

BJA Body Worn Camera Training & Technical Assistance Mr. Adam Rosenberg, Baltimore Child Abuse Center Podcast Part 2

Narrator: Hello and welcome to part 2 of BJA's Body Worn Camera podcast with Mr. Adam Rosenberg from the Boston Children's Abuse Center. In this segment, Mr. Rosenberg discusses policy recommendations regarding body worn camera and video retention policies.

Lauren Gonzales: If you were advising a police department that was developing a policy for a body-worn camera program, what kind of recommendations or what important advocacy issues would you like to see address in that policy?

Adam Rosenberg: You know, I think one of the first things I want to do is, you know, in advising a department about creating policy for body-worn camera is to include those advocates who are impacted by those issues. So, you know, having some consultations with that. Look, here's the body-worn camera program and you know, this is what we hope it does. You know, how is this going to affect you and your community. And those different communities, I think, for advocates are certainly survivors of homicide, you know, domestic (minor) sex trafficking, you know, human trafficking, you know, child abuse, domestic violence, sexual assault.

You know, talking to those communities and say, you know, what is this going to mean to you that a camera is rolling or not rolling in these circumstances there, you know, what would you like to say. You know, part of it is – you know, I was taught by a mentor a long time ago that people support what they help create. And if we have the ability within a local jurisdiction to develop a policy in conjunction with the inputs from the local advocacy community, who are the very people that these cameras are aiming to protect, then we'll be more successful there. That policy may and will vary traumatically from jurisdiction to jurisdiction. But I think it's based on what that jurisdiction's tenor and interests are to be able to, you know, must effectively have that policy there. You know, one – you know, good bodies to be able to speak to, you know, are finding the ones, the local children's advocacy center.

You know, if one doesn't know how to find their local CAC, you know, is going to the national children's alliance website, nationalchildrensalliance.org,

and you know, being able to find what their local center is, so that local center can begin to weigh in on what the matter for us about the kids on the video.

You know, and doing the same thing with the other, you know, communities there, domestic violence and sexual assault. I think survival of homicide as well. I think it's a real graphic image to have, you know, that homicide victim, you know, on the ground. It would be a very bloody, awful scene. It's – the prosecutor in these – that it's great footage to show to a jury. But the humanitarian, I guess, for a lack of any better term. It's not that – one is an opposite of the prosecutor, but that's a gruesome, grizzly scene, right?

Lauren Gonzales: Absolutely.

Adam Rosenberg: I mean, how do we balance that? How do we have, you know, a sensitive approach to these things there. That at some point, you know, there's a body there. You know, did someone say to an officer turn that thing off.

Lauren Gonzales: Right.

Adam Rosenberg: You know, is it any – is it really any different than the media coming and you know, with a camera on the scene there.

Lauren Gonzales: Right.

Adam Rosenberg: At some point, we want to be able to grieve in private. And so, you know, part of the guidelines in creating the community is – and maybe it's even talking with local media, sort of what are their guidelines as to when they film and when they don't film. And you know, is five seconds of footage enough or you know, does one need to leave these things on for a while.

Lauren Gonzales: Right.

Adam Rosenberg: Then by the way, there's still the issue of officer safety there. So, there's an element of we're going to leave these cameras on but we're not going to be staring at the body so that – you know, officers aren't doing that. There's a tremendous amount of footage that, I think, you know, has great potential but also a great risk there. That's probably be the first thing I'd want to be able to develop, you know, is that this should be how the policy impacts children and victims. And you know, is there a second – and then as we develop policy

further, you know, is there a different body-worn camera policy for the detective units then there is for the patrol units.

Lauren Gonzales: Right.

Adam Rosenberg: Certainly – you know, they'll have different interactions with, you know, with families there. But certainly, the need to, you know, to protect and preserve detectives is just as great. At the same time, though, you know, they have a specific different mission in mind when they're going out and having those, you know, those interviews there.

Lauren Gonzales: Absolutely. I mean, there's a lot to consider when developing a policy, and another really important thing to consider is that record retention. So, I'm curious to hear how long your agency retains that video footage that you capture and what decision went into that retention policy?

Adam Rosenberg: You know, children's advocacy centers are – they vary somewhat from jurisdiction to jurisdiction. Some are law enforcement operated. Some are, you know, some are child welfare operated. You know, some are child protective services. Some are prosecutorial and then some are like us, you know, independent nonprofit organizations.

Lauren Gonzales: Right.

Adam Rosenberg: We made a decision a long time ago that, at this point, we're just keeping all the video. I mean, the video storage is small enough that, you know, it's just sitting on a hard drive, and that's where it is. So, it's not taking up, you know, rooms and rooms of – you know, file rooms. And the advantage of the digital age is that, you know, its storage is smaller. The disadvantage, of course, is that, you know, we have this – the propensity exists not to get rid of anything. But we decided to keep it for a couple of reasons.

I think reason number one is that, these are cases that sometimes take years to come to fruition and there are certainly children who have made statements at younger ages at a time when the case wasn't necessarily able to go forward that you may be able to do something with it at a later age.

There are also children who come forward multiple times and that you're able to begin to, you know, develop patterns over time there with that. There

probably will come a time when we say enough is enough. I mean, we've been recording now for, I think, six years and maybe we do have a conversation at some point as to how long do we retain this.

You know, probably the biggest question that goes into any retention policy is, frankly, you know, not necessarily, you know, how long one keeps it but you know, what is one's capacity in storage and how much is one willing to invest in the long-term storage of this.

It's easier for us as a center in an urban setting to be able to say, yeah, we're going to store about a thousand, you know, digital copies of, you know, interviews a year. But that's far less digital footage than the, you know, the terabytes of, you know, the footage that's going to occur, you know, from – you know, the – this video vault when they start recording. I mean, just – you know, when you're filming every officer every day, that's a lot of footage there. And so, like – you know, like a lot of, you know, corporate America's gone, I think it's worth consulting, you know, attorneys to talk about, you know, document retention policies and just coming up with what a policy is in terms of – you know, and just having a policy. Are we keeping the video for six months, are we keeping the video for two years, are we keeping the video for two weeks? I think part of the policy is, you know, how – when do you think you're going to want to go back and watch that video. Are we only – and again, are we only using video for the, you know, the protective interactions between law enforcement and citizens? or you know, particularly with these victim cases, is there more that's at play there. And then if we're going to be pulling out portions of body-worn camera video to be able to be used in court, to be able to capture the chaos of, you know, of crime scenes, then we want to make sure that the retention policy doesn't inadvertently destroy evidence there.

Lauren Gonzales: Right, absolutely. You recently attended BJA's expert panel on body-worn cameras where there were law enforcement agencies, prosecutors, public defenders. What was your biggest takeaway from that event?

Adam Rosenberg: I had a couple of takeaways from that event, from the BJA event. You know, one takeaway was that, you know, everybody is all over the map doing many different things. I was amazed with the amount of, you know,

forwardness that jurisdictions like Seattle where there's – they're recording everything and they're making everything available, and it went ahead and it went full tape on it.

There were certainly other agencies that, you know, are still very tenuous about what's being recorded there. I saw that the – you know, one of the big takeaways was that ability to create a dialogue and a partnership with your local community. So, the communities who did this right were the ones who didn't just show up with body cameras on their uniforms one day but have spent weeks in preparation, meeting with community leaders and community activists talking about how the body-worn camera program is going to work.

That was really revelatory, you know. It was more than just, you know, how are we storing this stuff. I think the storage actually is a little bit of a surprise, too. You just started thinking about how much data is being generated there that you've got to figure that out, the storage or the maintenance of it. The – you know, the charging of this equipment.

That means a lot of – it's a lot technical assistance and manpower to be able to make this happen. And you know, it's going to – it cost a heck of a lot more than just someone buying \$75,000 worth of body cameras and you're really going to spend a lot of time maintaining and replacing, you know, and assisting with that stuff. You know, that was a surprise for me, I think. You know, there's the real scope and expense of the program.

The number of jurisdictions that are already doing this and doing this in a wide variety of ways. And I guess, what didn't surprise me was probably why I and some of the people were invited to it was, we haven't even figured out what we're doing with this video in terms of victims and with how do we use this video as collateral evidence. Again, the prosecutor and even the child advocate may – would hate that this video is off-limits in those cases because it shows things – it shows things that just aren't always testified to. Child cases are really hard to prove.

You know, even harder than domestic violence and adult rape cases because there's the general – people don't want to believe kids and because this

instance occurred at such a different time that it's hard to corroborate the evidence.

So, you know, good detectives and multidisciplinary teams are looking further ways to corroborate that evidence. And I think it would really be special if after a child forensic interview, we'd be able to go back and review the footage from that house to be able to see, you know, were there things in there that match up with the child's story. Or you know, if they don't match up with the child's story, you know, it's easier to be able to review the footage and to say that something doesn't line up than to be grilling the kid about, you know, what their memories were there. Does that make sense in terms of, you know

Lauren Gonzales: Absolutely.

Adam Rosenberg: Yeah. I mean, it's really – you know, I think we've just really begun to figure out how can we utilize this footage there and it would really be – what a shame would be that, you know, we've got the ability to corroborate what the scene looked like and we can't use it. We can't show it to the trial or we wouldn't be able to show it to a jury. I think that's important to be able to have that access there because we are able to take the kid back to that scene much easier than having them, you know, sort of recall and explain it to you.

Lauren Gonzales: Yes, definitely. It, definitely, is in an important tool. I agree. Very interesting. What is the most important advice you would give someone who was considering implementing a body-worn camera program?

Adam Rosenberg: You know, I think the most important piece of advice that I'd give someone considering implementation of a program is to take it slow and to consider all the different variables and parameters involved to not set up false expectations that we're going to go live in, you know, in two months. You know, we've got the cameras, we're going live. But to really use this as an opportunity to engage the community into how this is going to protect everybody, you know, that ultimately, you know, it's going to reduce assault complaints on both sides.

And that people have an opportunity to see, you know, what the footage looks like to have an understanding about how this new technology works. And

once that's done and then being able to figure out what the impact is of these – you know, of the technology for a variety of situations and then going through different scenarios and seeing that, you know, how does it work in domestic violence, how does it work in arson, how does it work in child abuse and you know, then figuring it out from there.

I think part of it is the understanding that we're just not going to get it right the first time out of the box. So, you know, that there's maybe a, you know, a self-stated three month pilot period that were – instead of rolling cameras out for the entire jurisdiction, you know, let's, you know, do different segments to get the feel as to how cameras work and how it impacts their work there.

Lauren Gonzales: Absolutely.

Adam Rosenberg: I think it's about taking, you know, taking the time and doing it right because it's going to take some time to be able to get this going there. And it really is – not even overthinking the presence of the camera. You know, maybe this is an answer to an earlier question as well. But that – we don't want to – we still want detectives to be good detectives and we want police and patrol to be good patrol officers. And what I mean by that is, you know, we don't want them to essentially become drones, that all they're doing is standing there while the suspect or victim, the witness is talking and then they didn't take any notes.

That we don't want them to become so reliant upon the fact of what the, you know, what the person is saying to a camera, I think, this is important still, as good police work and being able to assess the situation and you know, still take notes and not necessarily just saying to a, you know, a victim, hey, what happened to you, talk into the camera. That would be a mistake because it would then, I think, diminish that investigative ability that a good patrol officer or a good detective has. I think the camera needs to be able to sort of meld into the background and still let the detective, you know, do their work or let patrol do their work to assess a situation. And the camera shouldn't be the primary investigator but should be a good backup tool.

Lauren Gonzales: Absolutely. We really have only just began understanding the implications of the footage captured through these cameras, so we are very grateful that

you could speak with us today to share your perspective on this, the juvenile issue. So, once again –

Adam Rosenberg: Thanks.

Lauren Gonzales: – thank you so much, Mr. Rosenberg. Thank you again.

Adam Rosenberg: My pleasure, and best of luck with the implementation of these pogroms, you know, (inaudible) and how they work out.

Lauren Gonzales: Thank you. Absolutely. Thank you again.

We encourage law enforcement, justice, and public safety leaders 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 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 especially the body-worn camera toolkit have been designed as a natural resource, your resource. Please submit your ideas for new contents through the BWC support link at the bottom of the homepage.

This is Lauren Gonzales 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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