

Body-Worn Camera Training and Technical Assistance

David Boruchowitz

Elliot Harkavy: Hello. I'm Elliot Harkavy, part of the Bureau of Justice Assistance's Body-Worn Camera Training and Technical Assistance team. Today I'm speaking with Lieutenant David Boruchowitz of the Nye County, Nevada Sheriff's Office as part of BJA's Body-Worn Camera podcast series.

Lieutenant Boruchowitz is stationed in the Nye County Sheriff's Office in Pahrump, Nevada. David has always enjoyed cutting-edge technology, and works diligently to get the deputies working under him the most current technology.

Finances have always been tough in Nye County, and David has worked within the confines of the budgets to do the best he can for the agency. One of the things that David has done was to apply for grant funds through the Department of Justice Bureau of Justice Assistance Program for a (pilot) body-worn camera grant.

This grant required a policy to be written for the use of the body-worn cameras in the agency, and included portions in the policy about storage and retention of videos. David started as a patrol deputy in Nye County, was promoted to detective, where he's served for many years working cases involving crimes against children.

David was then promoted to Operations Sergeant, where he served until his most recent promotion to Lieutenant last year. Lieutenant Boruchowitz thank you for speaking with me today...

Elliot Harkavy: What led your sheriff's department to decide to implement body-worn cameras?

David Boruchowitz: Our sheriff saw the change in culture in the United States coming, and had us start to work towards implementation of body-worn cameras. We worked hard prior to actual legislative changes to try to be ahead of the curve, which has turned out to be super beneficial to us.

We do have legislation here in Nevada, that effective July 1 of this year, every law enforcement officer shall have a body-worn camera when interacting with the public.

And so, obviously the legislative changes have forced us into this, however, our sheriff saw this coming long ago and really has advocated as we have fought for funding and to get the program off the ground to be able to go to camera systems to provide accountability and transparency, even before it was mandated.

Elliot Harkavy: That's great, definitely. Definitely great. It's good to be proactive. So what are the biggest challenges in implementing a body-worn camera program for a sheriff's department?

David Boruchowitz: Well, I can tell you the biggest challenges for me in implementing this have been centered around two very important things. One is staffing, I don't think I understood going in to it what outfitting 120 people with body-worn cameras would entail, and the staffing required to roll the program out.

And the second part is the training financing part of the whole thing. It seemed really cut and dry from my point of view going into the program. You get the cameras, you create a training, you roll them out, just like everything else we do in law enforcement.

And what we have found, and the lessons learned for me have been that you don't anticipate the things like having 120 cameras out there that now have a download issue, or that have a problem categorizing the right way, or that are not docking, or the docks are failing. And so the technological side of things, and the staffing volume -- we were just -- I wasn't prepared for it.

Also in the realm of public records requests, I had read a lot about other agencies who said, "Make sure your policy is good, make sure you're ready for this," and then when we went to the county and asked for the additional personnel to handle redaction and things of that nature, we were not granted the extra personnel.

And so we now have rolled out a program -- we're in the process of rolling out a program that literally has consequences that affect training, public records, evidence to the DA's Office and things of that nature, and we have no extra personnel.

So, if I had to do it over again, or give anyone a recommendation, it would be as you're implementing this program, make sure that as part of it, there is no exception, that you get additional staffing to handle the actual workload, whether it's the IT end, or the training end, or the redaction-release end.

That there has to be some additional support staff to go with your program. Otherwise -- for me, I think, that was the biggest challenges.

Elliot Harkavy: So, in an ideal world, how much additional staffing would you like to see?

David Boruchowitz: For me, I have asked -- and I'm still asking, I haven't given up yet -- for six additional bodies. One from the IT aspect, two for the training and the audit aspect of it, and the three civilians to handle the logistical records requests, download issues, classification issues, the back-end type of work.

So I've asked for six. We have 130 cameras out there, keeping in mind that they would be utilized to also utilize -- or also help our dash camera program that we implemented at the same time.

And I've accepted that three would really be what I consider to be the minimum for our agency and this many cameras, that I need a minimum of at least three people.

Elliot Harkavy: I hear you on that. Can you explain your outreach process, especially regarding your body-worn camera policy information, including collaboration with other agencies, prosecutors, and community representatives?

David Boruchowitz: Sure. So, we went above and beyond with this. We wanted to kind of beat the -- beat the case law, for lack of a better way of saying it. We have very limited (inaudible) -- we have very few agencies that had gone to it. So we spoke, first of all, to all of neighboring agencies.

Only two of them at the time had a body-worn camera policy and they had very (inaudible). The one biggest one, obviously, was Las Vegas Metro Police, and they provided us their policy and kind of gave us a little help. And what we found is that an agency of 3,000 cops is really not a black-and-white, across the board, to an agency with 130 deputies.

And so then what we did is we reached out -- outside of the state, and really started talking with agencies that had kind of been the forerunners in the body-worn camera program, and got some feedback.

And again, what we found there was that we felt that out of state laws didn't necessarily protect or cover us. For instance, in Nevada there's a NRS relating to the release of peace officers photographs or images being prohibited without the employee's consent.

It appears that the state of Nevada is pretty isolated in being somebody that has that law. And so if you can imagine the consequence of having body-worn camera footage on a call where there's three or four deputies and having to redact their face out of every clip before it's released to be in compliance with the NRS, it was substantially different in the way that we ran the program.

So we reached out to them, obtained all of the best information we could get and then we met with our district attorney and the county administration. And we went through some of what we had come up with in some of our proposals. And we took their recommendations and the sheriff picked and chose what ones and which ones she didn't.

And then we sent it out to every sheriff and chief in the state of Nevada and said hey, this is what we're looking at as a final product, can you give us some feedback. And so we got a little bit of feedback from them, implemented those changes to the best of our ability.

And then lastly, we sent it to the ACLU and we asked the ACLU, hey, from the organization who actively represents people's civil rights and would be the one probably coming up against us in a litigation, what do you think of this.

And so they gave us several really good recommendations, which we implemented. They gave us a few that we made a few modifications to try to satisfy their needs without giving up what we had wanted to accomplish.

And then at the final end of it, we sent it out to our own supervisors and said from an agency perspective, implementing this, how will this work? And then we've put it all together and we've gone live with it.

For us it's been a little bit different because our sheriff is very -- desires to have everything on camera. And so our policy is very restrictive in the sense that everything we do with the public is recorded.

And that included in our detention setting. And so we have really had to kind of adjust. The policy's been very fluid as we've gone live, where we encounter issues that you don't realize you're going to encounter. And so then we've -- as we've gone forward, we've implemented minor changes along the way.

But the process for doing it was super time consuming and we went out of our way to try to include everyone we could think of that would have some value or input to make our policy the best we could.

Elliot Harkavy: So you mentioned the unexpected issues, especially in the detention setting. What would be some examples of some of those issues and how you adjusted to them?

David Boruchowitz: So our policy, the way it was written originally said that there were only two instances where you could use the audio-only mode, which we have on our body-worn cameras.

So one of those instances was going inside a private residence where the encounter was a consent encounter and the individual refused to allow you in with a video recorder.

And the second option was when you're utilizing it to record telephonic correspondence, where obviously you didn't need video. So within a few days, we quickly noticed that we were recording strip searches in the jail.

Which obviously, with (PRIA) and things of that nature is an issue. So we immediately modified our program to include the audio-only allowance there.

Additionally, we have a lot of charging and storage issues that we weren't expecting because in detention, their encounters with the public or the inmates are substantially more frequent than on patrol. So even if you're a busy patrol deputy, you're not encountering an inmate for 12 hours a day like our detention deputies are.

And so we were having issues with how frequently they were charging and how frequently they were docking and how much storage we had to allocate and bandwidth and things of that nature.

So the detention aspect of that has been really just a change in the way we allowed them to perform versus a change in the actual policy of what they record.

Elliot Harkavy: Very interesting. Are there any differences in the use of cameras for a sheriff's department such as yours versus police departments in your county or elsewhere?

David Boruchowitz: So we are a huge county with no cities. And so we don't actually have any police departments. The only people operating in our jurisdiction other than tribal police -- and I don't know of any of them that are utilizing body-worn cameras but the highway patrol operates in our jurisdiction. They also have body-worn cameras.

And their encounters and their policy is a little bit different than ours simply because traditionally, most of their response is traffic stops, accident investigation, things of that nature. Although they do record very similarly to our patrol deputies, I think the biggest difference for us -- between us and them is simply the frequency of our use.

And then for us, we really have treated detention, as I was saying, as -- not that they're a separate entity, but they really have forced us to alter the way we operate. Because -- like, an example, the patrol deputies are docking their

body-worn cameras with their dash cameras. And so, they're kind of all one cohesive unit.

Obviously the patrol deputies -- or I'm sorry, the detention deputies do not have vehicles that they're docking with, so we had to create docks within the detention facility. And then with battery usage, we had to make them switch cameras out every six hours of their shift.

And so we really -- the only comparison I have is that -- and our sheriff's department operates much more like a police department because we don't have a police department. So we handle all the regular calls for service and the additional sheriff's office tasks such as civil (responsibilities), constable-type performances.

So our deputies are really doing it all. And I know that's not unique in rural parts of the county -- I mean in the United States. But with our county, because we do have large populated city-like entities that just are unincorporated, we really have a unique police approach where we really are deputy sheriffs just performing in the populated areas as city police officers, just without the city.

Elliot Harkavy: Again, fascinating. What are the biggest considerations you had regarding vendors and storage options?

David Boruchowitz: Man, well we tested and evaluated more than a dozen body camera options and the one we went with really it came down to three main characteristics that had this decision made for us.

The first and most important to us was responsive customer service and support during the demo period. The way we looked at it is if during the demo period, if you didn't take care of us and serve us, then we anticipated we would have problems once we went live and there was no longer a (sales) on the table.

So that was really our biggest determining factor in the company we went with. All of them really have very similar physical characteristics. The

cameras are all durable, there were a few companies that we got rid of very early on just because of the quality or the bulkiness or the durability.

But most of them were all consistent with the same features or very similar features. So the first thing was the customer service and support that we received was huge for us. The second aspect was the storage capabilities.

So many of the companies that we tested had either no option to by cloud or no option to go locally and we went with one that allowed us to do both, that we really felt was going to give us the ability to do either or.

We didn't want to be locked in, our I.T. department specifically didn't, and as we went with Getac's option, they provided us the ability to do cloud or local storage, and so that was a big factor out I.T. department because they don't know that they want to pay for cloud forever.

So if they don't, they want our features and our capabilities to be the same on a local server version, which we were able to do. And the last thing that we really -- we felt was imperative is we decided when we went forward with the body-worn cameras that we were also going to come into the modern world and put dash cameras in at the same time.

And we really wanted our body-worn camera feature to think and line up 100 percent with our dash camera option. And many of the companies out there provided us with similar features, but what we really wanted, which was unique to us and I have yet to find someone that did it, is we put 360 degree cameras in the vehicle.

And so we have a backseat camera and then a dash camera and then 360 view around the vehicle with external cameras and then the body camera.

And they all sink together and unlike most of the other companies that we went, they either could not accommodate that many cameras, or could but they were all separate recordings when you utilize the Getac option, they actually all are one continuous -- I can view all of them at the same time on the same timeline and see what's happening on all different angles.

Same for other body-worn cameras in the area, let's say I have three deputies on scene, I can watch all three cameras at the same time and watch them in real time on the same timeline.

And so those three things were really what sold us on this option, and like I said, the rest of them were all very similar, but those three things set them apart for us when we made our decision.

Elliot Harkavy: What advice would you give to other sheriff's departments looking to implement body-worn cameras?

David Boruchowitz: I think if I were to summarize what advice I'd give, it's all of what I said. Make sure you have appropriate people, enough staffing, and be prepared for the influx that comes with it.

The other advice probably that I would give is get some help in rolling out the program. I took it on by myself for the sheriff and I found very quickly that it is not as easy as it seems, so the better prepared you are and the more appropriately scheduled and staffed you are to handle it, I think in the long run, would be considerably better for rolling it out.

But all in all, it went as smooth as it could be, and it's just a matter of fine tuning it at this point. But certainly anyone starting out, I would say make sure to be prepared for the workload and the influx of public records requests and redacted videos and things of that nature that you just may not have planned for ahead of time.

Elliot Harkavy: Thank you again Lieutenant Boruchowitz, we are grateful you could speak with us today and share your knowledge on this important topic, we encourage law enforcement justice and public safety leaders, whose agencies are interested in learning more about the implementation of body-worn cameras to visit the body-worn camera toolkit at www.bja.gov/bwc.

This toolkit offers a variety of resources that agencies can use to help with adoption and use of body-worn cameras for community engagement, policy development, data collection, officer training and educational purposes.

We also encourage listeners to share and promote these resources with your colleagues and staff. Lastly, all of these resources and especially the body-worn camera toolkit have been designed as a national resource, your resource.

Please submit your ideas for new content through the BWC support link at the bottom of the homepage. This is Elliot Harkavy of the Bureau of Justice Assistance Body-Worn Camera Team, signing off. Thank you to our listeners for joining us today.

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