

Article

Policing Made Visible: Mobile Technologies and the Importance of Point of View

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Abstract

Cameras are ubiquitous and increasingly mobile. While CCTV has captured considerable attention by surveillance researchers, the new visibility of police activities is increasingly produced by incidental sousveillance and wearable on-officer camera systems. This article considers advocacy for policing's new visibility, contrasting that of police accountability activists who film police with designers and early adopters of on-officer cameras. In both accounts, these devices promise accountability by virtue of their mechanical objectivity; however, to each party, accountability functions rather differently. By attending to the social and legal privileging of police officers' perspectives, the article provides an explanation for design decisions that produced Taser's AXON Flex on-officer cameras and for why police are embracing these new technologies. Critics of these cameras cite privacy concerns, officer discretion in operating cameras, and department disclosure of footage. Nonetheless, advocates of police accountability often presume more video documenting police use of force is always helpful. I establish that the utility of surveillance video is conditioned by point of view. Police agencies in the U.S. are rapidly adopting on-officer camera systems, because they acknowledge ubiquitous surveillance and that these devices aid in nullifying third-party documentation in their own favor. As such, these cameras serve, in fact, as counter-sousveillance technologies.

Introduction

A defining feature of police is the use of violence as a means of social control and the production of order (Bittner 1970; Lersch and Mieczkowski 2005; Prenzler, Porter and Alpert 2013; Brucato 2014). Just as prominent as this definition in police studies is the recognition that the use of force has remained largely hidden from view (Skolnick and Fyfe 1993; Lawrence 2000). This opacity latter has only recently changed. Widespread video surveillance and sousveillance has led to policing's new visibility (Goldsmith 2010; Brucato forthcoming). In the latter half of 2014, video-recorded police killings of civilians (e.g., Eric Garner, John Crawford, Tamir Rice, Kajieme Powell, Antonio Martin) amplified existing controversies and protests over police violence in the U.S., particularly those under the #BlackLivesMatter banner.

In this article, I explore the negotiation of policing's new visibility by advocates for civilian monitoring and video documentation of police, on the one hand, and the use of cameras by police, on the other. New image-making, storage, and distribution technologies have provided opportunities for civilians and police to contend with the visibility such technologies afford, and to make claims regarding their utility (Brucato forthcoming; Yesil 2011).

Some activists (Stuart 2011; Toch 2012; Lederman 2014), lawyers and legal scholars (Jeffries 2011; Fan 2012; Robinson 2012), amateur and professional journalists (Anthony and Thomas 2010), and academic researchers (Koskela 2009; Yesil 2011) find promise in this visibility, expecting it will contribute to a reduction in use-of-force incidence and promote accountability. The threat that broad visibility of misconduct might reduce the legitimacy of the police institution is believed to provide incentive for improved self-regulation (Yesil 2011; Robinson 2012; Lutt 2012; Brucato forthcoming; Kearon 2012). Civilians engage in incidental sousveillance, or “watching from below,” the activities of structurally empowered actors (Mann, Nolan and Wellman 2003; Mann and Ferenbok 2011), often documenting incidents that leave others (or themselves) battered or killed by police (Toch 2012; Huey, Walby and Doyle 2006; Wilson and Serisier 2010; Anthony and Thomas 2010). Sousveillance has been described as a form of counter-surveillance, because it turns the tables on institutions traditionally thought to possess a monopoly on surveillance power (Marx 2007). Organized, intentional sousveillance by activist groups in the United States, like Cop Watch, have a long history and remain active (Huey, Walby and Doyle 2006; Toch 2012).

Police technologies like dashcams have been in use for decades (Goldsmith 2010), but recently, on-officer, wearable cameras are being used (Lederman 2014; Fiumara 2012; Mateescu, Rosenblat and Boyd 2015; Jennings, Fridell and Lynch 2014). While both police and their sousveillers claim video is objective and leverage this quality to advance their interests, the development, marketing and uses of on-officer, wearable cameras suggest point-of-view has special social and legal significance. In an environment in which cameras are nearly ubiquitous and increasingly mobile, crucial is the perspective from which documentation is captured.

1. The Ubiquity and Mobility of Cameras

Modern U.S. policing remained in the shadows for over a century (Skolnick and Fyfe 1993). While its officers had a visible presence in the community, their primary function in using force to produce the social order remained visible only to those most chronically policed. This changed in the late 1980s, when reality television crews filmed police in major metropolitan areas for programs like *COPS* (Doyle 2003; Fishman and Cavender 1998). Not long after *COPS* became a hit, in 1991, the Rodney King beating video aired on national networks. Televisual images allowed geographically, temporally, and *socially* distant viewers to see a fundamental aspect of policing. Explaining “policing’s new visibility,” Goldsmith (2010) claims “video is the new reality.”

The incidentally and covertly video recorded beating of Rodney King by Los Angeles Police Department officers exposed the brutality of policing to communities beyond those that regularly experience such violence. The video made visible what the Christopher Commission later determined was routine police practice (Independent Commission on the Los Angeles Police Department 1991). Commentators at the time echoed the Christopher Commission’s sentiment that the video recording of the incident opened up new opportunities for scrutiny. As two prominent police scholars claimed, “in the absence of videotapes or other objective recording of gratuitous violence, brutality rarely causes public controversy and is extremely difficult to prove” (Skolnick and Fyfe 1993: 19). Video is said to function as an opportunity for objective proof of what happened, and public controversy is expressed as conditioned on the presence of this particular variety of evidence.

Yesil explains that the Rodney King video has lasting significance because it “served as one of the first and most widely-viewed examples of the power of mobile recorded image. The message of the Rodney King tape was that no person, institution or organization was immune from being monitored” (2011: 280). Video has power, she argues, because it is a lasting documentation, able to be widely disseminated and thereby generating otherwise impossible or unlikely awareness among a broader public about police

violence. Seeing *causes* awareness, and that awareness has a presumed positive normative and political value (Han 2012). Asserting that video is *powerful*, Yesil claims one can *do things* with it: it has efficacy.

As Rojek and colleagues explain, video exhibits can “provide the public with a snapshot of *what the police do*” (2012: 302, my emphasis). Perceptions over the functions of police, as well as moral judgments about these functions and the way they are performed, vary considerably by socio-demographic category (Graziano, Schuck and Martin 2010). For some, “what police do” is to provide security and safety. For others in chronically disadvantaged communities, police officers are “enemies” who terrorize the poor and people of color (Williams 2007). Similarly, video representations have remained a site of contestation. Media representation of police influences these varied perceptions and receptions (Graziano, Schuck and Martin 2010). Mass media has historically underreported use-of-force incidents. As Lawrence (2000) showed, traditional media reporting on policing violence rarely considers the perspectives of victims, their families, and their communities. Most often, these reports function as a partisan defense of police and rationalize behaviors that would offend community norms if civilians were responsible. Reporters appropriate the language of police, for instance referring to anyone brutalized by police as “suspects” (Hirschfield and Simon 2010). Like *COPS* (Katz 1993), mass media reports present accounts predominantly from the perspective of police officers (Lawrence 2000), and serve to rationalize and justify racial profiling and brutality (Prosis and Johnson 2004). Civilian-produced exhibits of policing create documentations that differ in quantity and in perspective. New information and communication technologies (e.g., social media) allow civilians to access audiences, bypassing the gate-keeping and editorial control of mass media agencies (Anthony and Thomas 2010; Yesil 2011). So, consumer mobile media technologies allow for raw footage to circulate absent a narrative provided by corporate media that has historically benefitted police, or for civilians to produce exhibits with an alternate narrative.

Lersch and Mieczkowski (2005) explain that this new visibility is responsible for promoting distrust and fear of police. Additionally, they claim some audiences “feel as if violent police–citizen encounters are more prevalent than in years past,” despite this being a perennial problem (Lersch and Mieczkowski 2005: 553). As we will see in the next section, the ability to create documentary artifacts, to digitally archive and circulate these, and to do so both with ease and speed is believed to promise new political capacities.

2. The Promise of Accountability

Positive claims regarding policing’s new visibility—in press, a growing academic literature, and in my ethnographic research—insist it offers the promise of accountability. Depending on the party, accountability has differing meaning and significance. For civilians concerned about police abuse, this assurance will offer protection from unnecessary and excessive force. For the police, accountability offers the opportunity to exonerate themselves and their agencies from false complaints. In this section, I consider two different uses of cameras to produce opportunities for accountability. In the first instance, I look at organized, intentional sousveillance by activists and their advocacy to civilians to engage in incidental monitoring of police with cell phones and other cameras. In the second, I consider on-officer wearable cameras. In the latter, I focus particularly on the development, marketing and uses by early adopters. Each side leverages the mechanical objectivity of video to promote an especially situated perspective on accountability, while making universal claims that mask their partisan quality.

Those living in surveillance societies have inherited a modern, Enlightenment doctrine of transparency that has been modified by broadly diffused imaging technologies and widespread participatory media practices. I call this the new transparency (Brucato forthcoming). This theme of transparency takes considerable influence from the modern triad of transparency, accountability and legitimacy. Here, transparency is compelled by normative values and the social pact, according to which officials must self-disclose their activities and procedures to the governed. This enables or even ensures accountability, and in the case of officials and institutions, reproduces the legitimacy of their authority. In the new

transparency, the production of images and video is said to render transparent the behaviors of those documented. In surveillance societies, we are provided with routine experiences that certify beliefs that videos and other records reliably allow authoritative regulatory responses to transgressive behavior. Video documentation of official conduct—and misconduct—has promoted broader visibility of political and corporate institutions and the agents therein, and this visibility is now identified with the modern concept of transparency. Furthermore, civilians now amend self-disclosure as a form of redundancy, or produce it anew when self-disclosure is incomplete or negligent. These activities are encouraged because transparency retains from the modern tradition the promise that the visibility of official conduct is a precursor to or promise of accountability.

2.1. *The Civilian Production of Transparency*

Cheap video cameras and video- and data- enabled cell phones have lowered the threshold for civilians to engage in the production of digital media content. Because these devices are frequently used to document the activity of public and corporate officials, Larry Diamond calls them “liberation technologies” and “accountability technologies.” He claims that they “provide efficient and powerful tools for transparency and monitoring” (Diamond and Plattner 2012: 10). Mobile data connections, cloud storage, and social media provide economical and simple means of producing, storing, and sharing videos.

Whether we take this optimistic perspective from transparency advocates like Diamond, or a prominent perspective in Surveillance Studies, we should believe that these technologies allow for more symmetrical monitoring, where traditional “hierarchies of surveillance” are flattened (Haggerty and Ericson 2000). These technologies, it is said, are empowering: “Individuals use their camera phones not only for personal communication, but also for documenting the misconduct of others, which leads to the description of such socio-technological practices as enablers of inverse surveillance that *empower* ordinary individuals to watch the authorities from below” (Yesil 2011: 285). This *sousveillance* is asserted to afford the expansion of political, social, and economic freedom (Diamond and Plattner 2012). *Synoptic* technologies allow the public to view ruling institutions and their agents, thereby promoting their visibility (Yesil 2011; Mathiesen 1997). The wide diffusion and use of these technologies produce a “‘viewer society’ where individuals are not only subject to surveillance by government agencies, state institutions, corporations, etc. but also become surveillers themselves as they ‘watch’ the few and scrutinize them through mass media and television” (Yesil 2011: 285). Lower thresholds to access these technologies to produce and disseminate visual media smooth and flatten the visible fields, making media amenable to flows and rapid movement of images as information (Han 2012).

For many academics and activists, commentators and politicians, this new visibility empowers civilians in ways previously never imagined. These powers emerge from the mechanically objective qualities of cameras and the self-evident, even scientific, qualities of the media they produce (Sturken and Cartwright 2001). In the new transparency, the content of these videos is self-evident and objective, prior to or even forbidding any interpretation (Han 2012; Brucato forthcoming). Explaining his motivation in filming police and advocating that other civilians do so as well, Cop Block co-founder Pete Eyre (WeAreChange 2013) explains:

I’m definitely a big advocate of transparency, you know, because the lens of the camera is objective. People don’t have to know me, or trust me. If I say ‘Hey, this just happened,’ they don’t have to try to determine if I’m being factual or not. They can just look at the video.

Community organizer, independent journalist and university lecturer, Gregory Malandrucchio (2012) claims:

Today, video captures not only civilians acting beyond the bounds of legality against the state and its laws, but also egregious instances of police officers breaking the very laws they are sworn to uphold. Technology presents us with the unforeseen potential to hold public officials accountable for their actions in swift and certain terms, as equal members of society, ending the reign of “official” Truth and shattering the traditional impunity of law enforcement officers.

A special kind of objectivity is earned by virtue of qualities of the technology that produce these media. Yesil explains:

Camera phones ... play a significant role in ... documenting the misconduct of others, and functioning as tools of surveillance. They reorganize visual documentation and the construction of truth and reality, especially through the emphasis placed on users, and raw, unedited footage. They are generally conceptualized as instruments that we can believe in as neutral recorders of truth and reality, and stand as symbols of neutral vision and transparency mostly because they serve as ‘nonhuman witnesses’ in the sense that human capacities are irrelevant to their operation. As such these devices have begun to occupy a central position within the matrix of visual documentation and the construction of truth and reality.

(2011: 285)

This view of mechanical objectivity has deep historical precedent (Sturken and Cartwright 2001; Galison 1999; Crary 1992). The first cameras were said to provide “a release from the ‘artistic aids’ that always threatened to make interpretation a personal, subjective feature of depiction.” This mechanical objectivity was “defined by its moralized and automatic status beyond the reach of the artist’s hand... boosters of mechanical objectivity ... were automatic and as such did not pass through the dreaded dark glass of interpretation” (Galison 1999: 19).

Once the truth of police-civilian interactions is made transparent, accountability is the likely or certain outcome. In his report on Occupy Wall Street, Harmon Leon (2011) of the *San Francisco Chronicle* wrote that “Cell phones and social media are the great equalizers in keeping law enforcement accountable.” Carlos Miller (2014b) of the advocacy group, Photography Is Not A Crime!, explains that, “justice prevails every once in a while,” but “only because it was all caught on video.” Jeffries claims, “inverse surveillance has introduced an element of accountability that heretofore has been absent” (Jeffries 2011: 74).

The view of sousveillance as powerful is earned by a special kind of objectivity resulting from its creators being outside—and thus untainted by—the institutions of formal, governmental power. Additionally, sousveillance is believed to have another kind of power, one particularly highlighted when monitoring police. Cop watchers and commentators on their activities alike describe the camera as offering protective power against abuse by police. Cameras are believed to produce increased likelihood of officer self-regulation (Farrar 2014).

New popular abilities to make truthful claims backed by documentation and to thereby hold officials accountable are importantly joined by a protective power: to prevent police violence from being used against other community members or oneself. As Wendy McElroy argues, “Cameras have become the most effective weapon that ordinary people have to protect against and to expose police abuse” (VanHemert 2010). In the face of transparency, policing’s new visibility is believed to demand that officers conform to contemporary norms of civility in policing. ACLU member Jay Stanley (2013) claims, “Cameras have the potential to be a win-win, helping protect the public against police misconduct...”

Outfitting officers with wearable cameras, with appropriate policies in place, he claims, “will provide an important protection against police abuse.”

Participants in and advocates for civilian sousveillance articulate a broader discourse of the new transparency, where visibility and transparency are identified. As a mechanically produced record, video is a forensic exhibit, both objective and scientifically truthful. It is also intimately connected to accountability. Because of the assurance of accountability, the view of the camera manifests a protective sphere, in which civilians may be immune from police violence.

2.2. On-Officer Cameras

Taser International is the Arizona-based, world-leading manufacturer of “electronic control devices” (ECD). They control the market so powerfully that “stun guns” are broadly referred to as “Tasers.” Introduced in 1998, fourteen years later, their weapons were on the duty belts of officers in 89 per cent of U.S. law enforcement agencies (Taser Marketing 2012). In 2006, they introduced a Taser-mounted camera, the Taser Cam. These devices were meant to offer police officers a level of mobility in recording evidence that dashboard-mounted cameras restricted. Yet, they were also claimed to “promote transparency” in using a weapon that was receiving growing scrutiny (Amnesty International 2004). Two years later, in 2008, Taser introduced the first generation Axon and Evidence.com.

The first-generation Axon was a system with a camera and several mounting options, including a headband and attachment for officers’ uniforms. The camera was wired to a separate controller and belt-mounted portable LCD screen with internal data storage. The units contained rechargeable batteries. Charging stations also functioned as data backup systems. While the Axon device charged, data was uploaded to Evidence.com to back up videos and their extensive metadata. The metadata includes location and timestamps, officer information, and IDs to link metadata to incident reports. Evidence.com preserves evidentiary continuity: videos are not manipulated, and transfer within or outside the agency is tracked to document access and reduce the potential for loss. The ease in sharing evidence was advertised and received by early adopters as a significant cost savings and an assurance of procedural regularity.

In 2012, Taser introduced the Axon Flex, an upgrade to the first-generation Axon, removing the wired display screen. Now, videos are immediately uploaded to cloud storage and available for streaming to wireless devices via Android and iOS apps. Diffusion continues, aided by Federal grants and close partnership between Taser, police agencies, and academic researchers studying efficacy.

Police chiefs in early-adopting departments stress that these devices reduced complaints, which they see as almost always groundless and a cumbersome distraction from police work. Journalists and activists responded with excitement. More video means greater visibility of police work, which in turn is an assurance of accountability. After a grand jury failed to secure an indictment of Ferguson Police Officer Darren Wilson for killing Michael Brown and the nationwide #BlackLivesMatter protests that followed, U.S. President Barack Obama approved federal matching funds to purchase 50,000 on-officer wearable cameras for use by municipal police agencies. As Sydney Siegmeth of Taser explained, “The push for public transparency and accountability in the wake of a number of incidents such as Ferguson, have spurred increased focus on rapidly adopting this technology” (Siegmeth 2014). A popular case study of the Rialto California Police Department received renewed attention following the Obama initiative and serves as a useful lens through which to view the claims surrounding these new technologies.

2.2.1. Police Visibility in Rialto

The first generation Axon was released without the fanfare of its second generation Axon Flex. Considerable national news coverage has attended to the first adopters of these devices. The publication of outcomes from a study in Rialto, California captured widespread attention. In February 2012, Rialto Police Department issued Taser Axon Flex cameras to some of its officers. In April 2013, the *New York*

Times published initial findings from an efficacy study on the cameras that concluded in July that year. The article claimed the cameras resulted in an 88 per cent reduction in complaints, and that use-of-force incidence was reduced by 60 per cent (Stross 2013). After completion of the study, Britain's *The Guardian* relayed the same statistics and reported "Rialto's randomised controlled study has seized attention because it offers scientific—and encouraging—findings..." (Carroll 2013). Civilian police monitoring groups, like Police The Police, touted the new technology with an internet meme (see Figure 1) that circulated widely on social media. A New York district court judge cited the Rialto study when she found unconstitutional the New York Police Department policy of "stop-and-frisk" (Dillon 2013). It seemed anyone concerned with policing and the use of force by officers was paying attention to Rialto. "I think we've opened some eyes in the law enforcement world. We've shown the potential," study author, Tony Farrar, told *The Guardian*. "It's catching on" (Carroll 2013).

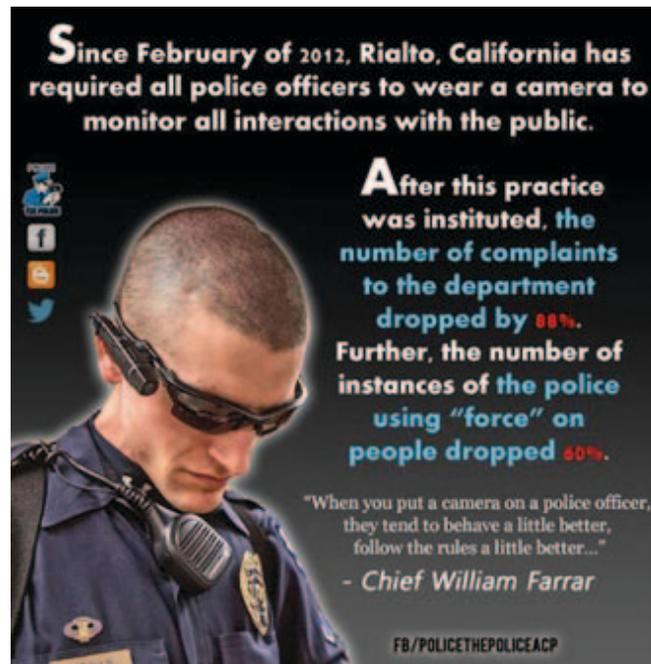


Figure 1: Internet activist organization, Police The Police, received the news of Rialto PD's wearable cameras with enthusiasm. This graphic circulated virally as a "meme" on social media sites like Facebook and Twitter.

The study was conducted in part to measure the deterrence effect on use-of-force incidence. Farrar (2014) explains,

The cameras were hypothesized to increase police officers' self-consciousness and, therefore, increase their compliance to rules of conduct, especially concerning use of force. The findings suggest a more than 50 percent reduction in the total number of incidents of use of force compared to control-conditions, and nearly 10 times less citizens' complaints than in the 12 months prior to the experiment.

The study claims those officers randomly selected (by shift) to wear cameras used force half as often.

The report concluded by recognizing an important limitation that most news reports ignored. Farrar encouraged caution when basing policy changes on the study, explaining, "leaders cannot rule out the possibility that the cameras have (also) modified the behavior of those who interacted with the police. Members of the public with whom the officers communicated were also aware of being videotaped and, therefore, were likely to be cognizant that they ought to act cooperatively" (Farrar 2014). Because his

main theoretical claim was that knowledge of being monitored changes behavior, he presumed this would likely apply symmetrically to both officers and those civilians stopped and verbally notified by officers of their being filmed. As such, this complicates the simple, causative claim circulated in media reports.

In my online ethnography of police accountability organizations (e.g., Cop Block), I found that most organizers and their followers (e.g., on Facebook and Twitter) expressed excitement when these devices first gained attention in late 2012. About a year later, however, some concerns were growing. Critics, like American Civil Liberties Union (ACLU) Senior Policy Analyst, Jay Stanley (2013), are concerned about privacy implications. Since officers enter homes and other places where civilians have a reasonable presumption of privacy, he says policies should require clear notification prior to and secure handling after video documentation. With the correct policies in place, though, he and the ACLU are excited about the potential they see in the devices. The ACLU, he says, is “against pervasive government surveillance, but when cameras primarily serve the function of allowing public monitoring of the government instead of the other way around, we generally regard that as a good thing” (Stanley 2013: 1). The concern here is that wearable cameras will transgress boundaries where surveillance cameras have not been allowed because of legal or normative impediments.

San Francisco National Lawyers Guild Chapter President Rachel Lederman is more critical. Particularly, she points to the discretion afforded officers to wear, turn on, or obstruct cameras (Lederman 2014). She also points to the small size of the Rialto department, with only 66 officers on the force, to the much larger Oakland Police Department, suggesting the program is not certainly scalable. Lederman notes some officers in the Oakland department are also outfitted with wearable cameras, but the experiences are more equivocal. In Oakland, officers issued wearable cameras are known to not wear, obstruct or switch off the devices. Lederman was the lead attorney for Scott Olsen, a protestor who was shot in the head with a “less-lethal” projectile by an Oakland PD officer during a raid on the Occupy Oakland encampment. During this incident, “only one out of the eleven officers who were assigned PDRDs (Personal Digital Recording Devices) and who were wielding less lethal weapons wore and turned on his PDRD during the critical time” (Lederman 2014). Without assurance of consistency in use, wearable cameras may be used to aid in criminalizing civilians and may be out of commission when officers engage in practices more likely to cause controversy. Since individual officers control when the cameras record, documentations of wrong-doing are likely to implicate officers and civilians asymmetrically.

Even when police produce videos, they are most often used for their benefit and restricted from legal access by civilians or their attorneys. Referencing the raid on Occupy Oakland, Lederman explains, “Other police surveillance video from that notorious day was withheld literally for years, even from the City’s own attorneys in ongoing federal civil rights litigation (and some of it seems to have disappeared permanently)” (Lederman 2014). In responding to privacy considerations, the Rialto study author and police chief, Farrar, told *The Guardian*, “No one wants to see these videos on YouTube” (Carroll 2013). In this statement, the chief was answering concerns that civilians would not want recordings of their homes or behaviors disclosed; but, Lederman’s concern suggests that the accountability these devices are claimed to afford will be handled internally by police agencies and that the transparency the videos might produce is thus limited. While police promise to maintain the security of videos to protect the privacy of civilians, Lederman is concerned the same tight control of videos produced by wearable cameras will at most be used for purposes internal to police departments. Thus, the concern is that when videos are produced, these will not reliably be available for civilian oversight. As presently used by police agencies, the kind of transparency allegedly offered by wearable cameras is still predicated upon self-disclosure by police organizations.

Most news reports were clear that the Rialto study author, Tony Farrar, is also the Chief of Police for the Rialto PD, yet few point to this as a potential conflict of interest or methodological problem. While the study was conducted as part of his criminology Masters research at Cambridge University, Farrar

simultaneously was the head of the department, managing complaint review processes and the officers who wore the cameras. Since his hypothesis was that behaviors change when people know they are being closely monitored, not only the cameras, but also the authority of the person designing and implementing the experimental study was in play. His research report fails to acknowledge his role beyond that of an observer. He presumed the “view from nowhere” that troubles any research project (Haraway 1988; Harding 1993), but particularly one where the researcher is also the superior in a command-style bureaucracy. Farrar was doubly committed to proving his hypothesis true, both as a researcher and as a publicly accountable police administrator. Research on the efficacy of policy aimed at reducing use-of-force incidence and improving incident outcomes is often equivocal or tentative (Alpert and Dunham 2004; Garner and Maxwell 1999). Analysts tend to agree that where policy is effective, it is because of the buy-in of managers, administrators, and officers (Prenzler, Porter and Alpert 2013). As such, the causal role played by the cameras is minimized or altogether in doubt.

Also discovered in the Rialto report was that officers not wearing the cameras also had a reduction in use of force compared to prior years. Farrar explained this as a result of the study design. Because individual officers wore cameras on some but not all shifts, the civilizing effects caused by wearing the cameras lingered, even when the officers were no longer wearing them. Another aspect neglected in favorable reports by wearable camera advocates is that the Rialto Police Department was in existential crisis prior to Farrar’s hiring. The department was in fiscal jeopardy and embroiled in controversies over officer corruption and misconduct, including but not limited to use-of-force incidents. Farrar was hired as a reformer with the mission of saving the department and its officers from being eliminated. Failure would have resulted in law enforcement being turned over from the city to the county and its Sheriff’s Department. The pre- and post- test statistics for use of force and complaints involved not only a change in leadership, but also a mandate for all officers to improve behavior or face certain layoffs. Attributing the changes in use of force to cameras at all may indeed be dubious in this case, and yet wearable camera advocates attribute to them *sole* cause.

Carlos Miller of Photography Is Not A Crime! (PINAC) published a comparison of the Rialto study with contemporaneous reports about the Albuquerque Police Department (Miller 2014a). The Albuquerque department outfitted their officers with wearable cameras in 2010. After that time, Albuquerque PD was subject to a series of complaints that led to a US Department of Justice (DOJ) investigation into chronic civil rights abuses by the department and its officers. The investigation cited the high incidence of deadly force that had recently increased—again, *after* the cameras were issued. Miller cites several cases where officers with issued wearable cameras used deadly force. The DOJ report states wearable cameras “were deployed without making sufficient efforts to ensure the support of the rank-and-file, were not implemented with the necessary supervision and oversight to ensure proper implementation, and appeared directed only at placating public criticism” (Samuels and Martinez 2014). Like in Lederman’s examples from Oakland, Miller (2014a) explains Albuquerque officers’ cameras were turned off, not worn, or obstructed when they killed civilians. However, in March 2014, helmet-mounted on-officer cameras documented Albuquerque police officers killing a homeless man, James Boyd, after he was stopped for sleeping in the foothills outside the city center. In November 2014, a lapel-mounted on-officer camera documented an Albuquerque police officer shooting Shaine Sherrill.

Despite these concerns, the Rialto study remains a part of the popular discussion, not only of wearable cameras, but also of the contemporary visibility of police. More important to the present inquiry, it is a key piece in Taser’s marketing of Axon Flex and Evidence.com products, with an entire section of their website—with its own “landing page”—devoted to the adoption of Axon Flex by Rialto PD (see <http://info.taser.com/rialto-landing-page.html>).

2.2.2. *The Development and Marketing of Taser Axon Flex*

In order to situate the Rialto study within a broader discourse of advocacy for this technology and the visibility it affords, I turn now to the development and marketing of the current generation of on-officer wearable cameras by Taser International. In this discourse, accountability has a unique meaning compared with the one advanced by advocates for civilian sousveillance.

Introducing the product line, a Taser International video¹ claims, “The Axon Flex is a breakthrough, point-of-view video system that will revolutionize transparency between law enforcement agencies and their communities while protecting officers from false claims.” The video then depicts an officer who states there is “no doubt” the camera system saved his agency money in litigation and “possibly saved my career.” Speaking of the sunglasses manufacturer’s cooperation with Taser to make a “Flak jacket” mount for the camera, Director of Oakley’s military/government programs, Erick Poston, described their mission as to “solve problems for professionals in the law enforcement and military space.” Rick Smith, CEO of Taser, explains “At Taser we’re passionate about protection, whether it’s protecting officers from physical harm with a Taser ECD, or protecting that officer and the agency from false claims about what really happened. You can better protect your officers today with Taser and Axon Flex.” Taser and their partners are explicitly aligned with police in promoting their technology. The device is designed and deployed in service of police officers and agencies, and against threats to these parties that come from civilians.

Rialto was far from the earliest adopter. Four years prior, in 2008, the earliest agency in Minnesota to adopt the first-generation Axon was the Burnsville Police Department. Responding to the initial hesitation by his officers, Burnsville PD Chief Bob Hawkins said, “I think one of the concerns that some of the officers had is ‘Geez, is this system to catch us doing bad things, or what’s this all about?’ It’s on the contrary. I mean, absolutely, this is about catching all the great things that the officers are doing.”² The initial hesitancy toward the program has changed with the experience of what accountability means for the department. “What I’m hearing back from the officers now, now that they have it and it’s been out there on the street with them,” Hawkins said, “they don’t want to hit the streets without it.” It is not surprising that officers’ experience with a technology designed to advantage them confirms these very benefits.

In a video commissioned by the department and now hosted on Taser’s website, Burnsville PD Sergeant Matt Smith said,

Things happen so fast out on the street. Sometimes you don’t even know exactly how you ended up in the position you’re in. You always just write a report the best that you can. Now you go back and watch, and it’s very clear what happened. So it helps with the report writing. It helps after the fact for anybody who really wants to know what happened. Now they can look and see exactly what we saw.

While legal scholars have pointed to the importance of video in negating fraudulent police reports (Boghosian 2010), on-officer cameras produce footage the officer can immediately access. Rather than filing incident or arrest reports with information that is contradicted by video evidence, officers can now produce narrative accounts that explain video contents within the language of department policy, as well as civil and criminal laws.

¹ Taser International, *The Development of Axon Flex* (n.d.), <http://www.taser.com/videos/on-officer-cameras/development-of-axon-flex> (accessed March 25, 2014).

² Taser International, *Axon Benefits in Burnsville, MN*, (n.d.) <http://www.taser.com/videos/on-officer-cameras/axon-benefits-in-burnsville-mn>.

Early adopters experienced the ease with which the cameras fit into police culture, especially one aimed at neutralizing criticism and complaints. Burnsville PD Officer Dan Anderson explains,

A lot of us have, if we have issues, or if there's a complaint coming from a traffic stop, we'll call our supervisor up immediately and let them know, hey, that it's audio recorded, it's on Axon, feel free to have a look at it before you call the person back. With that, the follow-up is perfect. They say, hey, you did a good job, if nothing else. Without that, there could be a whole different repercussion.

Chief Hawkins explains the cameras are especially helpful in investigating traffic violations. Officers show videos to drivers to encourage self-incrimination. When the video is clear to the implicated civilian, they may admit guilt while on camera. Even if the video is inconclusive, civilians may fill in gaps by explaining their actions. In doing so, they provide key evidence—again, caught on camera—that can be used against them. “It’s going to keep those officers out of court,” says Hawkins. He explains his experience with prosecutors using video during pre-trial meetings. There, attorneys show videos to defendants ahead of trial to encourage guilty pleas, which have the benefit to police officers and agencies of “saving court time”—a phrase often repeated by Taser marketing executives and early adopting police administrators.

The video shot by Axon cameras functions as a crucial piece of evidence for criminal investigations and trials. Evidence.com secures the content and maintains continuity in the evidentiary chain. Fiumara (2012) explains how Evidence.com works:

A unique aspect of the Taser system is the company’s development of an upload process to redundant, encrypted, off-site data centers via a high-speed Internet connection in a cloud-based service called Evidence.com. Once video evidence is uploaded to Evidence.com, it can be accessed—but not altered—by officers, supervisors, administrators, and prosecutors via a secure Internet log-in.

The Burnville Police Chief values this feature. “One of the strengths of the system again, is once the video is captured, and once it’s uploaded, there’s nothing we could do to it,” says Hawkins. “We cannot alter that video once it’s been completed. So, obviously, that’s important from an evidence standpoint.”

Salt Lake Police Chief Christ Burbank explains that ubiquitous surveillance is “exactly how we should be open and transparent” (Reavy and Romero 2012). This version of transparency clearly differs from the Cop Block founder’s, discussed above. If we take transparency to be a socially contingent and situated concept, and we consider the partisanship from which transparency is advocated, we can understand the statement of Burbank’s in a different light, when he explains:

I don’t view this as a tool to catch my officers doing something wrong, I view this as a tool to document the great work that they do. To have this medium there, to have this whole thing documented is not a threat to me at all because I’m very confident in how we do business.

Agencies are not adopting the cameras to punish officers for wrongdoing, but to protect officers with footage for use in criminal investigations. Officers are likely encouraged not only by messages like Burbank’s, but also because they know from experience that internal investigation processes, particularly regarding use-of-force incidents, profoundly privilege officers (Sen 2010; Skolnick and Fyfe 1993; Prenzler and Ronken 2001). These messages and efforts to reduce complaints serve to diminish opportunities to intervene in problematic policing practices. Goldsmith (1991) explains that strategies to reduce complaints result in missed opportunities to scrutinize officer activity, often to the detriment of

community safety. When administrators and managers seek to reduce complaints, it signals an avoidance of accountability, rather than an embrace of complaint review and policy reform, a crucial component of police administration.

The favoring of officers is not only part of the historic function of the policing institution or individual agency bureaucracies. This privileging of officers' accounts and perspectives is also codified in laws that dictate departmental policies and investigations, and also how civil and criminal cases against officers are handled (Brucato 2014). The accounts of early adopters and Taser's marketing materials serve to highlight these issues, showing they are not merely chance outcomes, but a result of the development of the technology and the marketing of the resultant products.

3. The Importance of Point of View

The excitement from civil rights advocates toward wearable cameras, particularly with the release of the Rialto findings, is predicated on the idea that any video is helpful, and therefore more video is desirable. The common concerns, as touched on above, focus on the inconsistency in producing documentation, with restrictions on availability and circulation of videos, or with the manipulation of content. Here we see that both sides of the debate—including the critical view directed toward the Rialto study, specifically, or wearable cameras, generally—is founded in the presumed objectivity of video.

As mentioned above, the attribution of objectivity to mechanical images has a deep history. Burnett cautions that when images are considered as mere information, people are inclined to forget that information is amenable to manipulation, able to serve varying goals. "If the image is taken as the only arbiter of the process, chances are that we will continue to confuse information and communication as if they transparently reflect the same level of organization and structure, the same intent and meaning" (Burnett 1995: 22). Similarly, Allan Sekula argued, "the outcome, based on the 'true' reading of the evidence, is a function less of 'objectivity' than of political maneuvering" (Sekula 1978: 863). Meanings, he explains, are always indeterminate, and subject to the strategic manipulation by partisan actors. Civil rights and other activists who advocated for civilian monitoring of police, on the one hand, and police agencies and their corporate partners, on the other, are both engaged in this strategic work, yet both leverage the myths of documentary realism. The latter, however, have more than a bureaucracy with a tradition of immunity to public scrutiny on their side.

Officers and agencies embrace visibility not only because multiple levels of gate-keeping ensure peers handle most complaints, but also because the legal system privileges the police perspective. This is not to claim that a vast apparatus has embedded structural, social, and linguistic advantages that favor police, though this is certainly also true. Rather, a very specific juridical tradition codifies these privileges in the concept of *reasonableness*. Unlike the parties discussed above, attorneys do not present films and videos as finished works, but rather as a component in a narrative that must be situated in a specific historic event and given legal context (Schwartz 2009: 3). In such settings, the polysemic qualities of images is brought to light, as *multiple* readings—both in terms of their repetition and in terms of their interpretation—are mobilized to tell differing stories. In explaining a legal tradition that profoundly shapes these stories, and the implications for police accountability, I will show that videos shot from the point-of-view of police officers are given special legal standing.

3.1. From "Shocking" to "Objectively Reasonable"

In 1973, the *Johnson v. Glick* 481 F. 2d 1028, 1029 (2d Cir. 1973) ruling established that the *reasonableness* of police actions, particularly in their use of force, would be a judicial evaluation to determine whether this action is "shocking to the conscience" (Alpert and Smith 1994: 486). This principle ensured that judges and jurors would appraise a use-of-force incident, with full consideration of the offending officer's subjective mental state, and from the judges' or jurors' personal positions as third

parties sitting in judgment apart from the situation. Four considerations were deemed relevant to determine whether the officer's use of force was excessive and whether this constituted a legally actionable injury: 1) was there a *need* for the application of force?; 2) what was the relationship between the *need* and the *amount* of force?; 3) what was the *extent* of injury sustained?; and 4) was force applied *maliciously* and *sadistically* for the very purpose of causing harm? (Alpert and Smith 1994). On one hand, this resulted in ambiguity in police misconduct cases that required subjective judgment to resolve. On the other hand, because the standard for evaluation was loose, it left departments with little guidance to establish use-of-force policies.

In 1989, the *Graham v. Connor* 490 U.S. 386, 109 (S.Ct. 1865) ruling effectively negated *Johnson v. Glick*, establishing the legal principle of *objective reasonableness*. *Graham v. Connor* is now a primary driver of agency use-of-force policy and a key component in attorney arguments and juror instructions in criminal cases where officers are tried for excessive or unnecessary force. Since *Graham v. Connor*, legal uses of force must be objectively reasonable *from the standpoint of the officer*, with respect to the available facts of the circumstances she or he assessed in the moment of a use of force determination, without any consideration for hindsight. Reasonableness is determined from the perspective of a reasonable *officer* on the scene, and must account for the need to make "split-second decisions" about the need for force and the amount to deploy in the given situation. Another essential consideration from the case law is the severity of the crime under investigation, any immediate threat to the safety of the officers or others, and whether the suspect is resisting or evading arrest. Jurors are expected to take into consideration the number of suspects and officers involved; the level of experience of officers on the scene; the physical attributes and capabilities of the suspect; the number and kinds of weapons (including the officers') perceived by the officers to be available to the suspect; and the physical space where the incident occurred and the position of the officers and suspects in the space.

POV video – When it matters most... Show what really happened

Your perspective matters. Point of view video is not only critical in capturing what really happened but also getting that video record accepted as evidence. In a ground breaking US Supreme Court Case (*Graham v. Connor* 490 U.S. 386 (1989)) the court stated, "The 'reasonableness' of a particular use of force case must be judged from The Perspective of a Reasonable Officer on the Scene."

AXON FLEX Watch the incident unfold from the officer's perspective AXON FLEX

Dash Cam
View of the street outside the incident

Figure 2: The importance of point of view. From Taser AXON Flex On Officer Video, <http://www.taser.com/products/on-officer-video/axon-flex-on-officer-video>

Taser invokes the legal authority of *Graham v. Connor* in their marketing materials. Figure 2 is a screen capture from the main page of the Taser Axon Flex website. However, Taser is here not merely using a court ruling as an advertising message. Officer point-of-view is *the primary design feature of the technology*. Elsewhere on the site, Taser acknowledges the ubiquity of civilian sousveillance and asks

officers and agencies whether they want their actions determined by a third-party video that depicts their own behaviors from the perspective of a bystander. Would they not instead prefer the legally, institutionally, and culturally privileged point-of-view of the officer to be used, not only to determine the legitimacy and legality of their actions, but to legally nullify any likely third-party documentation? While police are using the wearable cameras as surveillance devices to procure video evidence to use against criminalized civilians, here we see the wearable cameras being used as *counter-sousveillance* devices.

Fiumara (2012) explains that with increasing frequency, civilians are likely to document police activities. As such, it is in the interest of police officers to produce video from their point-of-view. He writes,

The newest phenomenon in [the video recording of police activity] is the proliferation of video-capable cellphones and the jumpy, mostly low-resolution images being captured by those who possess them. These video images are often uploaded to the web within minutes of capturing the events they depict. Most officers on the street today have been at incidents where more than one cellphone is recording their every movement and word. These are all examples of video cameras pointed toward police activity by the press, by ordinary citizens, and by reality television producers.

But what about when the police point the video cameras on their own activities, from their own perspectives?

(Fiumara 2012)

Graham v. Connor established a tradition that has persisted in courts and in department policies to this day. Further, it produced an institutional culture in policing and community oversight thereof, where self- and internal- evaluation by police agencies became standard. When criminal or civil cases place officers or agencies in the position of defendant, police are now the arbiters of reasonableness. Legal review by judges and jurors now relies on expert witnesses to inform their imagined perspective of officers in the moment the implicated use of force occurred. While jurors presumably hear “both sides,” the actions of an officer are to be judged from the point-of-view of the officer in the moment that force was used. Since most judges and jurors cannot depend on their experiential knowledge or professional training to make such determinations, “the objectivity assessment for police use of force has become a ‘guided tour’ with a different guide for each tour (i.e., the expert witness)” (Alpert and Smith 1994: 486). With the aid of these witnesses, the determination of reasonableness is to be based on what they then think a reasonable and well-trained police officer would do in a same or similar circumstance.

Terrill (2009) explains that reasonableness is “tricky” and “elusive.” The ambiguity in determining reasonableness has led to inconsistent departmental policies, based more on the agency leadership and the local political culture and history. Reasonableness opens up—and even requires—individual officers to rely upon and exercise discretion, rather than to depend on clearly defined training and legally grounded use-of-force policies. Ultimately, the benefit of the doubt is frequently given to officers and agencies at the expense of the safety and rights of civilians.

3.2. Discretion and Sovereignty

One would reasonably presume that the new visibility of police violence would be a cause for crisis for the institution. But, the proliferation of videos, documenting hundreds of past incidents (and new ones every week) on sites like YouTube and LiveLeak are evidence that video provides little deterrent effect. Even though crime rates are in decline (Truman and Planty 2012) and fewer officers are injured now than in the entire history of the US policing institution (Center for Officer Safety and Wellness 2014), use-of-force and deadly force incidence seems to remain stable (Alpert and Dunham 2000; Alpert and Dunham 2004; Alpert and Dunham 2010). Advocates for civilian sousveillance believe this visibility offers protection from police abuse and an assurance of accountability (Brucato forthcoming). But these

expectations are frustrated by the abundance of new video documentations. The negotiation of police visibility and accountability discussed above provides some insight not only into why visibility does not foster the variety of accountability they expect, but also why police violence remains rather stable.

The same law that influenced the development and marketing of Axon Flex—and the culture that makes intelligible and durable such a law—is the one that produces the condition where police violence continues despite its visibility. Individual officers are given considerable discretion to determine when to use force (Reiner 2010), and *Graham v. Connor* instructs that violence will be reviewed from their perspective. This combination of discretion with the legal principle of *reasonableness* establishes the politico-juridical status of police officers such that their use of violence is rather immune against traditional accountability processes. The practical outcome of the addition of “split-second decision making” to the criteria of reasonableness has been to extend the authority of the sovereign to each officer. This is particularly exemplified by the frequency with which officers use violent force in the absence of aggressive, physical violence from civilians. Departmental policies, such as use-of-force continuums, give considerable discretion to officers (Terrill and Paoline III 2012). These policies are localized instantiation of the *Graham v. Connor* principles. Since officers are not only given discretion to determine when and how much violence a civilian will experience, but also because all evaluation of their actions must be made from their point-of-view, use-of-force policies have the effect of being poor determinants of actual practice. Because these policies create legal vacuums in moments labeled as “split-seconds,” officers are effectively given authority to suspend the rule of law, placing them in a legally defined position unique to police, where they may make determinations of who will live and die, who will be secure and who will be maimed. *Graham v. Connor* has had the practical effect of granting uniformed officers sovereign power, able to generate a state of exception anywhere they are present. These legal principles work together with the socio-historical context of the U.S. police in administering the class of poverty, especially through reproducing the color line via proximity to communities of color and racially disproportionate police outcomes (Brucato 2014).

“Probable cause” is both a juridical concept and a rhetorical device used to open up space for legitimate police violence (Martinot 2003). Through probable cause, officers are granted authority to use subjective impressions of civilians to classify them as “suspects,” called *profiling*. After a civilian is profiled, officers’ verbal commands function as law, since detained persons must obey directives. Disobeying an officer is a criminal act, which alone provides a legal basis to absorb the civilian into the judicial system. Given their standard executive function, an officer is authorized to use force to arrest and jail a civilian. Resistance or defense against an officer’s violence is additionally criminalized, and effectively permits an escalation of the violence by the officer. Together, reasonableness, split-seconds, and probable cause function to consolidate the divided powers of government. Commands function as legislation, which the officer is empowered to execute, and failure to comply allows immediate judgment and the use of violence, up to and including deadly force. This is a sort of “state of exception” that functions rather differently from the one articulated by Agamben (2005) and Schmitt (2004). Rather than being irrelevant to the question of sovereignty, here law—especially *Graham v. Connor* and cases that have subsequently specified its findings—is used to create the suspension of law, where officer discretion has the full force of sovereignty.

This point is not purely intellectual. The sense to which officers are “above the law” is widely held by those most frequently criminalized. Jeffries (2011) shows this is a main reason why civilians forgo filing complaints after they are harassed, brutalized or otherwise harmed by police. This broad recognition is complicated by the equally popular expectation that visibility offers an assurance that policing will become less violent. It does, however, provide an explanation for why officers are rapidly embracing the use of wearable cameras, and provides for a rather different critique than those discussed above, with reference to the Rialto case.

Conclusion

In confronting the video documentation of police violence, the discourse of objectivity is often mobilized by different parties to serve distinct ends. While skepticism toward any claims of objectivity in documentary evidence is warranted, the certification of which interpretation counts as objective is conditioned by the point-of-view from which the documentation is captured. With the ubiquity and increasing mobility of cameras, police use-of-force incidents are not only more likely to be video recorded, but they are also prone to being documented from various perspectives. The effort by police to record their interactions from the perspective of officers is not merely to increase the quantity of proof for investigative and evidentiary purposes in criminalizing civilians. These cameras function to nullify third-party videos, and especially civilian *sousveillance*. The video shot from the position of the officer is legally and culturally privileged. As such, rather than being just a new *surveillance* technology, on-officer wearable cameras work as *counter-sousveillance* technology.

Clearly, the adoption of on-officer wearable cameras was provoked in part by public pressure for enhanced police accountability. Though advocates for victims of police violence often welcome the adoption of wearable cameras, there is cause for skepticism. These devices may threaten privacy, and agency control of footage may limit its usefulness for civilians. I have established here other causes for concern. Because police agencies are adopting these devices to avoid complaints, we can expect adoption of wearable cameras to diminish this crucial element of police oversight and administration. Since officers can review video from wearable cameras prior to writing incident reports, this technology may reduce conflicting accounts, a common cause for investigation of officers and exoneration of illegitimately implicated civilians. These concerns point to the need for empirically investigating outcomes of adoption and to develop policy analysis appropriate to these challenges.

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References

- Agamben, Giorgio. 2005. *State of Exception*. Translated by Kevin Attell. Chicago, IL: The University of Chicago Press.
- Alpert, Geoffrey P., and Roger G. Dunham. 2000. *Analysis of Police Use of Force Data*. Washington, DC: National Institute of Justice.
- Alpert, Geoffrey P., and Roger G. Dunham. 2004. *Understanding Police Use of Force: Officers, Suspects, and Reciprocity*. New York: Cambridge University Press.
- Alpert, Geoffrey P., and Roger G. Dunham. 2010. "Policy and Training Recommendations Related to Police Use of CEDs: Overview of Findings From a Comprehensive National Study." *Police Quarterly* 13 (3): 235-259.
- Alpert, G. P., and W.C. Smith. 1994. "How Reasonable Is the Reasonable Man: Police and Excessive Force." *Journal of Criminal Law & Criminology* 85(2): 481-501.
- Amnesty International. 2004. *USA: Excessive and lethal force? Amnesty International's concerns about deaths and ill-treatment involving police use of Tasers*. November 29, 2004. <http://www.amnestyusa.org/node/55449?page=show> (accessed March 1, 2014).
- Anthony, Mary Grace, and Ryan J. Thomas. 2010. "'This is Citizen Journalism at its Finest': YouTube and the Public Sphere in the Oscar Grant Shooting Incident." *New Media & Society* 12 (8): 1280-1296.
- Bittner, Egon. 1970. *The Functions of the Police in Modern Society*. Rockville, MD: National Institute of Mental Health, Center for Studies of Crime and Delinquency.
- Boghosian, Heidi. 2010. *The Policing of Political Speech: Constraints on Mass Dissent in the U.S.* New York: National Lawyers Guild.
- Brucato, Ben. 2014. "Fabricating The Color Line in a White Democracy: From Slave Catchers to Petty Sovereigns." *Theoria: A Journal of Social and Political Theory* 61 (141): 30-54.
- Brucato, Ben. Forthcoming. "The New Transparency: Police Violence in the Context of Ubiquitous Surveillance."
- Burnett, Ron. 1995. *Cultures Of Vision: Images, Media & The Imaginary*. Bloomington: Indiana University Press.
- Carroll, Rory. 2013. *California Police Use of Body Cameras Cuts Violence and Complaints*. November 4, 2013. <http://www.theguardian.com/world/2013/nov/04/california-police-body-cameras-cuts-violence-complaints-rialto> (accessed March 25, 2014).

- Center for Officer Safety and Wellness. 2014. *2013 Line-of-Duty Officer Deaths: An Overview*. Alexandria, VA: International Association of Chiefs of Police.
- Crary, Jonathan. 1992. *Techniques of the Observer*. Cambridge, MA: MIT Press.
- Diamond, Larry, and Mark F. Plattner. 2012. *Liberation Technology: Social Media and the Struggle for Democracy*. Baltimore, MD: The Johns Hopkins University Press.
- Dillon, Nancy. 2013. *Police Body-worn Cameras Stop-and-Frisk Judge Suggested Have Helped Rialto Police Department*. August 13, 2013. <http://www.nydailynews.com/news/national/cameras-proposed-stop-frisk-judge-ca-police-article-1.1426025> (accessed March 25, 2014).
- Doyle, Aaron. 2003. *Arresting Images: Crime and Policing in Front of the Television Camera*. Toronto: University of Toronto Press.
- Fan, Mary D. 2012. "Panopticism For Police: Structural Reform Bargaining and Police Regulation by Data-Driven Surveillance." *Washington Law Review* 87: 92-138.
- Farrar, William. 2014. "Operation Candid Camera: Rialto Police Department's Body-Worn Camera Experiment." *The Police Chief* 81 (January): 20-25.
- Fishman, Mark, and Gray Cavender. 1998. *Entertaining Crime: Television Reality Programs*. Hawthorne, NY: Aldine de Gruyter.
- Fiumara, Joe. 2012. "The Future Is Near: Getting Ahead of the Challenges of Body-Worn Video." *Technology Talk, The Police Chief* 79 (September): 54.
- Galison, Peter. 1999. "Objectivity is Romantic." *The Humanities and the Sciences*, edited by J. Friedman, P. L. Galison, S. Haack and B. E. Frye, 15-43. Philadelphia: American Council of Learned Societies.
- Garner, Joel H., and Christopher D. Maxwell. 1999. "Measuring The Amount of Force Used By and Against the Police in Six Jurisdictions." In *Use Of Force By Police: Overview of National and Local Data*, edited by K. Adams, et al., 25-44. Washington, DC: National Institute of Justice and Bureau of Justice Statistics.
- Goldsmith, Andrew J. 1991. *Complaints Against the Police: The Trend to External Review*. New York: Oxford University Press.
- Goldsmith, Andrew J. 2010. "Policing's New Visibility." *British Journal of Criminology* 50: 914-934.
- Graziano, Lisa, Amie Schuck, and Christine Martin. 2010. "Police Misconduct, Media Coverage, and Public Perceptions of Racial Profiling: An Experiment." *Justice Quarterly* 27 (1): 52-76.
- Haggerty, Kevin D., and Richard V. Ericson. 2000. "The Surveillant Assemblage." *British Journal of Sociology* 51 (4): 605-622.
- Han, Byung-Chul. 2012. *Transparenzgesellschaft*. Berlin: Matthes & Seitz.
- Haraway, Donna. 1988. "Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective." *Feminist Studies* 14 (3): 575-599.
- Harding, Sandra. 1993. "Rethinking Standpoint Epistemology: What is "Strong Objectivity"?" In *Feminist Epistemologies*, edited by Linda Alcoff and Elizabeth Potter, 49-82. New York: Routledge.
- Hirschfield, Paul J., and Daniella Simon. 2010. "Legitimizing Police Violence: Newspaper Narratives of Deadly Force." *Theoretical Criminology* 14 (2): 155-182.
- Huey, Laura, Kevin Walby, and Aaron Doyle. 2006. "Cop Watching in the Downtown Eastside: Exploring the Use of (Counter)Surveillance as a Tool of Resistance." In *Surveillance and Security: Technological Politics and Power in Everyday Life*, edited by Torin Monahan, 149-165. New York: Routledge.
- Independent Commission on the Los Angeles Police Department. 1991. *Report On the Independent Commission on the Los Angeles Police Department*. Los Angeles: Independent Commission on the Los Angeles Police Department.
- Jeffries, Judson. 2011. "Democracy for the Few: How Local Governments Empower Cops at Citizens' Expense." *Journal of Law and Conflict Resolution* 3 (5): 71-75.
- Jennings, Wesley G., Lorie A. Fridell, and Mathew D. Lynch. 2014. "Cops and cameras: Officer Perceptions of the Use of Body-Worn Cameras in Law Enforcement." *Journal of Criminal Justice* 42 (6): 549-556.
- Katz, Jon. 1993. "Covering the Cops: A TV Show Moves in Where Journalists Fear to Tread." *Columbia Journalism Review* (January/February): 25-30.
- Kearon, Tony. 2012. "Surveillance Technologies and the Crisis of Confidence in Regulatory Agencies." *Criminology & Criminal Justice* 12 (3): 1-17.
- Koskela, Hille. 2009. "Hijacking Surveillance? The New Moral Landscapes of Amateur Photographing." In *Technologies of InSecurity The Surveillance of Everyday Life*, edited by Katja Franko Aas, Helene Oppen Gundhus and Heidi Mork Lomell, 147-167. New York: Routledge.
- Lautt, Steven A. 2012. "Sunlight Is Still the Best Disinfectant: The Case for a First Amendment Right to Record the Police." *Washburn Law Journal* 51: 349-381.
- Lawrence, Regina G. 2000. *The Politics of Force: Media and the Construction of Police Brutality*. Berkeley, CA: University of California Press.
- Lederman, Rachel. 2014. *More Copwatchers! Less Cops w Cameras!* March 13, 2014. <http://wecopwatch.org/police-cameras-quick-fix-for-police-misconduct-or-counter-surveillance-tool/> (accessed March 15, 2014).
- Leon, Harmon. 2011. *Cop Punches Occupy Wall Street Protester: The Whole World is Watching!* October 10, 2011. <http://blog.sfgate.com/hleon/2011/10/14/cop-punches-occupy-wall-street-protester-the-whole-world-is-watching/> (accessed March 3, 2014).
- Lersch, K.M., and T. Mieczkowski. 2005. "Violent Police Behavior: Past, Present, and Future Research Directions." *Aggression and Violent Behaviour* 10: 552-568.

- Malandrucco, Gregory. 2012. *Video Is The New Reality: One Year After Flint Farmer Was Senselessly Killed By Chicago Police*. June 7, 2012. <http://www.uscop.org/video-is-the-new-reality-one-year-after-flint-farmer-was-senselessly-killed-by-chicago-police/> (accessed March 3, 2014).
- Mann, Steve, and Joseph Ferenbok. 2011. "New Media and the Power Politics of Sousveillance in a Surveillance-Dominated World." *Surveillance & Society* 11 (1/2): 18-34.
- Mann, Steve, Jason Nolan, and Barry Wellman. 2003. "Sousveillance: Inventing and Using Wearable Computing Devices for Data Collection in Surveillance Environments." *Surveillance & Society* 1 (3): 331-355.
- Martinot, Steve. 2003. "The Militarisation of the Police." *Social Identities* 9 (2): 205-224.
- Marx, Gary T. 2007. "Counter-surveillance as Political Intervention?" *Social Semiotics* 16 (4): 515-534.
- Mateescu, Alexandra Claudia, Alex Rosenblat, and danah boyd. 2015. *Police Body-Worn Cameras*. Report, New York: Data & Society Research Institute.
- Mathiesen, Thomas. 1997. "The Viewer Society: Michel Foucault's 'Panopticon' Revisited." *Theoretical Criminology* 1 (2): 215-34.
- Miller, Carlos. 2014a. *A Study in Contrasts Between Rialto Police and Albuquerque Police in Regards to Body-Mounted Cameras*. March 25, 2014. <http://photographyisnotacrime.com/2014/03/25/study-contrasts-rialto-police-albuquerque-police-regards-body-mounted-cameras/> (accessed March 25, 2014).
- Miller, Carlos. 2014b. *Connecticut Cop Sentenced to 30 Months in Prison After Arresting Priest for Recording*. 2014. January 22, 2014. <http://photographyisnotacrime.com/2014/01/22/connecticut-cop-sentenced-30-months-prison-arresting-priest-recording/> (accessed March 4, 2014).
- Prenzler, Tim, and Carol Ronken. 2001. "Models of Police Oversight: A Critique." *Policing And Society* 11 (2): 151-180.
- Prenzler, Tim, Louise Porter, and Geoffrey P. Alpert. 2013. "Reducing police use of force: Case studies and prospects." *Aggression and Violent Behavior* 18: 343-356.
- Prorise, Theodore O., and Ann Johnson. 2004. "Law Enforcement and Crime on Cops and World's Wildest Police Videos: Anecdotal Form and the Justification of Racial Profiling." *Western Journal of Communications* 68 (1): 72-91.
- Reavy, Pat, and McKenzie Romero. 2012. *Salt Lake Police Chief Pushing to Put Body Cameras on His Officers*. October 25, 2012. <http://www.deseretnews.com/article/865565320/Salt-Lake-police-chief-pushing-to-put-body-cameras-on-his-officers.html?pg=all> (accessed March 24, 2014).
- Reiner, Robert. 2010. *The Politics of the Police*. Fourth Edition. New York: Oxford University Press.
- Robinson, Dustin F. 2012. "Bad Footage: Surveillance Laws, Police Misconduct, and the Internet." *The Georgetown Law Review* 100 (4): 1399-1435.
- Rojek, J., G.P. Alpert, and H.P. Smith. 2012. "Examining officer and citizen accounts of police use-of-force incidents." *Crime & Delinquency* 58 (2): 301-27.
- Samuels, Jocelyn, and Damon P. Martinez. 2014. *Albuquerque Police Department*. Findings Report, Washington, DC: US Department of Justice, Civil Rights Division.
- Schmitt, Carl. 2004. *Political Theology: Four Chapters on the Concept of Sovereignty*. Translated by George D Schwab. Chicago, IL: University of Chicago Press.
- Schwartz, Louis-Georges. 2009. *Mechanical Witness: A History of Motion Picture Evidence in U.S. Courts*. New York: Oxford University Press.
- Sekula, Allan. 1978. "Dismantling Modernism, Reinventing Documentary (Notes on the Politics of Representation)." *The Massachusetts Review* 19 (4): 859-883.
- Sen, Sankar. 2010. *Enforcing Police Accountability Through Civil Oversight*. Thousand Oaks, CA: Sage.
- Siegmeth, Sydney. 2014. *Public Transparency vs. Privacy Concerns with Digital Evidence Highlight Need for Collaboration*. November 2014. <http://blog.taser.com/public-transparency-vs-privacy-concerns-with-digital-evidence-highlight-need-for-collaboration/> (accessed March 29, 2015).
- Skolnick, Jerome H., and James J. Fyfe. 1993. *Above The Law: Police and the Excessive Use of Force*. New York: The Free Press.
- Stanley, Jay. 2013. *Police Body-Mounted Cameras: With Right Policies in Place, a Win For All*. New York: American Civil Liberties Union.
- Stross, Randall L. 2013. *Wearing A Badge, and a Video Camera*. April 6, 2013. http://www.nytimes.com/2013/04/07/business/wearable-video-cameras-for-police-officers.html?pagewanted=all&_r=1& (accessed March 25, 2014).
- Stuart, Forrest. 2011. "Constructing Police Abuse after Rodney King: How Skid Row Residents and the Los Angeles Police Department Contest Video Evidence." *Law & Social Inquiry* 36 (2): 327-353.
- Sturken, Marita, and Lisa Cartwright. 2001. *Practices of Looking: An Introduction to Visual Culture*. Oxford: Oxford University Press.
- Taser International. n.d. *Axon Benefits in Burnsville, MN*. <http://www.taser.com/videos/on-officer-cameras/axon-benefits-in-burnsville-mn>.
- Taser International. n.d. *The Development of Axon Flex*. <http://www.taser.com/videos/on-officer-cameras/development-of-axon-flex> (accessed March 25, 2014).
- Taser Marketing. 2012. *Technology Timeline in Law Enforcement – Are We on the Brink of Another Revolution?* November 2, 2012. <http://blog.taser.com/technology-timeline-in-law-enforcement-are-we-on-the-brink-of-another-revolution/> (accessed March 25, 2014).

- Terrill, William. 2009. "The Elusive Nature of Reasonableness." *Criminology & Public Policy* 8 (1): 163–172.
- Terrill, William, and Eugene A. Paoline III. 2012. "Examining Less Lethal Force Policy and the Force Continuum: Results From a National Use-of-Force Study." *Police Quarterly* 16 (1): 38-65.
- Toch, Hans. 2012. *Cop Watch: Spectators, Social Media, and Police Reform*. Washington, DC: American Psychological Association.
- Truman, Jennifer L., and Michael Planty. 2012. *Criminal Victimization 2011*. Bulletin, Office of Justice Programs, U.S. Department of Justice, Washington, DC: Bureau of Justice Statistics.
- VanHemert, Kyle. 2010. *Are Cameras the New Guns?* June 2, 2010. <http://gizmodo.com/5553765/are-cameras-the-new-guns/all> (accessed March 4, 2014).
- WeAreChange. 2013. *Cop Blocking With Pete Eyre in NYC*. August 23, 2013. <https://www.youtube.com/watch?v=jmfBfH2Wrnk> (accessed March 3, 2014).
- Williams, Krisian. 2007. *Our Enemies in Blue: Police and Power in America*. 2nd Edition. Cambridge, MA: South End Press.
- Wilson, Dean, and Tanya Serisier. 2010. "Video Activism and the Ambiguities of Counter-Surveillance." *Surveillance & Society* 8 (2):166-180.
- Yesil, Bilge. 2011. "Recording and Reporting: Camera Phones, User-Generated Images and Surveillance." In *ICTs for Mobile and Ubiquitous Urban Infrastructures: Surveillance, Locative Media, and Global Networks*, 272-293. Hershey, PA: IGI Global.