

## **SUPPORTING STATEMENT**

### **2016 Body Worn Camera Supplement to the Law Enforcement Management and Administrative Statistics survey**

#### **Overview**

The Bureau of Justice Statistics (BJS) proposes to implement the 2016 Body-Worn Camera Survey Supplement (BWCSS) to the Law Enforcement Management and Administrative Statistics (LEMAS) survey. The core LEMAS survey collects data from a nationally representative sample of state and local law enforcement agencies in the United States. It was last conducted in 2013, and captured basic descriptive information about law enforcement agencies (LEAs) as well as number of full-time and part-time sworn and non-sworn personnel in each agency.

The 2013 LEMAS is a nationally-representative sample of approximately 3,500 state and local general purpose law enforcement agencies in the United States. LEMAS generates national estimates about the characteristics of the 12,500 state and local general purpose law enforcement agencies; the functions they perform; the resources available to them; the number, types, and working conditions of their employees; the automation of agency functions and their information systems; the extent to which weapons are authorized and used; the formal policies that guide and restrict the behavior of sworn personnel; and the organizational responses used by these agencies to address contemporary law enforcement challenges.

A recent review of BJS programs by the National Research Council (NRC) recognized the crucial place of the LEMAS surveys in the BJS statistical programs but criticized this program for its limited focus on administrative and managerial characteristics of law enforcement agencies (Groves and Cork, 2009). The NRC report recommended several changes to this program. First, the academy recommended that BJS law enforcement surveys should collect more information about law enforcement agency behavior and performance. Second, BJS should enhance the use of agency identifiers to encourage the linkage of agency-specific organizational characteristics with agency specific-crime statistics and with the demographic characteristics of the jurisdictions served by each agency. Third, noting the lengthy instrument and the irregular schedule of past LEMAS surveys, the NRC recommended that BJS adopt a “core and supplement” design for a regularly scheduled program of agency surveys. The NRC suggested the consistent use of a limited number of core items that would be integrated with thematic supplements which would vary from wave to wave.

The proposed BWCSS supplement will examine the extent to which body-worn cameras have been considered, acquired, and/or implemented in state and local law enforcement agencies in the United States. The BWCSS will examine reasons for acquiring cameras (or not), alternate means of documenting officer-citizen interaction, policies and procedures surrounding camera use and handling of the resulting video files, and any obstacles to camera acquisition and use. It will include items that are relevant to all law enforcement agencies – regardless of whether the responding agency has acquired or has considered acquiring body-worn cameras.

## A. Justification

### 1. Necessity of Information Collection

Under Title 42, United States Code, Section 3732 (see Attachment 1), BJS is directed to collect and analyze statistical information concerning the operation of the criminal justice system at the federal, state, and local levels. State and local general purpose law enforcement agencies are the primary point of entry into the criminal justice system. Law enforcement agencies play a crucial gate-keeping function in receiving reports of offenses, investigating crimes and making arrests.

In addition, the President's 2015 budget included \$75 million in funding for LEAs to acquire and implement BWCs. As part of President Obama's commitment to building trust and transparency between law enforcement and the communities they serve, the Justice Department awarded grants totaling more than \$23.2 million in 2015 to 73 local and tribal agencies in 32 states to expand the use of BWCs and explore their impact. These grants, awarded by the department's Office of Justice Programs (OJP), build on the President's proposal to purchase 50,000 BWCs for law enforcement agencies within three years.<sup>1</sup> However, while this program includes funding to three jurisdictions to examine the impact of body worn in their police departments and jurisdictions, at this time there is no source of information about the current status of BWCs or how law enforcement agencies are responding to the calls for this technology.

Highly-publicized deaths occurring in law enforcement custody in 2014 created an environment where law enforcement, the community they serve, and researchers all called for better measures of police accountability. A great deal of attention has focused on the deployment of BWCs as a means of documenting police-citizen encounters. The attention paid to BWC technology has increased dramatically and there is a need for better foundational research:

- The President convened the Task Force on 21<sup>st</sup> Century Policing and announced \$75 million in funding for LEAs to acquire and implement BWCs.
- Initiatives have been developed to fund training and technical support for BWC implementation and research and evaluation on the use and impact of BWCs.
- Best practices have been published on how to implement BWC systems.
- States are pushing forward with creating laws regulating the use of BWCs. Nineteen states and the District of Columbia already have laws regarding the use of police camera systems. In 2015, 37 states had considered some legislation involving the use of BWC.<sup>2</sup> Prominent police scholars and policy makers have called for more research into the use of BWC technology.<sup>3</sup>

Despite this widespread attention, there is a lack of foundational information on the use of BWC systems. There is little nationally representative data on how many law enforcement agencies are using BWCs, or why agencies that have chosen not to acquire cameras made that decision. Nor is

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<sup>1</sup> The White House. (2014). *Fact Sheet: Strengthening Community Policing*. Retrieved from: <https://www.whitehouse.gov/the-press-office/2014/12/01/fact-sheet-strengthening-community-policing>

<sup>2</sup> Lays, J. (2015). *Lawmakers Focus on Police Body-Worn Cameras*. The NCSL Blog. Retrieved from: <http://www.ncsl.org/blog/2015/08/05/lawmakers-focus-on-police-body-worn-cameras.aspx>.

<sup>3</sup> See, (1) Bueermann, J. (2015). *President's Task Force on 21<sup>st</sup> Century Policing: Written Testimony*. Washington, DC. (2) President's Task Force on 21<sup>st</sup> Century Policing. 2015. *Final Report of the President's Task Force on 21<sup>st</sup> Century Policing*. Washington, DC: Office of Community Oriented Policing Services.

there any information about how agencies are using BWCs and what challenges they may have experienced. Statistics on the prevalence of BWC use among state and local law enforcement agencies, as well as information about technical capabilities of BWCs, policies surrounding their use, and policies for storage and transmittal of BWC use are critical to inform federal funding priorities and research of the impact of BWCs on law enforcement agencies and the communities they serve. Existing research also provides little understanding of how well agencies are adhering to already existing best practices.

This survey would establish baseline data on the prevalence and use of BWCs in law enforcement agencies. BJS will use these data to compare prevalence estimates on BWCs from future data collection efforts, including a specific follow up BWCSS in 2017 and estimates generated from the BJS core LEMAS survey. In addition, this baseline information will be used by other OJP agencies, such as the Bureau of Justice Assistance (BJA) as that agency works to implement a body worn camera programs in LEAs across the country and the National Institute of Justice (NIJ) as it establishes research grants aimed at understanding the impact of BWCs on agency operations, budgets, and police-community relations.

### **BWC Supplement to LEMAS Survey Items**

In order to address these information needs, the BWCSS will collect detailed information under the following six topical areas:

**Policies regulating use and retention-** There is a clear need to have policies governing the use of BWC devices and the storage of data subsequently generated by these systems.<sup>4</sup> The BWCSS will have a number of questions to explore policies covering the use of BWC and the storage/retention of the resulting footage. The BWCSS will explore agency-level policies governing when an officer must activate the camera (e.g. the devices must be turned on during traffic stops). How agencies handle the large volume of data produced by these devices has been a frequent concern. This survey will explore data retention and requirements for redaction, storage, and transfer of any video footage recorded by BWCs.

**Scope of use-** This series of questions will explore the number of cameras in use and how these are deployed to staff. Beyond just number of cameras, BJS will have a more accurate sense of how cameras are deployed (e.g. to patrol officers, traffic enforcement) and approximately how complete an agency is in deploying devices. This will allow for a nuanced understanding of how devices are being deployed and where agencies are prioritizing device placement.

**Technical features-** The BWCSS will have a series of questions exploring the technical capabilities of the BWC system. Understanding the features of devices used in the field may be useful for other agencies that have not yet acquired the technology.

**Perceived impact-** The instrument will capture LEA perceptions about the implementation and impact of the BWC program in their agency. No existing datasets allow for a sufficient understanding of how difficult BWC deployment was for an agency. This information may lead

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<sup>4</sup> The Constitution Project Committee on Policing Reforms. (2015). *The use of Body-Worn Cameras by Law Enforcement*. Washington, D.C.

to better mechanisms to support agency adoption of BWC technology. The BWCSS also explores the *perceived* impact of this technology on factors such as community legitimacy and protecting officers from unwarranted complaints. Furthermore, the sample stratification will allow BJS to explore these impacts by different kinds of agencies (e.g. municipal versus Sheriffs) and different size of agencies.

**Secondary impact on resources-** A common concern has been the impact of public records act requests for videos generated by BWC systems. Agencies have cited concern that responding to these requests will have a large negative impact on organizational efficiency.<sup>5</sup> The BWCSS asks a series of questions that seek to understand if the creation of BWC footage has had negative consequences on other aspects of the organization. The BWCSS will explore both (1) how frequently requests are made for BWC footage and (2) how long, on average, those data request take. This will allow for accurate estimates about the burden data requests are placing upon agencies.

**Complaints involving use of force-** For many years the core LEMAS instrument contained questions about citizen complaints about use of force. The most recent LEMAS abandoned these questions after doubts were raised about the validity of the measures. Despite these difficulties there is now more reason than ever to attempt to measure use of force complaints.

BJS authority to conduct the 2016 BWCSS comes under the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3732), which established BJS and authorized it, among other things, to collect and analyze statistical information concerning the operation of the criminal justice system at the Federal, state, tribal, and local levels (§3732(c)(4) (see Appendix 1). According to 42 U.S.C. 3735 Section 304, the information gathered in this data collection is for statistical or research purposes only and is gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes.

## **2. BJS Needs and Uses**

The traditional model of engagement with the criminal justice system begins with victims of crime reporting criminal incidents to law enforcement agencies. Reports from these agencies are typically (but not exclusively) the basis for future decisions made by other components of the criminal justice system. Because of this strategic role, the program of law enforcement agency surveys is a core data collection for BJS. The 2013 LEMAS survey provides the only systematic and objective basis to produce national estimates of personnel, resources, functions, policies, and practices of the most common types of law enforcement agencies.

As with the core LEMAS, BJS will use data from the supplements to produce information available from no other source. The proposed BWC Supplement will be the first to explore the use of body-worn cameras in-depth. As noted above, it will serve as the baseline from which to assess changes in BWC use in future iterations of the BWCSS, with the next BWC LEMAS

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<sup>5</sup> See, for example, Breitenbach, S. (2015). *States Grapple with Public Disclosure of Police Body-Camera Footage*. The Pew Charitable Trusts. Retrieved from: <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2015/09/22/states-grapple-with-public-disclosure-of-police-body-camera-footage>.

supplement currently scheduled for 2017 or 2018. Data from the 2016 BWCSS will also be used to directly inform the development and deployment of later instruments designed around the same topic. The content of the BWCSS will address important issues related to BWC adoption, such as obstacles agencies are facing as they implement technology and the resources that may be needed to support successful adoption of body worn cameras.

#### Uses of the LEMAS Surveys by Others

2016 BWCSS data will be useful to a number of users including policy makers, agency administrators and the general public. A great deal of recent national attention has focused on police use of force and police misconduct. Videos from dash cams and cellphones operated by nearby witnesses have highlighted the value in recording police-citizen interactions, both as a method of uncovering police misconduct as well as to protect officers from unfounded complaints. Although it is currently unknown how many agencies are adopting BWCs, many large agencies such as the Los Angeles Police Department and the Seattle Police Department, have begun deploying these devices. The implications of such deployment go beyond the department. Other actors in the criminal justice system, such as prosecutor's offices, must also contend with the large amount of video data generated.

The 2016 BWCSS will provide information on the current scope of the adoption by agencies. Little research has been conducted on BWC adoption prevalence and the published studies were not nationally representative.<sup>6</sup> This information could be used by funding organizations (including federal and state agencies as well as private and non-profit organizations) to prioritize the purchase and deployment of BWC systems. For example, an NIJ web page discusses body-worn cameras and law enforcements and notes that "To date, little research is available to help law enforcement executives decide whether and how to implement the use of body-worn cameras in their departments."<sup>7</sup> The proposed BWCSS is a first step at gathering systematic information on this topic from a nationally representative group of law enforcement agencies.

Data storage has been a big concern for agencies adopting BWC technology. One study, for example, suggested that a 200-officer agency would generate 33TB of video data per year.<sup>8</sup> National estimates produced from the 2016 BWCSS will allow for a better understanding of how data storage impacts agency operations and will provide a better understanding of how agencies are dealing with these data. The 2016 BWCSS may also highlight the need for better storage solutions.

The 2016 BWCSS will further provide data on the experience and challenges faced by agencies acquiring and deploying BWC systems. This information will be useful to other LEAs and cities that are considering implementing similar systems. For example, the United States Conference of Mayors Working Group of Mayors and Police Chiefs highlighted the need for federal assistance

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<sup>6</sup> Miller, Toliver, and Police Executive Research Forum. 2014. *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Washington, DC: Office of Community Oriented Policing Services.

<sup>7</sup> National Institute of Justice. (2015). *Research on Body-Worn Cameras and Law Enforcement*. Retrieved from: <http://www.nij.gov/topics/law-enforcement/technology/pages/body-worn-cameras.aspx>.

<sup>8</sup> Salle, V. (2015). "Outsourcing the Evidence Room: Moving Digital Evidence to the Cloud," *The Police Chief* 81 (April): 42–46.

in providing training, establishing standards for use, and storing data.<sup>9</sup> The proposed BWCSS is necessary to help understand the issues that exist around these topics. Late adopting agencies may be able to better prepare for common problems with acquisition or may be able to devise better strategies for deployment based on the experiences of early-adopting agencies. Research on BWC prevalence and use will serve as foundational evidence for future research investigating the impact of BWC on a host of factors such as police-community relations.

At a national level, the BWCSS will be able to help inform discussions around adherence to published best practices. For example, in 2014 the Office of Community Oriented Policing (COPS) and PERF published a series of recommendations on the use of BWCs.<sup>10</sup> These recommendations spanned a wide range of considerations. The proposed BWCSS will be able to assess adherence to the following kinds of recommendations:

- How devices are assigned
- Conditions under which the device must be activated
- The requirement to inform citizens of events being recorded
- The downloading and securing of video resulting from BWCs
- Video retention periods

The survey will also be useful for federal agencies that seek to fund the purchase and acquisition of BWC technology. In 2015, BJA awarded over \$23 million to expand the use of BWC. This included funds to purchase, training and technical assistance, and evaluation. The results of this survey could directly contribute to understanding how much further funding is needed and if the funding that is available is being allocated in the right proportion. For agencies currently employing BWC, the BWCSS may also identify previously unknown issues that need funding assistance. For non-adopting agencies, the 2016 BWCSS may illuminate the current barriers to BWC adoption and may identify additional funding needs for non-adopting agencies.

This research may lead to the development of better toolkits that can help agencies with the adoption of BWC technology. BJS may find, for example, that agencies are not following best practice recommendations. This may result in the development of further research that determines the causes and solutions to deviations from best practices.

### Anticipated Products

BJS anticipates producing an in-depth report about the use of BWC systems in law enforcement agencies. At a nationally representative level, this report will provide information about the current state of BWC use among agencies. The report will also document why the devices were acquired, how they were deployed, and perceptions about their impact on operations and benefits to the organization/community. For agencies that have not adopted BWC systems, the report will document their reasons behind non-adoption and plans for considering adoption in the next few years.

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<sup>9</sup> The United States Conference of Mayors. (2015). *2015 Adopted Resolution: Body-Worn Cameras*. Washington, DC.

<sup>10</sup> See supra Note 5.

Because this is a supplement to the 2013 LEMAS, many of the agencies will have participated in both the 2013 LEMAS and the 2016 BWCSS. These agencies will also be asked to participate in later data collections scheduled for 2017. This serves two purposes. First, it will allow for tracking of agency participation in BWC use over time. Second, agency-level identifiers will allow for combining core LEMAS data with data generated by the BWCSS. A report will be produced that explores BWC adoption in consideration of key agency characteristics (e.g. agency type, size).

At the time of the initial publication from the 2016 BWC Supplement, BJS will release fully-documented data files for public use through the National Archive of Criminal Justice Data (NACJD) at the University of Michigan.

### **3. Use of Information Technology**

For the 2016 BWC LEMAS Supplement, BJS will use a multi-mode design in which respondents will be directed to the primary mode of data collection (i.e., the web) by providing them with an email with instructions for submitting their data via the web. The instrument will be deployed via an online data collection system that will export survey data and paradata in BJS-specified formats. This software will allow the 2016 BWCSS contractor (RTI International) to send an email to respondents explaining the BWCSS data collection and contain a hyperlink to the questionnaire. The web option will display individual questions in a similar format as the paper version. The web option will include the OMB number, general information/contact information, instructions, and burden statement. Additionally, the software allows for real-time online tracking of respondents thereby allowing BJS to track the completion of each agency's responses. Paper-versions of the instrument will only be made available later in the data collection effort as an effort to increase response rate.

The dataset, and supporting documentation, will be made available for download without charge at the National Archive of Criminal Justice Data (NACJD) at the Inter-University Consortium for Political and Social Research (ICPSR) and at Data.gov. Access to these data permits analysts to identify the specific responses of individual agencies and to conduct statistical analyses about the roles and functions of BWC technology in policing.

The BJS-produced findings from the 2016 BWCSS will be provided to the public in electronic format. These reports will be available for the public to download for free on the BJS website.

### **4. Efforts to Identify Duplication**

BJS staff have completed reviews of other surveys, other federal data collections, and of the literature in order to identify duplicate efforts to collect similar data. This review has led to the conclusion that the 2016 BWCSS will provide information that is not collected elsewhere. At this time, there are no known federal data collection efforts which significantly overlap the currently proposed 2016 BWCSS. A limited amount of duplicate information, such as whether agencies use BWCs, is collected by the LEMAS survey. However, LEMAS does not ask in-depth questions about the decision-making behind BWC acquisition, how they are used or deployed, or the challenges of managing the vast amounts of data generated by the system.

Where the LEMAS surveys end data collection on this topic, the current project begins and produces a deeper, non-duplicative query of the topic.

Much of the publicly referenced research data on this topic come from studies funded through the NIJ that are limited to information on BWCs in a select few jurisdictions, which cannot produce information on the national scope of BWC usage. BJA, through its Body Worn Cameras Implementation Assistance Program, has established a comprehensive set of performance measures to be collected from LEAs that receive funding under the program; however, those data will only represent the agencies that received funding, and the performance measures system was not established to make comparisons across contributing agencies or over time. Critically, neither of these efforts are systematic data collection about BWC use at a national level. By themselves they cannot provide nationally representative reliable estimates of BWC adoption, deployment, or policies. Beyond these efforts, there are no publicly-known plans to collect data on BWCs as part of any federal project.

The use of BWC technology has also been an interest to non-federal funding agencies. The Police Executive Research Forum (PERF) in particular has conducted two surveys on the use of BWC technology one of which is currently being fielded. The first study, conducted in 2013 surveyed 500 departments to examine usage and key policy issues agencies had encountered.<sup>11</sup> A more in-depth survey is currently being conducted by PERF. BJS carefully reviewed the instrument fielded by PERF to assess that scope of question overlap, and noted that the PERF instrument does not capture elements of BWC deployment that are essential from a public policy perspective. This includes:

- A detailed investigation of the level of deployment (e.g. pilot, partial, complete) within specific agency functions (e.g. traffic enforcement, routine patrols).
- The BWCSS asks questions about the factors that are currently limiting wide-scale deployment. This is critical to assessing where attention should be placed from a policy or funding perspective.
- The BWCSS asks more detailed questions about the policies governing use of BWC devices. This includes questions investigating policies on: requirements to announce BWC use, storage and transfer of video, frequency of uploading, misuse of video footage, and retention and disposal procedures.
- The BWCSS asks about perceived success metrics including the success of the deployment efforts and the impact the devices have had on community relations.
- The BWCSS goes into much greater detail for non-BWC adopting agencies. The BWCSS will explore what factors have prevented the use of BWC deployment as well as the factors that could drive adoption in the future. Furthermore, the survey explores the perceived officer and community support for these devices in non-adopting agencies.

## **5. Efforts to Minimize Burden**

The proposed 2016 BWCSS instrument was designed to reduce the respondents' burden in multiple ways. First, BJS sought feedback from experts in the substantive and policy issues of law enforcement and body worn technology to determine the most critical issues involving the

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<sup>11</sup> Miller, Lindsay, and Toliver. (2014). *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Police Executive Research Forum, Washington, DC.

use of BWCs in law enforcement agencies. Only the most critical measures are included on the instrument. Second, the instrument is designed to optimize web-based data collection, with built-in help text and skip patterns, while also supporting a paper version that may be more efficient for officers to complete as they are able in the course of their regular duties at school. Third, the questionnaire items have gone through RTI's Questionnaire Appraisal System and cognitive testing procedures to ensure that the wording is clear and practical to all survey respondents.

The instrument was pilot tested with a total of nine respondents representing LEAs and data consumers: Seattle (WA) Police Department, Elk Grove (CA) Police Department, Henrico County (VA) Police Department, Fort Worth (TX) Police Department, Houston (TX) Police Department, King County (WA) Police Department, the Police Foundation, the COPS Office, and the Commission on Accreditation for Law Enforcement Agencies. These nine pilot testers were selected to represent the range of LEAs that will be sampled for the LEMAS BWCSS administration and other data consumers likely to use the information provided by this survey for research and policymaking purposes. They include variation in terms of agency size and whether the agency is known to have body-worn cameras. Completed surveys were ultimately received from the following entities: Seattle (WA) Police Department, Elk Grove (CA) Police Department, Henrico County (VA) Police Department, Fort Worth (TX) Police Department, Houston (TX) Police Department, the Police Foundation, the COPS Office, and the Commission on Accreditation for Law Enforcement Agencies (CALEA).

The instrument was sent to respondents with instructions to complete the survey just as they would if they received the survey as part of the regular sample of agencies. Testers were asked to take note of any aspects of the instrument that were unclear, any questions or topics that were omitted, or any answer choices or response categories that were missing, and to mark these comments directly on the survey instrument.

As a result of the pilot testing, several items on the survey were modified. With regard to the measure asking what organizations or stakeholders were involved in various aspects of the technology's acquisition or implementation, options for consulting practitioner organization guidance and other LEAs were added. Because of recent public attention on the use of officer-worn cameras, the introductory language to the survey was modified to clearly state the purposes of the survey and the uses of the data collected through the survey. For questions asking about the implementation status of the cameras, a response option of "in pilot testing" was added. Finally, an option of "don't know or unsure" was added to all categorical response questions. Wording on several items was updated slightly to improve clarity and comprehension.

In response to this feedback, the survey has undergone numerous revisions to shorten and condense the questions. For example, the initial survey had a series of questions that provided a list of many different choices and respondents were told to mark all that apply. Subsequent discussions revealed that respondents found questions with a multiple "choose all that apply" options difficult to understand. After several revisions, BJS removed many of these questions and replaced them with more direct, easier to answer Yes/No questions. The language in the questionnaire was also simplified to make the questions sound less academic and more accessible to respondents.

BJS also worked with Dr. Sean Goodison at PERF to learn from their experience conducting BWC studies. This resulted in modification to a number of questions. Most importantly, BJS learned of the difficulties with capturing data on use of force complaints. In response to these challenges the scope of the questions was reduced (requesting only one year of data) and the response categories were revised to better reflect other data collection efforts on use of force.

## **6. Consequences of Less Frequent Collection**

In determining the frequency of data collection, BJS considers whether or not there is a reasonable need for the key statistics being collected and, in order to determine the timing of surveys, whether there is an expectation of significant change in key statistics between the iterations of the survey. At current, there is no national data on BWC usage by law enforcement. The BWCSS will be part of a long-term data collection effort. The BWCSS is scheduled to be conducted every two to four years. The 2016 BWCSS will serve as the baseline for this effort. Approximately two to four years later a second wave of BWCSS data will be collected. Results from the second wave of data will inform the need for later data collection. For example, it may be determined that agency adoption during the second wave is nearing saturation. If all agencies have substantially adopted BWC, BJS may choose to retire the survey and cancel future data collection efforts on the BWC topic. On the other hand, if substantial variability in the actions of agencies is discovered, then BJS intends to conduct a third wave of data collection four to six years after the 2016 BWCSS. Less frequent data collection reduce the data points available to understand how the use of BWCs is changing over time and impact the ability to make appropriately informed decisions about BWCs.

Without the 2016 BWCSS, policymakers, researchers, and practitioners will continue to have incomplete, inconsistent, or no information about the number of agencies using BWC technology, why they were selected, the challenges of deploying BWCs or why agencies have chosen not to implement this technology. This information is critical to: (1) the public to understanding how these devices are being used; (2) policymakers deciding on if or how to fund the deployment of BWC systems; and (3) agency administrators looking for guidance on implementing BWC. Without these data key decision-making about the use or adoption of BWC systems will be made with incomplete information about the challenges they bring and their long-term impact on agency operations.

## **7. Special Circumstances**

No special circumstances have been identified for this project.

## **8. Adherence to 5 CFR 1320.8(d) and Outside Consultations**

The research under this clearance is consistent with the guidelines in 5 CFR 1320.6. Comments on this data collection effort were solicited in the Federal Register for a 60 and 30 day period. No comments were received in response to the information provided.

The decision to focus on body-worn cameras for this LEMAS survey supplement and the measures included in the instrument were informed through ongoing discussions and an in-person meeting of an expert panel, the project team, and BJS. Experts in law enforcement were consulted and provided input on LEMAS survey supplement topics that were timely, relevant, and could be covered in a brief survey instrument. The expert panel was designed to include individuals who provide the perspective of data providers and consumers of the information that will be provided by the LEMAS survey supplement. The experts therefore included individuals in leadership positions at LEAs; representatives from key practitioner organizations, including the International Association of Chiefs of Police and the National Sheriffs Association; the Community Oriented Policing Services (COPS) Office, and experts from the academic field. The expert panel members also conducted pilot testing of the BWCSS instrument once it was developed. Expert panel members and other outside consultations are presented in Table 1.

**Table 1. Outside Consultations**

<b>Expert</b>	<b>Affiliation</b>	<b>Contact Information</b>
<b>Travis Taniguchi</b>	Research Criminologist RTI International	(919) 248-8501 <a href="mailto:taniguchi@rti.org">taniguchi@rti.org</a>
<b>Gary Cordner</b>	Department of Criminal Justice Kutztown University	<a href="mailto:gcordner@gmail.com">gcordner@gmail.com</a>
<b>John Markovic</b>	Senior Social Science Analyst Office of Community Oriented Policing Services	<a href="mailto:John.Markovic@usdoj.gov">John.Markovic@usdoj.gov</a>
<b>David Roberts</b>	Senior Program Manager International Association of the Chiefs of Police	703-647-6858 <a href="mailto:roberts@theiacp.org">roberts@theiacp.org</a>
<b>Rick Myers</b>	Chief of Police Newport News (VA) Police Department	<a href="mailto:myersrw@nngov.com">myersrw@nngov.com</a>
<b>Fred Wilson</b>	Director of Outreach and Law Enforcement Relations National Sheriff’s Association	703.838.5322. <a href="mailto:fwilson@sheriffs.org">fwilson@sheriffs.org</a>
<b>Bruce Kubu</b>	Technical Writer Washington, DC Metropolitan Police Department	(202) 454-8308
<b>Matthew Hickman</b>	Associate Professor Department of Criminal Justice, Seattle University	(206) 422-6484 <a href="mailto:hickmanm@seattleu.edu">hickmanm@seattleu.edu</a>
<b>Rob Davis</b>	Chief Social Scientist The Police Foundation	<a href="mailto:rdavis@policefoundation.org">rdavis@policefoundation.org</a>

In July 2015, the Police Executive Research Forum (PERF) conducted a survey on the use of BWC systems in agencies. BJS worked with PERF staff to explore their experience with conducting a survey designed to collect data on the use of BWC systems. Dr. Sean Goodison was the main point of contact with PERF. Dr. Goodison provided valuable feedback on item development, follow-up protocol, and item and agency non-response. Refinements to the survey instrument were made based on this feedback. Additionally a number of sampling assumptions,

driven by assumed response rates, were adjusted to more accurately reflect their recent experience. This resulted in recognizing the need to sample a greater proportion of small agencies and Sheriff Offices.

## **9. Paying Respondents**

BJS will not provide any payment or gift of any type to respondents. Respondents will participate on a voluntary basis.

## **10. Assurance of Confidentiality**

According to 42 U.S.C. 3735 Section 304, the information gathered in this data collection shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes. The data collected through the BWC survey supplement to LEMAS represent institutional characteristics of publicly-administered law enforcement agencies. The information about these organizations is in the public domain. The fact that participation in this survey is voluntary and that information about individual agency responses will be available to the public is included on the first page of the survey instrument. However, BJS will not release the names, phone numbers or emails of the actual persons responsible for completing the BWCSS.

## **11. Justification for Sensitive Questions**

There are no sensitive questions on the BWCSS.

## **12. Estimate of Respondent Burden**

BJS has estimated the total respondent burden for the proposed 2016 BWCSS at approximately 1,884 burden hours (0.37 hours per survey). The burden hour estimates are based on the pilot testing (described in Section 5. Efforts to Minimize Burden) and the experience of the data collection team in conducting similar surveys for other studies. Each agency-level survey will be sent to 5,063 general purpose state and local law enforcement agencies with the goal of obtaining 3,122 completed surveys. This 62% response rate is based on two recent data collection efforts undertaken on technology use in LEAs. First, RTI conducted a nationally representative web-based survey (with paper follow-up) of LEAs that focused on the use of technology and the role of technology in law enforcement strategy. The response rate to that effort was 60.5%. Second, PERF, funded by the Arnold Foundation recently fielded a survey of BWC use. Although follow-up efforts are still incomplete, PERF expects a response rate of 65%.

The expected burden placed on these respondents is about 22 minutes per respondent. In addition, we expect 20% of nonrespondents (388 agencies) to start a survey, but not complete it. The expected burden placed on these agencies is about 2 minutes per agency, based on the data collection team's experience conducting similar surveys and analysis of the point until breakaway for sample members who initiated the survey but did not complete.

**Table 2. Burden Hour Estimates**

<b>Task</b>	<b>Average burden per LEA</b>	<b>Estimated burden hours</b>
Review of materials	4.32 minutes	5,063 agencies X 4.32 minutes = approximately <b>365 hours</b>
Completion of survey <sup>12</sup>	18 minutes	5,063 agencies X 18 minutes = approximately <b>1,519 hours</b>
<b>TOTALS</b>	<b>22.32 minutes</b>	<b>1,884 hours</b>
<b>Total respondent burden = 1,884 hours</b>		

**13. Estimate of Respondent’s Cost Burden**

There are no costs to respondents other than that of their time to respond. Based on the latest Occupational Employment Statistics data<sup>13</sup> (May 2014), the mean hourly wage for a First-Line Supervisor of Police and Detectives, the expected respondent type for the BWCSS, is \$40.51. Based on this average hourly wage, the estimated cost for respondent burden is \$48,977.

**14. Costs to Federal Government**

The BWCSS is being developed and conducted under a multi-year cooperative agreement

**Table 3. Estimated costs for the Body Worn Camera LEMAS Supplement Survey project**

**BJS costs**

**Staff salaries**

GS-12 Statistician (25%)	\$18,000
GS-15 Supervisory Statistician (3%)	\$7,000
GS-13 Editor (10%)	\$10,000
Other Editorial Staff	\$5,000
Front-Office Staff (GS-15 & Directors)	\$2,000
Subtotal salaries	\$42,000
Fringe benefits (28% of salaries)	\$11,760
Subtotal: Salary & fringe	\$53,760
Other administrative costs of salary & fringe (15%)	\$8,064
<b>Subtotal: BJS costs</b>	<b>\$61,824</b>

**Data Collection Agent (RTI)**

<sup>12</sup>The burden hours provided for completion of each pilot survey are based on a maximum response rate of 100%. Therefore, the burden hours presented can/should be viewed as a ceiling.

<sup>13</sup> See <http://www.bls.gov/oes/current/oes331012.htm>

Personnel (including fringe)	\$234,448
Travel	\$6,069
Supplies	\$1,680
Consultant/Contracts	\$52,403
Other	\$45,362
Total Indirect	\$175,600
<b>Subtotal Data Collection Agent Costs</b>	<b>\$515,562</b>

**15. Reason for Change in Burden**

There is no change in burden; this is the first time that BJS has fielded the BWCSS.

**16. Project Schedule and Publication Plan**

**Table 4. Project Schedule**

Stage	Type of contact	Date
Lead letter	All	-10 days
Email invitation with URL link to instrument	All	Day 1
Email thank you/reminder	All	Day 30 (Month 1)
Email non-response contact	Non-respondents	Day 45
Mailed non-response contact (including printed survey instrument and reply envelope)	Non-respondents	Day 60 (Month 2)
Telephone non-response contact	Non-respondents	Day 120 (Months 4-5)
Final mailing	Non-respondents	Day 160 (Month 6)
Analysis	N/A	Months 6-8
Reports	N/A	Months 9-12

BJS will be responsible for the statistical analysis and publication of the data from the BWCSS. Contingent on the processing and delivery of the final data file, BJS anticipates releasing two reports by December 2016.

The first report, tentatively titled, *Usage of Body Worn Cameras in Law Enforcement Agencies*, will discuss the general trends in BWC usage nationally. This report will provide information about the current state of BWC use among agencies. The report will also document why the devices were acquired, how they were deployed, and perceptions about their impact on operations and benefits to the organization/community. For agencies that have not adopted BWC systems, the report will document their reasons behind non-adoption and plans for considering adoption in the next few years.

The second report will present the data on civilian complaints and be tentatively titled, *Civilian Complaints about Police Use of Force, 2015*. The prevalence of civilian complaint data will be discussed including how complaints vary by agency size and type, and the dispositions of these complaints, including the percent of sustained complaints.

### **17. Display of Expiration Date**

The OMB Control Number and the expiration date will be published on instructions provided to all respondents.

### **18. Exception to the Certificate Statement**

BJS is not requesting an exception to the certification of this information collection.

### **19. Contacts for Statistical Aspects and Data Collection**

a. BJS contacts include:

- Shelley Hyland  
202-305-5552  
[Shelley.Hyland@usdoj.gov](mailto:Shelley.Hyland@usdoj.gov)
- Alexia Cooper  
202-307-0582  
[Alexia.Cooper@usdoj.gov](mailto:Alexia.Cooper@usdoj.gov)
- Persons consulted on statistical methodology:
- Marcus Berzofsky, RTI International

b. Persons consulted on data collection and analysis:

- Duren Banks, RTI International
- Travis Taniguchi, RTI International
- Chris Ellis, RTI International
- Sean Goodison, Police Executive Research Forum
- Allen Beck, Bureau of Justice Statistics  
202-616-3277  
[Allen.Beck@usdoj.gov](mailto:Allen.Beck@usdoj.gov)