officers use their discretion in cases that are more serious than traffic violations:

> …If you stop a guy, and it's a busy night and he has a bag of heroin, and it's busy…rip it open, dump it on the ground, kick it, and go. Dude, get out, I don't wanna see you around here again tonight. That's not really allowed. But you know, you use that discretion and sometimes…I'm gonna tag this drugs as found property. I'm gonna cut you a break today. I'm not gonna charge you, but get off this corner, I don't wanna see you. That's discretion. But if everything's being videotaped, then that may come back to bite the officer, going you pulled this guy over you didn't give him a ticket, why not. 'Cause it's a black female, she was saying she was struggling, you know, lost her job. And I didn't want to burden her so I cut her a break…So now you run into this thing of, maybe I just oughta just lock up everyone for a violation and that way I'm not in trouble…And I teach that in the academy, I'm like understand just 'cause you stop somebody and they have drugs doesn't mean you have to arrest them. And I've actually had sergeants argue with me, who are patrol officers…I'm like no, you can tag it as found property, you don't have to arrest them. You can tag it as found property, and use it as leverage, like don't show up here again. One guy I was like…you can either check into a rehab in 30 days or I am gonna charge you with the drugs. 'Cause you're like, this is dumb. Especially the one guy with heroin. Which, one or two bags is a felony, and you're like why am I gonna tie up the whole system with another felony which requires an intake by the AG's office, you gotta sit there and explain, then there's a prelim, and then…I'm like for what. So, it can be a problem. – Patrick, Patrol officer, SPD

In many cities across the country, heroin is viewed as a serious drug problem. To hear a police officer say that he would let someone go for such a charge might be shocking to some, but this is how he exercises his discretion to, in his opinion, ultimately help the individual to seek treatment as described above, or to not tie up the court system. It is also a point of contention between police officers, as he described

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arguing with sergeants about arresting residents found with drugs. Having to justify

everything you do as a police officer could become trying, especially when having to

defend why you chose not to arrest or ticket someone for an offense. Police officers do

not want others to mistakenly think they are not doing their jobs well, but many citizens

also do not understand the concept of discretion and why it is so important. Trying to

give people second chances, especially juveniles, and not hinder someone financially is

something officers are cognizant of when interacting with the public.

Another possibility described by a citizen, who is a former police officer, is that

wearing a body camera can impact discretion because of things captured on video that

have nothing to do with the actual complaint at hand. For example, a police officer

enters a residence to speak with the occupant about their child throwing rocks at a house

down the street, and while in the residence notices drugs or paraphernalia on the table.

An officer might use discretion to tell the resident, 'I'd advise you to get rid of that', but

not pursue it further. However, if wearing a body camera, that officer may have no

choice but to make an arrest based on the evidence captured on video.

These concerns are all potential issues since the majority of police officers in the

study are not yet wearing body cameras. One of the officers who is currently wearing a

body camera echoed some of these concerns:

> Once you know that camera's on, you could always argue why you did
> something later if it comes up, why you did or didn't do something…But
> yeah you definitely think twice about, it's like well now I'm forced to do
> something because, you know, it's gonna be looked at. Especially in big
> situations…I feel like the discretion's gone at that point…If it's
> something minor where it's like eh, you still have the camera on and you
> decide to use your discretion, it's not an issue to sit down, look at the
> film, and explain, you know, what was going through your mind…But
> yeah, definitely…the discretion thing is definitely….you know it's, in
> some situations, it's not gonna be there anymore. You feel like it's taken
> away. – Brett, Patrol officer, WCPD

While the police officers who are not yet wearing body cameras voiced real concerns about the impact BWC can have on discretion, these are simply their perceptions and impressions of body cameras, so it is difficult to determine how this would develop if and when they begin to wear a uniform body camera. However, the quote from the police officer that is currently wearing a body camera is quite telling. His feeling is that with minor issues, such as traffic violations, he could easily explain why he did or did not do something. However, with major offenses, discretion is absent. The incident described above by another police officer, involving catching someone with a bag of heroin, could likely be a major incident in which discretion is unlikely to be exercised. This would ultimately affect arrest rates, especially for drug offenses, and possibly other minor offenses as well.

Wilson (1968) developed three operational styles of policing: watchman, legalistic, and service style. Each police department may operate on one or more of these styles, depending on neighborhood social and political context. Service style is focused on helping the community more than strictly enforcing the law, therefore community policing would fall under this category. Watchman style is a very reactionary approach to policing, focused on maintaining public order. In both of these styles of policing, discretion is widely used (Wilson, 1968). The legalistic style of policing, however, focuses on strict interpretation and enforcement of the law and applying it equally to every citizen. Very little discretion is allowed in this operational style. Therefore, while the sample police departments currently mostly closely operate under a watchman or service style of policing (or perhaps a combination of both), data suggests that BWC can change the way they use discretion, possibly leading to a

legalistic style of policing, where officers have no choice but to apply the law as it is written, without giving leniency.

Benefits

Police departments around the country are implementing BWC as a reactionary response to citizen calls for transparency and accountability in policing. Police officers are in favor of body cameras for different reasons. Primarily, they advocate for how BWC can prove how their job is difficult, the real interactions they have daily, and how body cameras can capture an entire incident from beginning to end, not just a small snippet of the encounter. A few officers did note how it would show the public they are transparent, and are open to scrutiny and thus improve their face with the public. The first aspect of how officers feel body cameras can help them is that it will show the public what they are faced with everyday:

> I would just like to be able to use the film, the video, and put it on my personal Facebook. So I can show what people, this is what I have to deal with. So before you start pointing the fingers at cops, you deal with somebody who was smoking wet and now is standing in the middle of the street naked, screaming. – Patrick, Patrol officer, SPD

> Because like I said before, I think that with it actually recording from the beginning it's gonna give the prosecutors, the defense attorneys, and the judges the firsthand look at how this person started treating me right off the bat. When I stop 'em for a simple speeding ticket or whatever the reason being, and as soon as I come up to the car before I can even get my name out, they're yelling and screaming at me, saying that I'm just pulling them over for whatever reason. They come up with all kinds of reasons. 'Cause it couldn't possibly be that they were speeding! I mean, that wasn't really the reason, right? – Nick, Patrol officer, WCPD

> I'd rather us record ourselves, you know from the time, if I'm a patrol officer, from the time I turn on my lights and sirens to pull a car over, for the entire contact until I shut my equipment down and it's done. Rather than Joe Schmo standing on the shoulder, you know, not seeing why I

pulled the person over, or how long it took to pull they took to pull over, are they fidgeting in their car while I'm pulling them over. They're not recording any of that. – Dylan, Detective, WCPD

Police officers repeatedly mentioned how many citizen-generated videos of encounters only show a very small piece of the puzzle, and may include only the last few minutes of an interaction without showing important context, especially regarding how the encounter began. Officers believe that BWC can help to address this issue because it shows the entire interaction from beginning to end, including what might have led up to use of force, if applicable. What is particularly interesting about officer opinions on body worn cameras is the framing officers use to talk about the benefits they will reap from having body worn cameras. These benefits include using footage as evidence in court, showing what officers must put up with everyday, and revealing how citizens treat them. While officers maintain they would likely act the same regardless of having a body worn camera, they argue at the same time BWC would likely cause citizens to change their behavior. Instead of framing BWC as a benefit to police-community relations and improving trust in police, officers instead frame the issue as an advantage to them and their police work. As one citizen noted:

They are looking at it from their own self-preservation. Like I'm gonna turn this on, I'm not gonna talk to you for half an hour, cause it's on, so I'm not gonna say anything bad. And so, they'll turn it off when we have a conversation and we have it on so folks will know that I'm not doing anything wrong. – Conrad, Resident

Police officers argued repeatedly that citizen generated recordings only capture a short clip of what happened, and not what led up to it, and including the entire incident is important for frame of reference. Citizens agree that body cameras can show a different story, but because of lack of trust they also believe that citizen videos can show an honest encounter of what occurred. Also with citizen generated videos there is

no process to releasing the information - they can post it to social media or share with

their friends, and it can take on a life of its own, being shared by others on Facebook,

YouTube, Twitter, World Star HipHop, and other sites. Residents further argue that

having the entire incident on tape is not necessary if an officer reacted with too much

force or treated a citizen disdainfully at any point in the encounter, nor is it necessary to

tell a complete story:

> This idea that the videos don't tell the whole story, unless it's edited, that's a crock. And as a rule, what do we get from body cams? We get edited video… The civilian recording tells a different story than the body cameras. Especially considering the likelihood and the penchant for editing on the part of the police. I think that's been a big problem is things have been edited. Let's see the raw footage. And that should always, when there's not raw footage, and there is editing, there should be accountability for that. There should be rules in place that when editing takes place, you know, this is like perjury. And that's something that the police should have to deal with. – Charles, Resident

Citizen opinions on BWC vary greatly, but many do believe that it can change

behavior, sometimes to the point of preventing misconduct:

> Beautiful thing. Cause for those that don't have consciences, maybe that is gonna be their conscience. But again, is it gonna be viewed with a lens of justice. That's the question…'cause hopefully that cop will act better or hold himself to a higher accord cause he knows he's being filmed. – Theo, Resident

> I am a fan of body cameras, I think body cameras actually make the officer think twice before doing something. I think it will…keep most officers or some officers by the book. Have them working by the book, because they actually know they have the camera on 'em and their moves will be watched. Trey, Resident

Referring back to the Rialto Police Department study (Ariel et al. 2015), these

comments are meaningful, because while there are questions as to how BWC can

influence police behavior, and to what extent, citizens believe it has potential to hold

officers accountable and make them pause before doing anything wrong or questionable. Citizens making these observations already have little trust in the police, and look at body cameras favorably as a way to bring integrity and accountability back to police-citizen encounters in communities.

Citizens believe that BWC can also change the way they interact with the police, but differ in how those interactions will change:

> I think body cameras may be an ice breaker, and may make people feel more comfortable interacting, whether good or bad. But having more interactions because they feel like these interactions are taped. Right now there's a lack of trust, so…I wouldn't do anything around you unless somebody has their phone out recording because I don't know if you'll get offended, or what you may do. So yeah, I think it'll make it different. I don't know how much better it will make it, but I think it will be different. – Trey, Resident

> I guess I just think it's gonna cause the public more angst than anything else. Cause then there's gonna be the whole, you're abusing the body cam, you're using it against me, it wasn't meant to do that. It was meant to protect me from you, but now you're using it against me, and that's not what I intended. – Gregory, Resident

Both perspectives are likely true and emphasize the nature of police-citizen interactions. One police officer that volunteered to wear a camera as part of the pilot program decided to test it out in one of the high crime neighborhoods in the city, which is close to where he himself is from. As he walked through the community, he showed people the body camera. Some of them simply walked away, while others talked to him about it. However, he pointed out that nobody acted up, even though some people refused to engage.

For many citizens, police officers wearing uniform body cameras will provide them a sense of security and safety, and this is especially true if they are not breaking any laws or acting out of line. As another citizen noted, seeing a police officer with a

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body camera can give you a sense of comfort in general, that if anything were to happen out on the street, or at the corner store, that provides a feeling of safety. This is important, because officers routinely spoke about their duty to 'protect and serve'. Seeing a police officer and feeling protected means that citizens might come to view police more positively. On the other hand, BWC could certainly capture citizens acting out against police, and there is a potential for this to be used in court against them. Whether or not it actually becomes a point of contention or brings about angst to the public remains to be seen.

Police officers are also in favor of BWC because they want to use recordings in court as evidence of how an interaction took place and the demeanor of the citizen:

> Play the tape. I want you to see him at that time that night and see what he looked like. So for me, that's great. I want you to see him, because I want you to actually be there, right there on my camera, so you can see what he was doing, how he was menacing me, what he was doing. So that's what…for us it's going to work out great. – Maurice, Captain, WCPD

> With that body camera you can make your case stronger. Like hey, I saw this paraphernalia inside the car, and, you know, you get the guy out of the car, you cuff him up, and you search the vehicle. You know you have that footage that… actually saw this baggie, this syringe, this…weapon, you know. Plain view. It's not like he moved it or whatever, so that makes your case stronger. – Will, Patrol officer, WCPD

Police are well aware of how the use of uniform body cameras may be problematic for them, and how technology malfunctions or simply forgetting to turn it on can lead to outrage if something questionable were to happen and they did not have footage. On the contrary, an officer may have their body camera on, but there is still public outcry regarding the incident because of what may have happened:

> There's going to be situations that the public may see or get access to where a scenario comes up, and you know tensions may be running high

and the officer's language may change. You know, there might be some
cursing involved, uh, people are gonna take it as 'oh they didn't have to
treat the individual that poorly'. – Adam, Patrol officer, WCPD

So if I have an officer that had an incident, where's the body cameras
video? 'Oh well I didn't get, turn it on. I forgot.' No. Now we're looking
at you suspiciously. Just cause they don't have the video doesn't mean
the officer gets away scot-free. Now you're kinda looking at it, at them
suspiciously. Why didn't you turn it on, why wasn't it on. You know,
you're going to a man with a gun complaint, you turn it on before you
even pull up to the scene. Cause you wanna make sure. So if you try to
do something illegal, you turn the camera off, that's a red flag. – Patrick,
Patrol officer, SPD

Officers for the most part do not believe that wearing body cameras will change
their behavior significantly, but instead only in minor ways. Many said they would do
their job with professionalism and always act accordingly, recorded or not. There are
officers who nonetheless spoke candidly about the ways in which body cameras could
potentially change behavior, for them and fellow officers:

I think it's gonna make officers more reluctant to use force with people.
Sometimes to the benefit of the public that I think it'll prevent some use
of force incidents, but I think it will also lead to more cops getting hurt.
So I think it'll….reduce unnecessary and excessive use of force but I
think it'll also lead to more cops getting hurt. And then I think you'll
start to see more of cops being assaulted and cops getting hurt in assaults
because of hesitation. – Dylan, Detective, WCPD

[W]e still get people who should not be cops becoming cops. So body
cameras hopefully will either force them to conform or we can fire them.
We had an individual in the hospital over use of force, came up with
some stupid story, the subject grabbed his taser. Well the sergeant looked
at the hospital cameras, no. He didn't reach for your taser, he was turning
around on you, you slammed him on the wall. Out. We fired him, now
he's suing everybody. – Patrick, Patrol officer, SPD

All of these comments address one of the primary benefits advocated by citizens
- preventing misconduct and excessive use of force by police officers. While officers
are adamant about using appropriate use of force, and the fact that the public often does

not understand how use of force works, officers also admit that those who wear body cameras might reconsider before using force. As another patrol officer commented, there are probably some officers who may restrain themselves more when they know they are being recorded. This is potentially to their detriment. One officer brought up the incident in Birmingham, Alabama in 2015, when an officer was beaten by a man and afterwards claimed he had hesitated to use force because so many incidents were being filmed and scrutinized by the public (Valencia, 2015, August 14). Therefore, while BWC might prevent misconduct, there is a concern that when officers have to make split second decisions, hesitation can mean they get hurt. Recognizing that some officers might use too much force, however, is an important hurdle to cross. For citizens, this is extremely important, and prevention of misconduct is a primary reason to have police wear body cameras.

In other ways, police officers claim they would either not change their behavior much, or at the very least the public would see that police officers are like them:

> I'll blurt out expletives whether I'm recorded or not recorded, I act the same way. I try not to, I try to…it actually helps me. Because my partner, with the body camera, like sometimes he's an idiot and forgets to turn it off and I'm just like alright, whatever. But um…it actually brings more of a human aspect to the cops too. ..you'll hear me say oh my god my daughter just asked me for more money, can you believe this. You know. There's no real difference between us and the person we're pulling over for a car stop. I wouldn't say it levels the playing field, but it opens up people's eyes. – Alex, Patrol officer, WCPD

Wanting the public to view them as personable is a benefit that many officers shared. This is something that could humanize them to everyday residents, and show the public that they are relatable and capable of understanding.

Conclusion

BWC is new phenomenon, and police departments are still learning how to use the technology, and which policies and procedures should be in place for the technology. As one officer mentioned, tasers were controversial when they first came out, and there are similar opinions surrounding the use of body cameras. As with any new technology, there are still problems to address on the implementation of BWC, including privacy issues for police officers and residents, concerns about discretion and how the body camera footage will be used, and logistics of how BWC work and costs of data storage.

Because the implementation and adoption of BWC in police departments is just beginning, it is difficult to determine how these issues will be solved. Police departments and residents differ on which solutions would work best. There are increased demands from residents that BWC should be on during an entire shift, and pushback from police officers that this is unnecessary. Furthermore, residents are unaware of some of the policies and procedures with BWC that can affect them, especially with their own privacy. Likewise, officer privacy has been and will remain an important condition for wearing body cameras.

Discretion has also emerged as a practice that could be remarkably affected by the use of BWC. This would likely be to the detriment of citizens, as most police officers provided scenarios in which they exercise discretion to afford some leniency and understanding for citizens. While most police officers were not a part of the pilot programs in their respective departments, the three officers wearing uniform body cameras admitted that discretion could be affected for more serious offenses. Therefore, even though other officers not wearing cameras were speaking hypothetically, there is

evidence to suggest that they are correct in assuming their discretion will be affected, at least in the short term.

While the implementation of BWC is largely a reaction to calls for accountability and transparency from the public, there is still much to understand about the technology. Because the police departments in this study were conducting pilot programs, and had not fully applied the technology department-wide, they are still working through issues. Citizens and police officers disagree on how BWC should be used, therefore it remains to be seen if they will have any affect on citizens recording the police, accountability, or how the police perform their duties.

Chapter 7

DISCUSSION AND CONCLUSION

This study examined motivations and reasons why citizens do and do not record the police, perceptions of citizens recording the police from both residents and police officers, and furthermore how citizen journalism and body worn cameras can change the dynamic of police legitimacy and police-community relations. In-depth interviews with 15 police officers and 12 residents illuminated answers to these questions.

This project began after observing how citizen-generated videos of police encounters proliferated on social media, news channels, and other websites. Given this is an emerging social issue, there is very little literature to date to address why citizens decide to record the police, and what they believe doing so can accomplish. Similarly, no research has examined police officers' response to being recorded by citizens. It is thus important to investigate these reasons and perceptions, as it can impact police-community relations, change the way police approach citizens, and shape how citizens interact with the police.

After the shooting death of Michael Brown in Ferguson, Missouri, there were highly publicized calls for police departments to adopt body worn cameras (BWC) (Hermann & Weiner, 2014, December 12). Given the relatively new emergence of BWC in U.S. policing, it is not surprising to see past research has not yet adequately assessed important aspects of BWC, including officers' own perceptions of the system. As officers' attitudes toward BWC are highly intertwined with the issue of citizens filming the police, they became a secondary research focus of this project.

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The sections of this chapter discuss primary research findings, policy implications and suggestions regarding the issue of citizen journalism and BWC, research contributions, limitations, and future directions for research. This dissertation project serves as an initial exploratory study into a new, expanding, and currently understudied topic.

Key Findings

Motivations and Rationales Behind Recording

The reasons citizens decide to record the police are complex, and include accessibility of recording devices, wanting to hold the police accountable in case an incident occurs, and the belief that recording can prevent misconduct or at the very least capture evidence of perceived wrongdoing. Conversely, citizens also had explicit reasons for not wanting to record the police. These reasons rested on the belief that it would not matter in accountability, they did not want to risk getting into trouble themselves, and they wanted to avoid police contacts. Findings also revealed how police responded to citizens recording their interactions in public. Primarily, police officers found recording bothersome, but their real concern rested on whether or not the citizen was interfering or distracting them. Time and again, police officers reiterated that if they were doing their job correctly, they had nothing to worry about with citizens filming them.

Police officer actions and responses to being recorded might tell a different story, however. Even if they know they are doing their job correctly, there is still a valid concern that a citizen could film the end of an encounter, and without context that might be perceived as questionable tactics or use of force. It is in this vein of thought that

those police officers also expressed how they would think twice about engaging in certain actions or take their time on a particular case if they were unsure about anything.

Intent is a critical part of understanding this conversation about citizen journalism. Copwatch groups, historically, have been organized and held community meetings. As these organizational activities have begun to occur online more frequently than in person, the decision to record the police has become more individualized and widespread. The city that was the focus on this study does not have an official copwatch group, online or elsewhere. For this reason, the citizens who had previously filmed the police, or indicated they would be willing to do so, were acting individually, rather than on organized collective efforts.

Recording the police also occurred based on situational factors, rather than purposeful actions. For those who were recording the police as bystanders, they witnessed an encounter and began filming just in case something was to happen. Some individuals filmed their own encounters because of situational factors (e.g., being pulled over for no apparent reason and suspecting racial profiling was a factor) and they noticed the demeanor of police officers changed. This does not mean there was not a sense of purpose behind decisions to record the police, however. While there was not necessarily intent behind the impromptu recordings, citizens did believe that they could serve a purpose. This purpose, however, differed. For some, it was connected to a broader belief in holding police accountable. For others, it was to prove a point, such as how police officers treat them during encounters.

It is possible to conclude, then, that there is a new type of copwatching emerging, one in which situational recording has become a much more individualized and informal activity. The intent differs and becomes more complex. Instead of aiming

for the specific purpose of holding police accountable, citizen journalism now occurs frequently because of the accessibility of devices. This is a delineation from the notion of active engagement in copwatching. Historically, and even in online spaces today, formal copwatching groups receive a lot of attention, but the act of recording the police is more often taking place in over-policed communities by individuals. This informal participation might still rest on actions of accountability for the community, but the reasons for recording are expanding.

For citizens who did not record the police, there was also a purpose and explanation. They were aware, for example, that they could be charged with interfering, especially if they got too close. Therefore, fear of getting into legal trouble prevented some individuals from recording the police. Furthermore, given their tenuous relationship with police in their community, they did not want to initiate any contact with the police officers.

Through personal and vicarious experiences of residents, it became clear that the motivations for recording the police were also based on prior exposure to law enforcement, whether it be personal contacts with the police or hearing about negative police encounters through friends, family, and acquaintances. This is especially true for minority neighborhoods, and residents were upfront about their feelings of being treated suspiciously by the police, pulled over in their vehicles or just stopped on the street by police, which they felt was related to racist judgments and profiling.

Personal and vicarious experiences also further highlighted racial issues and structural inequalities in the system. Residents who identified as minorities and residents who previously had negative encounters with the police were very vocal about issues and problems in the community, and how these concerns have affected their

relationship with police. Therefore, it is important to address what another resident, a prominent white male in the community, had to say about racism, and what could be done:

> I see racism a lot more clearly. And for me, my own racism, is I need to check my assumptions…I grew up in white privilege. I have a wonderful job, wonderful family, was brought up well. And I could say, like most white people, I don't have a racist bone in my body. But I also have assumptions. I mean I don't voice it. But I know it's within me. And racism, you know…to be able to be at the table is important and to listen to the other perspective and not judge...We never ask the question. So I think the structural racism is we don't wanna ask the question. I'm never asked to check my assumptions. I'm never asked to…you know, show my ID. I'm not stopped for a busted headlight…But I think the important piece that I've learned from being here is that, being at the table is really important. And it's messy, it's difficult, but it's honest, it's real, and it does bear fruit. But it takes time. – Conrad, Resident

Impact of Recording

Data from citizens and police officers revealed that behavioral changes are possible and should be expected. As one police officer stated, everyone acts differently when they are on camera. Citizen journalism can lead to modification of behavior, and in some instances it already has led to minor behavioral changes. Police officers note that citizens change their demeanor and attitudes as well when they realize that they are being recorded on body cameras.

The dynamic between police officers and the community is undoubtedly changed because of the rise in citizen journalism and BWC use. Police officers described how citizens are more often challenging their authority, beginning to record them after a disagreement, and sometimes becoming argumentative. Bystanders who film police officers can be a distraction, yelling things at officers, and risk interfering. Police officers also understand, however, that it is a citizen's right to record them, so

while they do occasionally find it aggravating and speculate as to why a citizen would do it, they have no problems if the citizen does not hinder their work.

For citizens, the dynamic is changing because they have the ability to challenge and resist what they perceive as unjust treatment, as well as use recording as a tool to enhance police accountability. Residents' use of recording devices to film the police was prompted by a sense of social justice, desire to prevent misconduct, and belief that police officers should treat all citizens with respect.

Body Worn Cameras

Body cameras are a new system being implemented into both police departments that participated in this study. Many issues arose regarding BWC, including privacy concerns, logistics of the camera devices, and use of discretion. Police officers are opposed to having BWC turned on their entire shift, because they feel this would be an invasion of privacy on the job. Residents expressed that unless police officers have BWC turned on all the time, they do not trust the footage. Likewise, concerns arose about citizen privacy, and policies surrounding the use of BWC inside a private residence. Finally, the use of discretion, an important aspect of police decision-making, could be affected by requiring police officers to wear BWC.

While BWC are now on the radar of many police departments and the public, this study identified negative aspects of BWC that have not been previously considered. The use of discretion, for example, and the impact that BWC can have on police officer's decisions to arrest or ticket individuals has vast and serious implications. This means that residents cannot be given the benefit of the doubt, will be likely to receive tickets and not warnings, and ultimately lead to a legalistic style of policing with repercussions to the police-community relationship. Therefore, although BWC has the

potential benefits of revealing "the true story" by capturing entire police-public encounters and contributing to equal enforcement of the law by applying similar sanctions against individuals who commit the same violations, body cameras could also severely restrict officers' flexibility of taking some non-legal factors (e.g., the demeanor of the citizen) into consideration.

While this project focused on reasons for recording the police, body worn cameras, and the impact recording the police can have on the police-community relationship, it is not just about filming the police. It is about residents' experiences with racism, structural inequality, and neighborhoods plagued with violent crime problems. It is about their frequent encounters with police officers, both positive and negative, and how they perceive these contacts as appropriate versus unjust. Filming the police and engaging in citizen journalism is one of the methods from their arsenal that they can use to address these issues.

Research Contributions

Prior literature has primarily focused on the legality of recording the police, arrests under state wiretapping and surveillance laws, and constitutional issues (Bodri, 2011; Cerame, 2012; Kies, 2011; Mishra, 2008; Robinson, 2012). This research fills the knowledge gap by exploring reasons and motivations for why citizens record the police. Furthermore, it provides an updated understanding of citizen journalism, and "copwatching" in general.

Prior copwatching activities took place chiefly as organized group activities (Simonson, 2015). However, this research found that copwatching has become a more individualized activity, situational and impromptu in nature. The growing literature on citizen journalism (Antony & Thomas, 2010; Greer & McLaughlin, 2010) notes that

recording devices allow citizens to confront issues of social injustice and hold police accountable for their actions while challenging the status quo. This remains true, as many residents in this study who have previously filmed the police did so as a way to hold police accountable, but also because they might have witness something they considered socially unjust.

The concept of citizen journalism itself is also proufound. While formal definitions have identified the term as citizens engaging in and disseminating newsworthy events (Antony & Thomas, 2010; Greer & McLaughlin, 2010), simpler definitions better fit this research project. A more generalized way to define citizen journalism is to focus on any citizen that uses a device (such as cell phone or other technology) to inform other citizens (Rosen, 2008). This broader definition excludes determining an event to be "newsworthy", as this can be subjective. Citizen recording might also be argued to be different than citizen journalism. However, for this study, the definition of citizen journalism provided by Rosen (2008) fits within the reasons provided by citizens for recording the police, and encompasses citizen recording in general. It is also important to note that citizen journalism can incorporate positive aspects of events. For example, a resident in this study photographed the police playing basketball with youth. While accountability and social justice are typically the primary focus in citizen journalism, positive events and encounters can also be recorded and disseminated, and fall under the categorization of citizen journalism.

Surveillance itself is changing, and citizen journalism has been referred to as a method of "sousveillance" (Mann, Nolan, & Wellmann, 2003; Marwick, 2012). As one respondent in this study commented, the government started it first, with surveillance cameras. Citizens using cameras to monitor the police is a growing phenomenon, and

this study contributes to existing literature on surveillance in that capacity. Technology has in the past taken for granted power relations.

Citizen journalism has become a way for the public to contest police authority and challenge policing practices, and has notably affected police legitimacy. This research contributes to literature on police legitimacy, especially Tyler's procedural justice model (Gau, 2011; Tyler, 1990) and self-legitimacy (Bottoms & Tankebe, 2012; Tankebe & Meško, 2015) by finding that perceived procedural injustice of local police promoted greater willingness to record police-citizen encounters even when recorders were not certain that bad events or poor policing would happen. Distrust of the police clearly has a detrimental effect on public cooperation with the police. While residents may not be aware of it, police officers do interpret recording as a challenge to authority, and this is therefore likely to change the tone of the encounter.

Even though BWC have only recently sprung into the dialogue on policing and technology, departments all over the country are beginning to implement the system as a way to increase transparency and address accountability issues with the public. The findings in this research echo similar findings from Jennings, Fridell, and Lynch (2014) which suggested that police officers were largely in favor of wearing body cameras, and police saw potential benefits in modification of behavior from both citizens and officers. This study further contributes to the literature by adding potential downfalls of BWC, and concerns about policies and procedures, as well as practices related to wearing BWC that can affect how police officers exercise their discretion.

There is a paradox to be addressed with technology and BWC. Police are having certain technologies imposed on them, presumably to improve their work, but also in ways that can restrict decision-making. When cameras are turned on and off, or are

allowed to be turned on, is a very nuanced question. Brucato (2015) noted that from a police organization point of view, BWC differ from citizen-generated videos in that they are "legally and culturally privileged" (Brucato, 2015, p. 470). Because of this, officers will remain in control of the medium, and this can actually lead to decreased oversight and accountability.

This research also contributes to the study of prior theoretical models that could potentially explain willingness to record the police. In particular, the study provides some support to the sense-of-injustice model and comparative conflict theory. For sense-of-injustice, public evaluations of the criminal justice system are based on perceptions of treatment from police (Wu et al., 2009). Racial injustice models also show that African Americans have less positive attitudes towards police, likely because they more often have personal and vicarious experiences of unequal treatment by law enforcement (Anderson, 1999; Brunson, 2007; Weitzer & Tuch, 2002). The residents interviewed in this project exemplified how prior negative perceptions of law enforcement prompted them to record the police. Further, they spoke of negative personal and vicarious experiences that affected their motivations and reasons for citizen journalism. Similarly, comparative conflict theory proposes that Blacks perceive more injustice than any other racial group, because minorities who have contacts with police are differentially impacted and frame their perceptions based on social perspectives formed during youth (Hagan, Shedd, & Payne, 2005). Many residents spoke of how youth are taught to not trust the police, and negative perceptions of law enforcement are a learned behavior. As such, comparative conflict theory supports the notion that they perceive many injustices, and this can alter their experiences with the police, and further affect their willingness and decisions to record the police.

Policy Implications

There are several policy implications derived from the findings in this dissertation. While police officers and residents were mostly aware of the legality of recording the police, questions remain about what this means for policies related to citizen journalism and BWC. Police departments and police academy training did make officers aware that they should expect to be recorded in public while performing their job duties. Police officers are also aware of the current laws, the fact that the study area is located in a one-party consent state, and that anyone can record them in public as long as they are not interfering.

There are also policy implications for citizens recording the police. As it stands currently, police officers are allowed to take a citizen's cell phone if they believe that the citizen captured evidence on video or in photographs. Police officers can do this without a subpoena, because of the possibility that the videos or photographs could be deleted. Police officers stated, however, that they would likely not arrest anyone for interfering of obstruction of justice charges related to filming, because the charges would likely be dropped. Further, citizens are not aware of the laws and regulations on cell phone confiscation, and would be less likely to film the police if they were aware of this policy. Police officers mentioned that for some of their training in the academy, they were told to be aware that citizens will film them in public, and were reminded that citizens are allowed to film police. Therefore, perhaps more extensive trainings on the laws and policies would be beneficial, specifically on the options available for how to manage citizens that are recording the police in a distracting way or interfering. Local government could hold 'know your rights' campaigns, aimed at educating citizens on what they can and cannot do when filming the police.

Police departments should also consider how to address citizen journalism that emerges from distrust and poor police-community relationships. This starts by building trusting relationships with members of the community. Citizens mentioned wanting police officers that know their neighborhoods and community policing programs that mend the broken relationship between communities and the police. Residents spoke of prior community policing programs as ineffective, because officers would stand around and only talk to each other, but not speak to any residents. Police officers echoed this sentiment. Other officers, however, do seem to understand the importance of knowing the communities they police, for instance with a patrol officer who buys his lunch from local corner stores, and makes it a point to talk to residents on his daily beat. Reinforcing community policing could lead to higher trust in police, and negate the purpose of some citizens filming law enforcement.

Regarding the implementation of BWC, the issue of citizen privacy regarding police who go into residences with BWC should be clearly outlined in department policies. If a citizen calls in a complaint and does not want police officers filming in their home, the police officer should know exactly what their policy states about how to deal with this issue. As it stands, officers were unsure of whether or not they should turn off the BWC. Some stated they would comply with citizens' requests, and others stated they would leave them on regardless. Not addressing a policy issue such as this can further damage policy-community relations, and cause increased hostility toward the police. Furthermore, it could lead to less reporting of crimes. Departments need to consider how this issue should be resolved, at the start or before implementation of body cameras.

Additionally, police departments are beginning to address policies surrounding when the BWC should be turned on and off. The policies in place seem to be vague, which does allow for some discretion in when to use the BWC. However, policies that state the camera should be on for any interaction that could lead to law enforcement action can be interpreted differently. More clearly delineated guidelines should be developed on when officers can and should turn cameras on, versus when they are allowed to have them off.

Police officers are aware of and realize how public vicarious experiences can affect judgment of the police, and they do aim to mend this relationship to a certain extent. One officer spoke about getting the citizen police academy started again, which gives residents an inside look into what police work is all about. One exercise they do is with something called the "FATS" machine, which stands for Firearm Training Simulation. The screen depicts a casual traffic stop, with two police officers. During the stop, while the officers have the driver out of the car, his younger daughter gets out with a gun aimed at the police officers. Citizens have to choose how to react in this simulation. Do they shoot the girl or do they hesitate? This simulation exercise is to help residents understand that police often have a split second to make decisions. It is also to advance understanding of some of the procedures and protocols involved in street-level policing. So as the police officer described, for citizens who finish the police academy:

> The more we can go and teach people why we do what we do, the better
> they're gonna understand. Now that class is now going, and it's out in
> the community, and they're actually our ambassadors now. Because
> what happens is, if your mom went through that class, and all of a
> sudden you had a negative encounter with a police officer and you
> talkin' to your mom about it. And you may come home and say 'you
> know the whole time in the car stop he had his hand on his gun, and I

just thought that was just…offended me so much'. Well if your mom went to a class she could talk to you and tell you that that's…nothing against you per se. That's how an officer is taught. And so you may not believe me if you called in to complain, if I tell you, because I'm another police officer, I'm a supervisor. But you're gonna believe your mother. That's your mom. And so she said it, maybe it's true. And so the more people we can get to be ambassadors, the more people we can open up to show what we do, the better that the whole communication is gonna be.
– Maurice, Captain

Police officers, especially superiors, understand the complexity of how even the slightest negative experience with police officers can impact perceptions. As a result, they want to work on perceptions. How effective these measures are remains to be seen, as the citizen's police academy only includes a small number of community members, and these members likely already have some positive images of the police to be willing to go to an academy program in the first place. What is also interesting to note about the citizen's police academy is that it does not address some of the core issues that citizens have with the police, and reasons why they do not trust them. Being profiled as 'suspicious' and stopped by police for no apparent reason, for example, are incidents likely to raise questions and promote negative opinions of the police. Instead, as Captain Maurice describes, one goal of the police academy is to create citizen ambassadors, who can address some of the negative personal and vicarious experiences and opinions their friends and family may hold true.

Lastly, it should be noted that technology is a relatively easy simple, but it is a tragic fix. BWC, and even citizen journalism to some extent, do not address underlying structural inequalities, problems, and mistrust in communities. Police departments and the public have routinely advocated for implementation of BWC because of calls for transparency and accountability. The suggestion here is that police officers that wear BWC, or are filmed by the public, will refrain from using questionable tactics. This is

merely a presumption. Police departments and citizens strongly advocate for BWC and citizen journalism because it is a very straightforward technological solution. However, this solution should not override more complex options, such as improvement and professionalization of the police force and greater communication with communities. These are more difficult solutions, but they address the more complicated and serious underlying factors that affect the police-community dynamic.

Limitations

Several limitations are associated with this study. The first is the sample size and population that participated in interviews. The sample was primarily a convenience sample, and snowball sampling was used to recruit more participants. In using this method, however, it is possible that some respondents shared similar attitudes, perceptions, and beliefs related to the issues under investigation. Recruitment was problematic, as discussed in chapter three, which is one reason why this sampling technique was chosen. However, it does lead to concerns about being unable to identify a wide variety of citizens who have engaged in recording the police.

While the residents provided vast insights into their experiences with police and citizen journalism, the research is limited in the number of respondents. Because of this, demographics of residents and police officers lacked variation, and is a limitation in terms of representation. This is especially true for gender representation, as only three women were included in this research project. This could partly be due to the occupational realities of policing, and more men serving in law enforcement as women.

Directions for Future Research

Given that citizen journalism and BWC are newly emerging issues in policing, there is a great amount of future research that can be undertaken. The first recommendation for future research is to analyze and evaluate actual citizen-generated videos of police-public encounters. For the participants in this study who had previously recorded the police, all of them had since deleted the recording from their cell phones. Reasons for this were that nothing happened that made it worth saving the video, or it was taking up space and data on their device, thus they determined it was not useful to keep. As such, I did not have the opportunity to view any citizen-generated videos from the residents I spoke with in this study. A systematic assessment of these videos can also provide evidence of why citizens decide to record the police, the social-dynamic of the encounter, and what types of encounters they are actively recording.

A second suggestion for future research is to observe police-citizen encounters, and take note of when and where citizens film the police, what happens when they are filming, and how police respond. This could be accomplished in a variety of ways. One method would be through systematic social observation of the police, either through ride-alongs or perhaps part of a citizen's police academy. A second method could be through a community activist organization that promotes citizen journalism, such as the numerous 'copwatch' groups in various large cities.

More research on the topic of citizen journalism and BWC clearly needs to be done. With new technology comes new issues, and with it new research questions. This study provides a basis and a framework in which future research can investigate matters of citizens recording the police, reasons why it happens, police response, and changes in the police-community relationship.

Conclusion

This study was exploratory in nature, and addressed motivations and reasons citizens record the police. It further analyzed police and citizen perceptions of the issue, body worn cameras, and how this changes the police-community dynamic, for better and for worse. Through exploring the consequences and impact of recording the police, and how it alters citizen perceptions of law enforcement in their community, this project has shed light on understanding citizen journalism. While reasons differ and some citizens refuse to record the police but advocate for others to do so, one of the commonalities in decisions to record the police is that it is a good thing that can bring positive change to the community. However, citizens from communities that are filming the police have had negative interactions in the past, and believe in the need for police accountability, see this as a call to action for other communities to join in their endeavor. Recording the police has changed the role of the citizen from a passive observer to one that actively wants to hold police accountable. Some citizens described using recordings to provide proof of their experiences, further leveraging their point of view and sharing them with others. As such, individuals in communities sometimes use recording to renegotiate their position in society with the police, actively engaging in "sousveillance". This happens even during encounters for minor violations, such as car stops, when residents would begin filming and describe noticing a change in demeanor of the officer. Undoubtedly, citizen journalism does have the ability to alter the dynamics of policing, and the police-community relationship. In this sense, citizen journalism is more of a tool to fight for social justice rather than a way to amend police-community relations. In closing, one citizen described not only a reason for filming the police, but reasons why more need to engage in recording, and how change can be accomplished:

If Brickwell Street cries, that cry is gonna go unheard. But if someone or a community in Parkside joins along with Brickwell Street's cry, things will change. – Theo, Resident

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INTERVIEW GUIDES

Interview Guide I:
Community Residents

Copies of informed consent and confidentiality forms will be provided to each participant and read aloud for each participant before the interview. Participants will be provided an opportunity to ask any questions before the interview begins, and the Interviewer will briefly go over the purpose of the study. Verbal agreement will be taped. Each participant will be reminded that there are no right or wrong answers in the discussion, and they should feel free to be open and share their opinions.

Demographic information:
Age
Educational attainment
Race/Ethnicity
Marital status
Total number of people in household
Estimate your household income
Type of employment (full-time, part-time, retired, stay-at-home)
Type of occupation
Rent or own home
Neighborhood in which participant resides

1. To verify: You have recorded the police at least once in the past three years?[1]

2. Can you describe that particular incident?
> Were you the one interacting with police? Or were you observing an interaction between another citizen and officer?
> Why was the interaction taking place? Were the police called by someone?
> Was the officer aware you were recording?
> Did the police officer say anything to you about recording?
> At what point did you begin recording, and with what device?

3. What prompted you to start recording the police in this instance?
> What was the demeanor of the police officer?

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[1] This interview guide served as a basic outline and was semi-structured in nature. Not all resident participants had previously recorded the police, and as such they were instead asked about their opinions and willingness to record the police.

Did you feel threatened?

4. What did you do with the recording?
  Did you show anyone, post to any social media? If so, did you receive feedback on it?
  Why did you *OR* did you not share it with others?

5. Are there any other times you have recorded the police?
  How many other times? (if applicable)

6. Can you tell me about those other times?
  What prompted you to record, general description of incident(s)?
  Has anyone ever said anything to you about recording the police while you were doing it?
  Can you recall the first time you ever recorded the police? (When was it?)
  What made you think to record the incident? What happened?

7. Do you always have some sort of recording device with you (cell phone, etc.)?
  What device(s) have you used to record the police?

8. What do you think recording the police can do for your community?
  Explain why you feel this way/think this?
  What are your general thoughts about the law enforcement (in your community and in general)? [Legal consciousness]

9. Do you expect that you will continue to record the police, or do it again in the future?
  Do you do this for others (social justice)?
  What do you think might happen as a result of recording the police? (Do you expect it could make things better? Or worse?)
  Why is this something you will/will not continue to engage in doing?

10. Can you tell me what you think about the possibility that recording the police could prevent misconduct?
  Do you think this is true or not?

11. Could you describe your prior personal encounters with police?
  How did these encounters change your opinion of the police?
  Have you ever been arrested by the police?
  Do you feel that the police have treated you fairly and justly?

12. Could you give your general opinion of police in your community?
  Are they there often?
  Do you see them engaging with community members? In what context?

13. What do you think about police wearing uniform body cameras?
    Do you think it would affect police-citizen interactions? How?
    Do you think it would affect citizens recording the police themselves?

14. Is there anything more you would like to add?

Interview Guide II:
Police Officers

Copies of informed consent and confidentiality forms will be provided to each participant and read aloud for each participant before the interview. Participants will be provided an opportunity to ask any questions before the interview begins, and the Interviewer will briefly go over the purpose of the study. Verbal agreement will be taped. Each participant will be reminded that there are no right or wrong answers in the discussion, and they should feel free to be open and share their opinions.

Demographic information:
Age
Educational attainment
Race/Ethnicity
Marital status
Rank and assignment in Police Department
Number of Years at Police Department

1. Have you ever been aware of a citizen recording you? (If no, goes to the 2nd question)

       Were you aware of being recorded at the scene? If not, how did you find out the recording?
       Can you describe the scenario (place, type of call, situations etc.)?
       Did you know the recorder/what was the role of the recorder in the incident?
       Did you say anything to the person(s)
       recording you?
       What was said? Did the recorder follow your request/command?
       How this recording has affected you and your job?

2. How do you feel, personally, about being recorded by observers?
Do you think this is within the realm of the law? Do you think citizens should be ever
          allowed to record the police on or off duty?
       Would you ever say something to the person recording you/other officers?
          What would you say?
       What concerns you about being recorded?

3. Have you and your colleagues ever discussed being recorded by citizens?
       What did you talk about?
       What's the general opinion about public recording the police in your
department?
       Do you think the top brass support the idea of public recording the police?
4. On a slightly different note, what are your opinions about body cameras on police uniforms?

Would you be willing to wear one?
Can you explain why or why not?

5. How might being recorded (by body cameras or by citizens) affect your job?
In what ways?
Why or why not?
Could it impair ability to do your job?
Explain how it could impair your job performance?
What are the benefits to having your actions recorded?
Why are these considered benefits?

6. Have you seen any videos that depict a police officer being recorded in public by a citizen (for   example, on social media)?
What was happening in the video(s)?
Do you feel that the citizen was justified in recording the officer?
What were your general feelings/opinions about the video(s) you saw?

7. What is the biggest challenge you face in policing communities here?
Why is that challenging?
What do you do to address these challenges?

8. What do you think about local residents in particular?
Do you think they respect you and the department?
Do you think local residents are willing to cooperate with the police? If so, how, if not, why not?

9. Is there anything else you would like to add or discuss?

IRB APPROVAL LETTER

DATE: April 24, 2015

TO: Ashley Farmer
FROM: University of Delaware IRB

STUDY TITLE: [740005-1] Watching the Watchers: An Exploration
                                    of Citizens Recording the Police

SUBMISSION TYPE: New Project

ACTION: APPROVED
APPROVAL DATE: April 24, 2015
EXPIRATION DATE: April 23, 2016
REVIEW TYPE: Expedited Review

REVIEW CATEGORY: Expedited review category # (6,7)

Thank you for your submission of New Project materials for this research
study. The University of Delaware IRB has APPROVED your submission.
This approval is based on an appropriate risk/benefit ratio and a study
design wherein the risks have been minimized. All research must be
conducted in accordance with this approved submission.

This submission has received Expedited Review based on the applicable
federal regulation.

Please remember that <u>informed consent</u> is a process beginning with a description of the study and insurance of participant understanding followed by a signed consent form. Informed consent must continue throughout the study via a dialogue between the researcher and research participant. Federal regulations require each participant receive a copy of the signed consent document.

Please note that any revision to previously approved materials must be approved by this office prior to initiation. Please use the appropriate revision forms for this procedure.

All SERIOUS and UNEXPECTED adverse events must be reported to this office. Please use the appropriate adverse event forms for this procedure. All sponsor reporting requirements should also be followed.

Please report all NON-COMPLIANCE issues or COMPLAINTS regarding this study to this office.

Please note that all research records must be retained for a minimum of three years. Based on the risks, this project requires Continuing Review by this office on an annual basis. Please use the appropriate renewal forms for this procedure.

If you have any questions, please contact Nicole Farnese-McFarlane at (302) 831-1119 or nicolefm@udel.edu. Please include your study title and reference number in all correspondence with this office.