NEW ERA OF PUBLIC SAFETY

AN ADVOCACY TOOLKIT FOR FAIR, SAFE, AND EFFECTIVE COMMUNITY POLICING

DATA AND TRANSPARENCY

Public safety requires public access to police data and information.

Data about police officers' enforcement activities allow communities to identify problems and pinpoint areas in need of policy reform. Public release of information about critical incidents is essential to building relationships with communities and collective problem-solving to prevent future incidents.

The use of body-worn cameras (BWC) is not a cure-all for accountability and, in fact, raises concerns about profiling and other discriminatory practices, especially in communities of color. But, with the right policies and safeguards in place, they can help communities hold departments and officers accountable.

Key Challenges

Lack of data:
Some departments do not collect or publish data related to complaints, stops, searches, arrests, use-of-force incidents, hate crimes or incidents, or calls for service. Similarly, data that is collected is not always disaggregated by demographic information.

Lack of transparency:
Publicly available information about department policies and data on stops, searches, uses of force, arrests, and calls for service are critical. This information is necessary for assessing the effectiveness of policing practices and priorities, and for community involvement and accountability.

Improper use of technology:
The collection and storage of large amounts of data about members of the public runs the risk of infringing on privacy rights. Use of predictive policing technologies, "big data," and BWCs can have negative consequences on communities of color and religious communities.

Making Change

Organize around the release of data.
Police departments should collect, analyze, and publish data — including date, time, and geolocation of the incident; actual or perceived race, ethnicity, age, and gender of the people involved; reason for enforcement action; search conducted (if any) and if it was consensual; evidence located (if any);and a unique identifier for the officer(s) involved. This will help communities and departments better understand whether enforcement decisions and strategies disproportionately affect specific groups. Departments should collect, analyze, and publish the following data in alternative and accessible formats:

- Critical incidents

- Uses of force

- Complaints of sexual violence and misconduct by police officers

- Stops, searches, and arrests

- Profiling or discriminatory policing policies

- Hate crimes and hate incidents

Make policies publicly available.
Police department policies should be searchable and publicly available online, including in alternative and accessible formats.

Properly handle critical incidents.
Departments should have clear policies regarding public release of information regarding critical incidents, including deaths in police custody. Such policies should also ensure that public statements respect the gender identity of crime victims and suspects. Information related to critical incidents should be released to the public in a timely manner.

Create adequate databases.
Departments should procure adequate systems for collecting and storing data that can aggregate and analyze all data sets.

Exclude discriminatory information.
Departments should not ask people about their sexual orientation, gender identity or immigration status. Only if a person voluntarily provides information regarding their sexual orientation, gender identity, or immigration status, and it is related to the incident (e.g., a potential hate crime), may officers record the information.

Require training.
Police departments should train all officers on the proper use and maintenance of BWCs, including when they must activate them. Officers should also be trained on data collection protocols to ensure all data are collected and recorded.

Community input on BWCs.
Communities and police departments should work together when adopting BWCs or changing BWC policies and discuss concerns about data collected through BWCs, including their effectiveness, consistent recording, and privacy concerns. Together they should create policies regarding recording, storage of data, access, and public disclosure.

Establish clear policies for BWCs.
Clear and enforceable policies governing the use of BWCs and access to BWC footage should be developed in consultation with communities and after public notice and comment. Policies should:

+ Clearly state when officers must activate BWCs.

+ Require officers to advise people with whom they come into contact that they are being recorded and, if consent to record is given, record that as well.

+ Clearly state exceptions to recording requirements, including exceptions when interacting with or observing people engaged in political and religious activity and during interviews with crime victims or when in contact with a child.

+ Require training of officers on how to use and maintain BWCs.

+ Clearly articulate standards for the release of video footage.

+ Prohibit officers from watching video footage before filing reports.

+ Establish clear discipline for officers who turn off cameras or tamper with footage.

+ Avoid using facial recognition software with video footage.

+ Require supervisory review of video footage.

+ Require the implementation of storage practices and systems for video footage, and the preservation of the integrity of video footage.

How to Advocate for Change

Change the law.

Data collection can be mandated by local, state, or federal law or an administrative official, such as a mayor, or it can be requested by local legislators exercising oversight functions.

Strengthen policies.

If your department uses body-worn cameras, ensure there are clear policies around training and the use, release, and preservation of footage.

Talking Points

The community has the right to know.

Police departments serve communities, and they use community resources to do so. Communities have a right to know how departments are doing in their work and whether community resources are being used efficiently and effectively.

Transparency is essential to community policing.

Informed community members are better positioned to make positive and productive contributions to public safety.

Communities deserve privacy, transparency, and accountability.

To the extent that a department has decided to adopt BWCs, communities are entitled to have a say in how footage of community members will be collected, stored, and released.
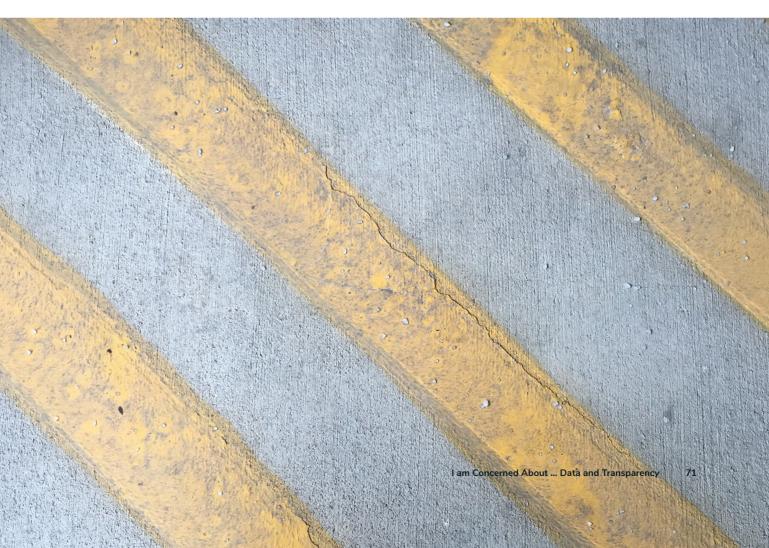
Overcoming Opposition

The Opposition:

"Data collection is burdensome and time-consuming, and it takes time and resources away from legitimate law enforcement activities. It turns officers into bureaucrats instead of crime fighters. Data do not tell the whole story. Officers should be able to act on their instincts without worrying about what the numbers will show."

Overcoming the Opposition:

"Communities are entitled to information about how law enforcement officers carry out their duties and the impact and effectiveness of policing policies and practices. Data collection helps communities make wise investments in public safety and ensures that all community members' rights are being respected in police interactions."