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**THE EFFECTIVENESS OF BODY CAMERAS IN REDUCTION OF POLICE  
BRUTALITY/MISCONDUCT AGAINST AFRICAN AMERICANS**

By

**Osediebeyen Ediale**

A Major Research Paper  
Submitted to the Faculty of Graduate Studies  
through the Department of Political Science  
in Partial Fulfillment of the Requirements for  
the Degree of Master of Arts  
at the University of Windsor

Windsor, Ontario, Canada

2022

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January 4<sup>th</sup>, 2023

## **DECLARATION OF ORIGINALITY**

I hereby certify that I am the sole author of this Major Research Paper and that no part of this Major Research Paper has been published or submitted for publication.

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## **ABSTRACT**

Police brutality against Black people remains a critical subject matter among scholars in the international society. However, because of the broad nature of the subject of police brutality, this study focused on the United States which is rated as one of the countries with the highest police violence cases in the world. With the rising number of Black-led protests against this menace, the US government, in response, provided the solution of body cameras to mitigate the rise of police violence against ordinary citizens. However, as this study indicates, this solution is limited in its effectiveness.

This study sought to perform a qualitative study on the viability of the solution of body cameras. It provides a historical background of how the formation of the police force in the US was on the legacy of the slavery of Black people and how this has influenced the police relations with Black people. This has contributed significantly to the implicit bias the police force holds against Black people.

However, while the study notes that body cameras are not the panacea that will fix the issue of police violence, it still acknowledges the importance of the presence of these cameras. However, stricter policies on the use of body cameras need to be implemented to ensure that these tools are being used in the right manner. More importantly, the study recommends the implementation of implicit association tests (IATs) as part of the psychological section of the recruitment process of new police officers. Regular implicit bias trainings for police officers are also recommended to help officers re-evaluate their biases and ensure that they are policing the right way which will go a long way in mitigating unnecessary killings.

## **DEDICATION**

I dedicate this work to God Almighty, who has been my pillar of strength and support and who has always come through for me, even on the tough days. I dedicate this work to my parents, Monday Omofoma Ediale and Temitope Adejoke Ediale for their words of encouragement, support and sacrifice all through the years of my life and study. You have been a source of inspiration to me and pushed me to aspire for better. I am forever thankful for this.

I dedicate this work to my sisters, Joy Ediale and Love Ediale. Thank you for your listening ears and words of wisdom that helped me push through the period of graduate school. I also dedicate this work to my friends. Although I cannot mention you all, you were of immense help to me, and I am forever grateful to have you all in my corner.

## **ACKNOWLEDGEMENTS**

Firstly, I acknowledge God for His outpouring of wisdom, knowledge, and strength for this journey. I owe everything to Him.

I would also like to acknowledge my advisors, Dr Jim Wittebols and Dr Rebecca Major for their immense support, guidance, encouragement, and direction throughout the course of my Major Research Paper. I have benefitted greatly from this and will be forever grateful to you. I also acknowledge Dr Jamey Essex for his help. Your direction helped me put things into perspective and contributed to the success of this work. Thank you so much.

I also thank the entire faculty members of the department of Political Science in the university of Windsor for giving me the best possible atmosphere to achieve this academic milestone.

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## **LIST OF ABBREVIATIONS**

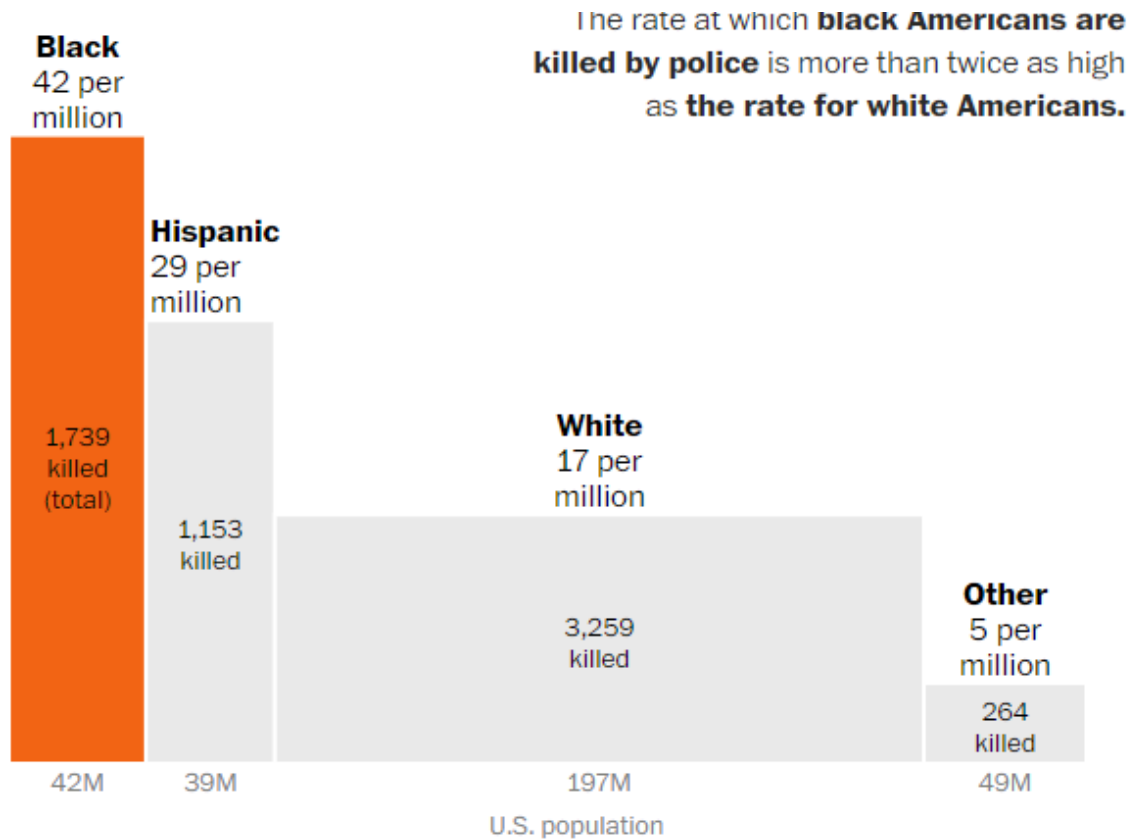
BWCs- Body Worn cameras

## CHAPTER ONE

### **Introduction**

George Floyd, Trevor Martins, Philando Castile, Breonna Taylor, and Michael Brown, amongst others, are household names when the subject of police brutality and violence is brought up. While Caucasians are also victims of police misconduct, the common denominator among the above-mentioned names is their race, highlighting the obvious fact that while we have few cases of Caucasian victims, Black people are more subjected to police violence (Peeples, 2020). In the US, Americans of different ethnicities, classes, races, and genders have been subjected to some form of police brutality, whether it be excessive force, harassment, unjust arrests, or racial profiling, among others. However, majority of these victims are African American/black. (Lett et al., 2021)

Studies show that in the US, in the year 2020 alone, more than 1,100 people were killed by the police. Here, although they made up only 13 percent of the entire population, Black people represented 24 percent of those killed. Research has shown that Black people are three times more likely to be killed by the police than white Americans and nearly twice as likely to be killed as Latino Americans. Police brutality is a leading cause of death for Black men in the United States, as statistics have proven that one in every 1,000 Black men will die at the hands of a police officer. (Edwards, 2019; Bunn, 2022)



**Figure 1. Source: The Washington Post (2020)**

It is also significant to state that the issue of brutality by the police, the very body tasked to protect ordinary citizens, is not just an American problem. Over the years, it has become a transnational cause, with protests having risen in different parts of the world, from the Egyptian uprising in 2011 to the END SARS protest in Nigeria in 2020, including the Black lives matters movement that has spread to different countries of the world. (Cheatham & Maizland, 2022).

This research intends to assess the existing scholarship on the issue of police brutality and misconduct. Due to the broad nature of the topic of police brutality, this study's focus will be on the United States. To enlighten readers more on this topic, this chapter will provide a historical context of the development of the police force in the

United States and how it was built on the vestiges of slavery, which may have an indirect influence on the racial bias of the police force against African Americans/blacks. The rest of the study will involve an investigation of the introduction of body cameras as a means to reduce police brutality while analysing how effective they have been in reducing police violence and misconduct against ordinary citizens. Additionally, the expectation is that when individuals engage in any form of misconduct, no matter their status or privilege, including public officials, the law should be upheld, with no one being above the reach of the law. However qualified immunity has in most cases provided errant police officers an escape route from facing the hand of the law.

### **The history of policing in the United States**

Policing in the United States reflects a racial bias that did not just begin in recent years. The origins of policing in the US reflect the foundation of racial bias on which it was built. However, the examination of metropolitan centres from the eighteenth and nineteenth centuries, particularly those in the Northern region, is a common way to explain the history of policing in America. The model of policing developed in London, England, through Sir Robert Peel, the British home secretary who was responsible for the passing of the Metropolitan Police Act of 1829 had a huge influence on the form of policing in the northern parts of early America. This template of policing was adopted because of the similarities between the urban cities in the North like New York, Philadelphia, Boston, etc., and London, as well as the problems that arose from the increased rate of migration and immigration. The newly formed police were also tasked with the responsibility of stopping any form of labour strike/uprising (Walker, 1983; Turner et al., 2003).

However, police development went differently in the South and Frontier regions, as these areas were prevalent in the slavery system. The southern cities in the eighteenth and nineteenth centuries had developed police patrol systems that were tasked with the duty of controlling the slave population. (Walker, 1980). The first formal slave patrol was created in the Carolina colonies in 1704. These slave patrols were made up of individuals who joined as a civic obligation, those who sought exemption from other duties, as well as others who joined for pay and rewards. They had the mission of establishing a system of terror where they hunted and chased slaves who tried to escape while also squashing any uprisings, riots, or revolutions in the slave communities. (Waxman, 2017; Olito, 2021) This set the stage for the pattern of policing that Black people have continued to face throughout the history of America.

After the Civil War, during Reconstruction, an end was brought to slave patrols, but they were replaced by militia-style groups with the authority to control and deny freed slaves equal rights. The second Amendment, which introduced these militia groups, was done with the intention to prevent or quell the slave revolution as a favour to the white power structure in the South. It was a tool that was used to protect slavery and the slave owners' rights to control the freed slaves. Thus, these militia-style groups relentlessly and methodically enforced "Black Codes," which were strict state and local laws that regulated and limited formerly enslaved people's access to labor, wages, voting rights, and general freedom. It was during this time that the Ku Klux Klan (KKK), a secret white supremacist organization, was founded. This secret organization set out to use terror tactics on newly freed African American slaves while enforcing white supremacy as the order in the South. Also, in order to prevent formerly enslaved African

American men from voting, the KKK used secrecy, intimidation, violence, and murder. Black officials and supporters were particularly targeted. (Olito, 2021; Baird, 2022)

The Black Codes were finally "abolished," with Black people theoretically receiving equal protection once the United States Constitution's 14th Amendment was ratified in 1868. However, laws like Jim Crow laws, as well as state and local statutes that legalised racial segregation, quickly replaced them. By the 1900s, local municipalities in the East and Midwest were establishing police departments to enforce these local laws, including Jim Crow laws. Local governments relied on the police to enforce Jim Crow laws and brutalise African Americans who broke these laws. These laws remained in effect until the end of the 1960s. (Hayes, 2022)

The history of American policing has reflected that racism and injustice towards Black people did not just begin in recent years, but these issues have been deeply rooted in the foundation of American policing, which contributes to the relationship the American police has with Black communities. Over time, policing in America evolved into a synthesis of these traditions and practices. Numerous parts of American policing have unquestionably been enhanced by changes in technology, laws, the establishment and application of professional standards, and societal norms. Yet in spite of all of the changes and advances in policing, Black people in America continue to face disparities in enforcement because some police officers continue to act in ways that reinforce economic and racial segregation and injustice.



## **Research Gap and Purpose of the Study**

The essence of undertaking any form of research is to add knowledge to or contribute to the state of knowledge on a particular topic while filling a knowledge gap on the subject matter.

There has been countless research done on the subject of policing in America, its bias and brutality especially towards people of color. However, this research intends to synthesise and streamline previous research into one that will provide readers with a basic understanding of policing in America, the issues that arise within policing, how effective the reform of body cameras has been, and how much more needs to be done. It will also link the concept of "qualified immunity," proving how this prevents many errant police officials from facing the repercussions of the law, thus going scot-free for lives that have been lost because of their negligent actions, all the while costing the American people millions of dollars as compensation to wronged victims. This study will also employ the use of two theories- deterrence and self-awareness theory- in understanding body cameras and its expected effectiveness.

## **Research Question, Goals, and Objectives**

### **Research question**

This research will be guided by the following questions:

1. How does the history of policing in the United States still influence the relationship between US law enforcement agencies and Black communities?
2. What solutions have the local and national governments provided in face of the issue of police brutality towards Black people?

3. How effective has the wearing of body cameras by the police force been in tackling the issue of brutality and misconduct by the police force?
4. How has the concept of qualified immunity been used as a tool by law enforcement agencies?

### **Research Goals**

1. To explore the links between the history of policing in the US and its present relationship with Black people.
2. To understand how colonialism and slavery still have an impact on American policing.
3. To explore the effectiveness of body cameras in reducing police brutality and encouraging accountability.
4. To outline the dangers presented by the concept of qualified immunity in relation to the prosecution of offending police officials.

### **Research Objectives**

1. To describe the history and development of policing in America
2. To identify the link between policing history and its current relationship with Black people.
3. To describe instances of police brutality against people of colour
4. To describe how body cameras function with policing in America,
5. To ascertain BWCs effectiveness in increasing accountability and transparency of the police force
6. To describe and investigate the concept of qualified immunity and how it is influencing policing activities.

### **Significance of the Study**

The research paper "The effectiveness of body cameras in the reduction of police brutality/misconduct" does not claim to provide lasting solutions to the problem of police brutality. Rather, this study explores the history of policing in the US, the problems that have arisen from policing, and whether the solutions provided to combat these problems can be said to qualify as lasting. The study identifies implicit bias as the crux of the issue behind police misconduct and seeks to identify solutions to tackle it. It is only when the roots of the problem have been fixed that solutions like body cameras can make a difference.

### **Structure of Study**

This research is divided into five chapters, giving the reader an in-depth understanding of the study, with each of these chapters contributing significantly to the research objectives. The first chapter is an overall summary of the study, which consists of the purpose of this research as well as the research objectives and questions the researcher intends to answer, including the purpose of this study. A literature review of existing literature will be the focus of the second chapter. This chapter is designed to address relevant past literature linked to this study while also describing relevant concepts for further understanding of each part of the research objectives. These two theories—self-awareness theory and deterrence theories are the focus of chapter three as they give a theoretical explanation for why body cameras should be an effective solution to the issue of police violence. This chapter also highlights shortcomings that these theories may have not taken into consideration. The concept of implicit bias and how it affects policing in America is highlighted in the fourth chapter. Case studies of police encounters with both white and black people that depict the realities of the implicit bias

that influences policing in America is also discussed. The conclusion will be given in the last chapter where a summary of the main findings of the research as well as a highlight of the limitation and implication of the research will be discussed. This concluding chapter will also include the relevant recommendations based on the findings culminated during the course of this research.

### **Chapter summary**

This chapter presented an introduction and background to the study on police brutality against African Americans in the US. It highlights the close ties that the development of the law enforcement agencies in the US has to slavery, colonialism, and racism, which reflect their current relationship with African-American communities. It also gives an overview of the research goals, objectives, and questions that will serve as guidelines for addressing relevant concepts and literature in the next chapter.

## **CHAPTER TWO: LITERATURE REVIEW**

### **Overview**

Much research has been done on the topic of police brutality. This literature review seeks to synthesise the research on police brutality in the US and the effects of body cameras as a solution while also analysing the concept of qualified immunity that protects police personnel from facing the law. This chapter will focus on three main concepts—police brutality, body cameras, and qualified immunity—and discuss the position of the existing literature on these concepts. This will give readers an opportunity to gain an in-depth understanding of these concepts and how they affect the American community.

### **Conceptual Review**

#### **Police Brutality**

The concept of police brutality is one that is not new in the academic scene, neither is it new in the public eye. It has been defined by various scholars, who have attempted to frame their definition of this concept in ways they find appropriate. However, there is no generally accepted definition of police brutality, as its meaning varies among populations. Thus, we would examine a couple of definitions of this concept from different scholars.

According to Reiss (1971), police brutality can be defined as any practice that degrades the citizens' status; anything that restricts their freedom, harasses them, and makes use of unnecessary and unwanted force. Even though this definition is broadly stated, one can note that Reiss believes that brutality must involve the use of physical force. From a legal point of view, for an act by a law enforcement officer to be classified

as brutality, it must have the element of excessive force. Thus, police brutality, in this sense, is seen as a civil rights violation that happens when a police officer makes use of excessive force with a civilian; that is, uses more force than is necessary in dealing with a civilian, which could result in undue injuries, trauma, and even death. It is the conscious and deliberate forceful action a police officer undertakes towards suspects who are part of a powerless social group, be it racial and sexual minority groups (Notes, 2022; US Legal, 2022).

On the other hand, Alang et al. (2017) identify police brutality as encompassing actions beyond physical force. Rather, it also involves emotional and sexual violence and involves verbal assault and psychological intimidation. While this definition is more encompassing, we will be adopting Mitchell (2000) definition of police brutality. He defines it as any act of unmerited excessive and aggressive physical, mental, and/or emotional abuse, above and beyond the law, enacted upon by an individual or groups of individuals in law enforcement. This explanation breaks down acts of brutality to include not just physical abuse but also mental and emotional abuse by law enforcement officials on the very population they are tasked to protect.

It is significant to state that the police are legally authorised to make use of force which is widely understood by the public. The core of the police role in modern democracies is the legitimate use of force to protect citizens and officers from dangerous people in their midst. (Bittner, 1970). As such, most acts of police violence are not viewed as significant because people admit the violent nature of policing. The consensus, though, is that police officers should not use more force than is necessary to arrest suspects, maintain control of incidents, and protect the public and themselves from

danger. (Green et al., 2019). However, force becomes an issue when it is used excessively or when it is not warranted. Yet deadly force is not always excessive. However, police brutality occurs when deadly force exceeds the force required to create a safe environment. Though, it is significant to state that determining whether the force used was justified or criminal is mostly subjective and dealt with on a case-by-case basis by prosecutors and investigators.

While the concept of police brutality has been used in relation to all populations, it tends to occur more among the non-Caucasian part of the population, which usually forms the minority groups within the American society. As has been shown over the years, these acts of police brutality especially damage the relationship between the police and minority communities (Holmes, 2018). However, while the history of police brutality has its roots in racial aggression towards these minority groups of the population, it also has other elements that contribute significantly, which include the lack of accountability, increased militarization of the police organization, and institutional problems with the culture and training of police officers (Holmes, 2018; Dictionary, 2021)

It is significant to note that the media has a huge role in how police activities are viewed. This is because the media are seen as central actors in determining the construction of social problems. The media plays a significant role in how we conceive our perceptions of society which has been proven more in recent years. With the media being commonplace in the lives of most individuals and with the ease with which it is available, from mobile phones to televisions, radio stations, and other means, the media keeps us posted on events occurring in the world. The media serves as a powerful creator of the very public opinions it seeks to reflect in its news (Anastasio et al., 1999). It may

subtly but also forcefully convey messages that shape the perceptions and opinions of its viewers, e.g., gender and racial stereotypes that have been unconsciously anchored in the minds of the public (Zuckerman et al., 1994).

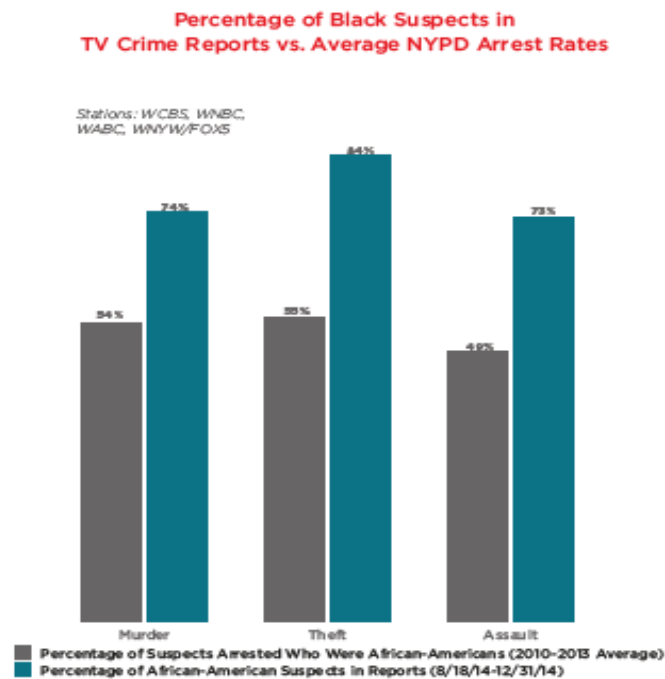
Sufficient evidence in literature has highlighted the media's significant contribution to downplaying the severity of police violence. Newsmakers often depend on certain institutional forces to formulate their news reports, which mostly influence the agenda and how the story is told. Relying ultimately on official police reports and news sources instead of investigating and interrogating the validity of these reports will often present a distorted version of the truth in favour of the police officers. While reporting using official reports is a frequent and routine practise in journalism, questions have arisen as to the authenticity of those reports, as in cases where the reports are inaccurate or incomplete, journalists will end up framing a false narrative of what occurred (Shenkman & Slade, 2021). A lot of police officers engage in what officers themselves coined as "testilying," where law enforcement officers outright lie or embellish the truth in their official post-incident reports as well as in court about encounters they had with suspects, especially in cases where they were aware that they took actions that were unconstitutional (Stern, 2020). With the Times having reported about 25 cases of testilying from 2015 to 2018, which may not seem like a significant number, but thinking about how many other cases that were not found out should be a source of concern. While not disputing that in some cases, official reports may align with the reality of events, making use of alternative voices is key to legitimising coverage, even though corporate media rarely uses those as sources (Ediale, 2022).



Scholars have also accused the media of ‘copaganda’ which is a term used to describe news stories that uncritically advance the image of a police department or undermine reform efforts (Tesfaye, 2020). The entertainment industry has been described as a huge source of copaganda, partnering with law enforcement agencies to produce movies and TV shows that glorify police officers and whitewash police brutality, embracing racial stereotypes, and painting people of colour as perpetual villains to viewers, which goes a long way in cementing perceptions in the mind of the public so that when these things happen in reality, no one bats an eye because things appear to be the way they are supposed to be. An example can be seen in the now-cancelled show "Cops," which ran for about 25 years before its cancellation. With the show having propagated the image of good guys as White cops and bad guys as Black people, critics have raised the argument that even with its cancellation, its effects will be hard to shake off as the people in power in America grew up on that TV show (Poniewozik, 2020). This is just one of numerous movies and shows that have run through the entertainment space. Thus, this reflects how the dissemination of these messages acts as a protective measure against the real damage caused by police officers. The news media has also followed this path, running with the same copaganda narrative (Vakil, 2020; Tesfaye, 2020; May-Powers, 2020), while also portraying official depictions of police violence as a normal, authorised response to police behavior. (Ediale, 2022)

Also, the media has helped push the narrative of the criminality of Black people by propagating mug shots of Black victims of police brutality, digging into their pasts to find criminal records, and publishing them. One of such cases is the Michael Brown shooting, in which the suspect was reported by the media to have been "no angel," thus

painting him in a bad light. On the other hand, White criminals and mass shooters are spoken about with humane pictures, with excuses of being mentally disturbed. An example was Dylan Roof, a convicted White shooter who shot nine churchgoers in South Carolina. He was highlighted by some media houses as a "quiet loner" who had "drifted off track" and was "caught in internet evil" (Johnson, 2017). This is one of many instances where White criminals are humanised and shown to have made mistakes while reinforcing the stereotyping of Black people as criminals. Also, a study by Color of Change (2015) discovered that, whereas 51% of those arrested for violent crime in New York City were Black, 75% of press headlines about such arrests feature Black accused perpetrators.



**Figure 2. Source: Color of Change, 2015.**

However, the presence of the media, especially in the last decade, has also aided the spread of the knowledge of brutality by the police. In ways that traditional media may have failed, contemporary social media platforms like Facebook, Twitter, YouTube, and others like them have helped to spread awareness of acts of police brutality, especially against Black people. Citizen journalism combined with the help of social media has helped provide evidence where people may have otherwise speculated about the validity of the claim. George Floyd's case, for example, had the world reeling as video evidence uploaded by different citizen journalists showed what really happened and how the police officers reacted.

On May 25, 2020, police officers responded to a call from a clerk of a Minneapolis convenience store who suspected 45-year-old George Floyd of purchasing cigarettes with a counterfeit \$20 bill. George, who had initially cooperated when he was arrested, resisted being put in the police car, claiming that he was claustrophobic. This led to the police officers wrestling him to the ground, with one of them, Derek Chauvin, pinning the unarmed man to the ground with his knee for over nine minutes. This was done despite cries from the victim that he could not breathe. Floyd was pronounced dead at a local hospital. Bystanders who had witnessed the event recorded and uploaded the videos on social media, where they gained traction and sparked outrage among viewers, sparking one of the largest protests in the US that spread to other parts of the world. (Gordon & Klose, 2020; Onion et al., 2021). George Floyd and his last words, "I can't breathe," have become a household name that has gone beyond social media to paint the picture of the reality of police brutality.

Other cases like that of Sandra Bland, a Black woman who in 2015, who was stopped by a Texas state trooper, Brian Encinia, for a routine traffic stop and ended up dead with her death ruled as suicide, have also contributed to outbursts of indignation among people of colour in America. Ahmaud Arbery, Eric Garner, Tamir Rice, Rodney King, Breonna Taylor, and Philando Castile, as well as so many others, have all pointed to the fact that deep-seated racism is apparent in police relations with minorities in America (Dungca et al., 2020). This deep-seated racism is an issue which Black people as well other minority groups over the years have encountered that needs to be addressed to curb the menace that is police violence. One would assume that in the age that the world is in, racism will be a thing of the past. However, this does not seem to be the case.

Also, as noted by Stinson (2020), scholars have struggled immensely in collection of data while researching on police violence. This is because there is no official data collection available for the purpose of research. As such, scholars have had to resort to other methods of data collection, including reports by independent commissions, news media reports, and other nongovernmental agencies. However, these are still limited, as the reports from these other agencies mainly focus on high-profile cases or certain police departments. While plans have been made to collect and analyse data by governmental bodies, those plans have never resulted in action.

### **Body-worn cameras**

Police body-worn cameras, also known as BWCs, are small, battery-powered cameras that are often fastened to an officer's uniform shirt, jacket, sunglasses, or helmet. These cameras usually film operations such as traffic stops, arrests, searches, interrogations, and more serious occurrences like police-involved shootings from the

perspective of the officer. They are used to document interactions between the police and the general public during enforcement, investigations, and other activities. They offer a synchronous, impartial record of these encounters, make it easier for superiors to analyse what happened, promote accountability, and promote polite and legal interactions between the public and the police (NYPD, 2022). Boivin et al. (2019) consider these devices to provide a first-person perspective on police interventions and to create a potentially permanent digital video recording of police encounters. Some BWCs allow video uploads while out in the field. Since they are not fixed to police enforcement vehicles like dashboard cameras are, they enable video recording wherever the officer is.

The rising demands for accountability of police officers and clamours for body-worn cameras for officers on duty have led to law enforcement agencies seeking to progressively implement these body-worn cameras to enhance the legitimacy of the police. The outrage of the public regarding events of police brutality, especially in the last decade has led to a serious decline in citizen confidence in the police force. The increased rate of black people being killed in encounters with police officers has also led to strained relations with black communities as well as other minorities in America. With the introduction of body cameras as part of police tools came the hope that the presence of these devices would assist in providing clarity in certain situations, increase the officers' accountability, and decrease the possibility of power abuse. (Maskaly et al., 2017)

BWCs' first official use was recorded in the United Kingdom around 2005 in the Cornwall and Devon police departments. It later expanded to aid the domestic violence enforcement campaign, where in cases where the victim was reluctant to press charges, the evidence from the BWCs would suffice for the prosecution. This resulted in better-

quality evidence provided by police officers (Norwood, 2020). US police departments showed interest in the technology, but 2013/2014 saw an increase in its adoption in the US, especially after the killing of Michael Brown in Ferguson, Missouri, by a white officer, Darrel Wilson. Added with the death of Freddy Gray in police custody in 2014, significant protest and reform movements were generated by these incidents, most notably Black Lives Matter, which demanded significant changes as well as increased accountability and transparency of the police, particularly regarding their use of force, misconduct, and in some cases, violent crimes. Other policing methods were also closely examined and litigated during this period, particularly the pervasive use of stop, question, and frisk. (Lum et al., 2020)

After this incident, many police departments started to acquire BWCs to show their willingness to provide transparency and accountability to the communities they served. In 2015, Obama's government reported that they had funded over 23 million dollars to police departments to increase their use of these BWCs, and by 2016, according to a Bureau of Justice Statistics survey, about half of all agencies and about 80% of significant U.S. police agencies reported deploying BWCs with at least some of their patrol personnel. (APOA, 2018; Hyland, 2018; Norwood, 2020; CCJ, 2021). It is most likely that, at the time of this research (2022), the estimated number of police officers using BWCs has increased since then.

**TABLE 1**  
**Agencies that had acquired and started using body-worn cameras, by agency type and size, 2016**

Type and size of agency	Number of agencies	Acquired BWCs <sup>a</sup>	At least some BWCs in service <sup>b</sup>
<b>Total</b>	15,328	47.4%	44.7%
<b>Local police</b>	12,267	47.7%	45.1%
1,000 or more	45	80.5	78.0
500–999	53	79.6	63.3
250–499	97	62.9	60.7
100–249	470	55.7	52.7
50–99	845	42.4	39.3
25–49	1,614	41.6	39.7
10–24	2,920	47.6	44.6
5–9	2,435	51.3	48.6
1–4	3,530	48.1	45.8
0 <sup>c</sup>	259	30.7	30.7
<b>Sheriff's office</b>	3,012	46.4%	43.7%
1,000 or more	18	66.7	60.0
500–999	28	52.2	47.8
250–499	95	55.9	50.8
100–249	223	46.4	40.9
50–99	356	47.8	43.0
25–49	624	48.6	45.9
10–24	911	44.5	43.6
5–9	554	44.6	40.7
1–4	203	44.1	44.1
<b>Primary state police</b>	49	26.5%	26.5%

*Notes: Details may not sum to totals due to rounding. See appendix table 4.*

**Figure 3, Source: Hyland (2018)**

The increase in the use of BWCs in police agencies also led to an increase in the research done on their viability. General understanding has it that the functions of BWCs include enhancing police openness and accountability, collecting evidence during incidents, offering police perspectives on incidents, improving community and officer conduct, preventing and resolving citizen complaints, and training police officers. However, the existing research has shown mixed reactions to BWC's capabilities in carrying out the purpose of its introduction, with some positive, negative, and null findings. Some researchers, in their studies, have outlined the benefits of these BWCs in relation to police behaviour and citizen response. However, others opine that the

disadvantages that come with BWCs far outweigh the supposed advantages while others do not note any significant impact by the BWCs in police behavior and relations.

Corley (2021) opined that BWCs have played a significant role in reducing police use of force. Highlighting the prosecution of George Floyd's killer, Derek Chauvin, she pointed out that the videos amassed from the BWCs worn by the police officers involved in the arrest of Floyd showed his prosecution and treatment from various angles, which was used as evidence in the prosecution. Also, another advantage is that both officers and citizens believe in its effectiveness to protect them from each other. Norwood (2020) highlights a significant reduction in civilian complaints against police officers. This is because once the videos are reviewed, complaints tend to be dropped. It also encourages civility during police-citizen encounters, as once people are aware of being recorded, they often become more civil. Scholars have termed this the "civilizing effect" on both officers and citizens. (Lopez, 2017)

Additionally, footage from body cameras is used in the prosecution of civilians. In places where police wear body cameras, according to a study in 2016, 92.6 percent of prosecutors' offices nationwide used the video as evidence in cases against private persons, while just 8.3 percent used it to charge police officers. (Merola et al., 2016; Norwood, 2020) The use of body cameras also provides training opportunities for officers to advance their methods of policing. With the availability of footage from officers' interactions with citizens, supervisors have the opportunity to review it and have reflective sessions with officers to provide learning opportunities for them. The supervisors could also implement certain strategies and view footage from body cameras



to assess how well officers were able to use these new strategies. (White, 2014; Chapman, 2018; (Williams Jr et al., 2021)

Ness (2020), on the other hand, suggested that the impacts of BWCs may have been overestimated. The purchase of a camera is not enough; there is a need to closely examine how these cameras are being used, including when officers are mandated to turn on cameras, whether they must review collected footage before writing incident reports, and whether the videos are made available to those involved in the incident or the public. These are some things to consider in order for it to be effective.

Lum et al. (2019) assert that although BWCs' use is largely supported by police and the public, there has been no statistically significant or consistent impact on the majority of measures of police and public conduct or the public's perception of police. Considering that these devices were adopted rapidly with little research on their viability because of public outcry, concerns from law enforcement, and historical context, it is no surprise that there remain so many expectations by the public and citizens that BWCs have not met. Thus, at present, BWCs are probably not going to be a simple solution for enhancing police performance, accountability, and connections with citizens.

Another important challenge to BWCs is the cost concerns. According to the report by the Bureau of Justice Statistics, the major reason among police agencies that did not have access to cameras was the cost. Police body cameras have the tendency to cost several thousand dollars per officer because there are expenses associated with buying and maintaining the technology, storing the vast amounts of data the cameras can gather, and training the officers. So apart from buying the equipment, funds are still needed to

take care of video storage and disposal, and even maintenance of the purchased hardware. (Ness, 2020; Coley, 2021)

The issue of privacy violation is another source of concern with the use of BWCs. With rising concerns about government surveillance and privacy violation, BWCs are a great contribution to this. Concerns are increased, especially for vulnerable populations like the mentally ill, undocumented immigrants, victims of assault, etc. The possibility of these devices recording people at vulnerable moments or recording private information whose disclosure could put a victim in danger or cause them to experience severe emotional distress is one negative aspect that has emerged from research on BWCs. (Fernandez, 2021) There is also the likelihood of unwillingness by people to share vital information with police officers once they are aware that the conversation may be recorded. This occurs especially in high crime rate neighborhoods where the fear of retaliation from gangs is a possibility if residents are seen to be cooperating with the police. (Newell, 2022)

In addition, concerns have been raised as to the authenticity of the footage from these cameras. With reports stating that officers have been trained to narrate events as they are being recorded, critics have questioned the admissibility of footage from a body camera in court. Apart from the subjective nature of how different audiences may interpret a piece of footage, there is also the possibility of a corrupt police officer, who understands how the rules regarding evidence work, fabricating oral statements during his recording that may throw off the jury from the truth of the occurrence. (Bellin & Pemberton, 2019)

Norwood (2020) noted that while there has been widespread advocacy for the implementation of BWCs, the regulations governing who is to wear them, when they are activated, and how the footage is handled can still differ greatly from state to state and department to department. Although half of the US law enforcement agencies make use of BWCs, as of 2021, only about 7 states, including Colorado, New Mexico, Connecticut, New Jersey, South Carolina, Illinois, and Maryland, mandate their use. Body-worn camera use and deployment are governed by laws and rules that are being developed separately by each of the 50 states, the District of Columbia, major cities, and county governments. Different guidelines based on a network of state, county, or local laws and regulations exist instead of a single policy or federal statute. Depending on the region of the country, these laws and regulations may be very varied. (Ansari, 2018)

### **Qualified Immunity**

Qualified immunity is a major legal structural factor that has caused controversy, especially in the case of prosecuting public officials. It is a legal theory that shields state actors from responsibility for their actions, even when they violate the law. It was developed by the Supreme Court in the late 1960s. Following the Civil War, during the Reconstruction era (1865–1876), thousands of recently freed Black people faced threats, lynchings, and other forms of indiscriminate brutality from white police officers and mobs. The Civil Rights Act of 1871, often known as the Ku Klux Klan Act, was passed by Congress and codified as 42 U.S.C. 1983 to assist and protect the rights of African Americans who were the victims of racial terrorism. Thus, for anyone whose constitutional rights have been infringed by police officers or other state or local officials, this provision offers a private right of action. (Equal Justice Initiative, 2020; Schweikert, 2020)

However, by 1967, qualified immunity was introduced as a shield or defence against these lawsuits. Thus, a government official is protected by qualified immunity from lawsuits asserting that the official violated the plaintiff's rights, even when the official in question acts unlawfully, only allowing cases where the official violated "clearly established" laws. This has served as a source of debate for scholars who have argued about this clause being a vague, pliable criterion. The question to be asked is, what forms "clearly established laws?" As seen in cases treated in courts, there is no general meaning for what constitutes clearly established laws, as it has to be specialised for the peculiarities of the case being handled. Also, it typically calls for civil rights litigants to present not just a clear legal principle but also a previous instance involving practically the same facts. (Schweikert, 2020) This presents a problem when cases that should have been classified as precedents or previous instances do not end up going to trial because of qualified immunity. (Widgery, 2021)

Police officers have frequently invoked qualified immunity to avoid criminal prosecution and civil liability for inflicting violence and abuse on the public. In actuality, this usually means that these officials can flagrantly violate a person's rights without being held personally accountable, unless there is a case with virtually comparable evidence on the record. This is a court-created concept that prevents victims of police abuse from holding officers liable when they violate a person's constitutional rights. (Equal Justice Initiative, 2020)

Scholars who support the concept of qualified immunity argue that officials, in this case police officers, need space and flexibility to make logical but incorrect conclusions about open legal questions. So-called qualified immunity protects officers

from having to face lawsuits or backlash for taking split-second decisions that, if not present, will cause officers to second-guess or be hesitant in taking certain actions in the field when needed. Making it easier to sue law enforcement agencies will not go far in increasing accountability, but rather will prevent them from doing their jobs efficiently and also contribute to driving them out of the job, leading to recruitment and retention issues. (Baker, 2022; Fawbush, 2022)

It also protects police officer and their departments from hateful lawsuits that may otherwise bankrupt them financially and decimate departments. Without this defence, law enforcement would be compelled to get private insurance against civil litigation. In addition to driving up the expense of law enforcement, this would give insurance corporations the power to direct how and what laws are enforced, also leading to less democratic control in these agencies. (Cotton, 2021)

However, critics argue against the concept of qualified immunity, especially in relation to law enforcement agencies. This concept has helped to protect police officers, including those who have engaged in the use of excessive force, from going to court. Guzman (2022) argues against the claim that police officers need immunity to be able to do their jobs, instead asserting that all it does is prevent victims of police violence, who are usually people of color, from being able to file civil suits against erring officers, which is one of the few tools accessible to them. It is worthy to note that the removal of this concept is not really a way to get ahead of police acts of brutality, as when the case of immunity is brought up, the act has already been committed. However, it breeds accountability and contributes to restoring the public's trust in law enforcement agencies. (Board, 2021)

The presence of qualified immunity not only hurts police violence victims but also law enforcement agencies. This is because when proper punishment is not meted out to bad apples among police officers, the public sees no accountability, breeding little to no trust in police officers. This makes their job harder and more dangerous, even for officers who follow the law to the letter.

### **Chapter Summary**

This chapter highlights the concept of police brutality, noting the difficulties researchers have faced in gathering official data on cases of police brutality. It also brings to readers' attention the importance of the role of the media in influencing the construction of social problems like police brutality and accountability. In addition, it discusses the adoption of body-worn cameras to tackle the issue of police misconduct and violence, highlighting how far this technology has come while also bringing to light the negatives associated with it. Furthermore, the chapter examines the concept of qualified immunity, discussing how it protects police officers and how the doctrine has been manipulated by police officers in order to avoid prosecution.

## **CHAPTER THREE- THEORETICAL FRAMEWORK**

### **Overview**

This chapter will focus on a theoretical review of deterrence and self-awareness theories, which will give an in-depth understanding of how the public expects body cameras to function in police-citizen encounters. These theories are the foundation on which scholars have argued about the effectiveness of body cameras. Self-awareness theory highlights the consciousness that humans have and how they are likely to adopt standard behaviour in the presence of a recording device. Deterrence theory, on the other hand, identifies the deterrent effect that body cameras should have on erring individuals, both officers and citizens alike. However, at the end of the chapter, this research notes the limitations that these theories do not take into consideration.

### **Theoretical Review**

Theories help to give a better understanding of or increase knowledge in a particular subject area. They are frequently employed to describe human behaviour and comprehend the human thought process. They present systematic ways of understanding certain events or situations. Although not limited to these two, this research will adopt these two theories to further explain the expectations from body cameras: deterrence and self-awareness theory.

### **Self-awareness theory**

Self-awareness theory is the idea that human beings, when aware of being observed, are likely to change the way they behave. Even more, they are prone to adopt acceptable behaviour when there is a rule-enforcing entity as an observer. The American Psychological Association (2022) defines self-awareness theory as the theory that deals with the outcome of focusing attention on the self. According to the self-awareness

theory, when a person pays attention to themselves, they assess and contrast their present behaviour with their internal standards and values. According to this notion, when people are conscious of being watched, they alter their behaviour, show more socially acceptable behaviour, follow social standards, and cooperate with the rules more readily. When made self-aware and given the impression that not living up to these standards will have a negative impact on them, people are more likely to align their conduct with these standards. Thus, the self is made aware by a variety of external cues and circumstances, including mirrors, an audience, and being filmed or recorded. (Braga et al., 2020; Smith, 2022)

Duval and Wicklund (1972) developed this theory based on a distinction between two types of conscious attention. They assumed that states of awareness are oriented toward either an aspect of oneself or the external environment. They highlighted the two states of self-awareness: subjective self-awareness and objective self-awareness. Subjective awareness is a "state of consciousness in which attention is focused on events external to the individual's consciousness, personal history, or body" (Duval & Wicklund, 1972, p. 2). Thus, in this state, the individual is unconscious of being distinct from other people around them. As a result, they do not consider what someone else might think, nor can they weigh the effects of their actions because they do not see themselves as a prospective subject of evaluation or observation. On the other hand, objective self-awareness is the opposite state, as "consciousness is focused exclusively upon the self and consequently the individual attends to his conscious state, his personal history, his body, or any other personal aspects of himself" (Duval & Wicklund, 1972, p. 2). Thus, objective self-awareness is the state in which an individual identifies themselves



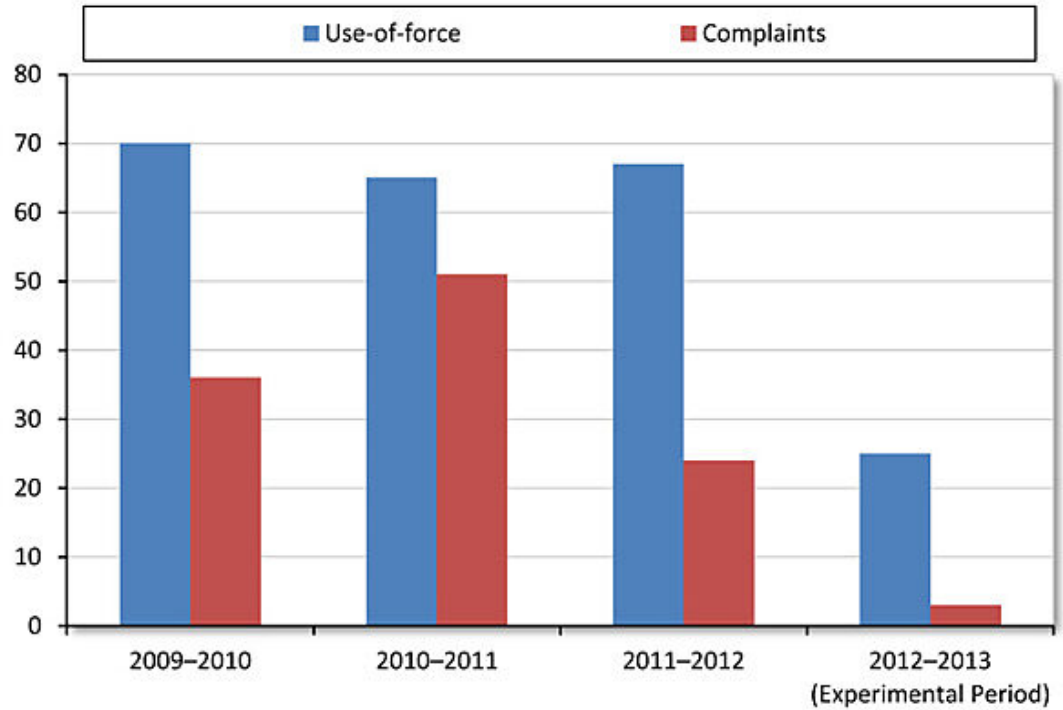
as a distinct entity and can take into consideration the opinions of people around them while aware of being potentially observed.

Duval and Wicklund (1972) noted that, when a subject is in the objective self-awareness state, focusing on the self gives rise to self-evaluation. The concept of self-evaluation is dependent on the existence of a psychological system of accuracy standards that everyone possesses. This standard is "a mental representation of correct behavior, attitudes, and traits.... All of the standards of correctness taken together define what a correct person is" (Duval & Wicklund, 1972, pp. 3–4). Thus, when an individual's attention is focused on themselves, they would automatically compare themselves to this standard of accuracy and endeavour to make improvements where appropriate and adjust their behaviours and ideas as necessary. (Silvia & Phillips, 2013)

A major trigger for an individual to become objectively self aware is when he is in the presence of an audience. However, the audience does not necessarily have to be physically present as objects like cameras, in this case body-worn cameras, serve as a prompt that the individual's behaviour has been recorded and could be displayed before an audience (Choi et al., 2022). Concentrating on self-awareness and behaviour allows people to portray themselves in accordance with their perceptions of the criteria they are expected to meet. Thus, people tend more often to behave in a societally acceptable manner in the presence of a recording device, i.e., body-worn cameras.

In relation to police-citizen encounters, studies have shown that a high percentage of officers as well as citizens behave civilly when they are aware of the presence of these cameras. A study was carried out by Ariel, Farrar, and Sutherland in 2013 in Rialto,

California, on the usage of body-worn cameras in its police department. With a focus on self-awareness, Farrar opined in his theoretical discourse that humans experience a public version of self-awareness when they become aware that their actions and words are being watched and captured. His analysis covered the reported impacts of self-awareness on police officers. During their research, 54 front-line police officers were selected randomly to wear body cameras over the course of a 12-month period. The researchers looked at 918 shifts and divided them into 489 for experimental shifts with the body cams and 499 for control shifts. The experimental shifts required the officers in that shift to wear the cameras, while the control shifts required the officers in that shift not to wear the cameras. Thus, body cameras were required for all interactions with the public for Rialto police officers wearing them throughout their shifts, with the exception of dealing with informants and incidents involving sexual assaults of minors. Findings from their research show that officers who wore body cameras were more self-aware and received fewer complaints from residents about their behaviour and conduct, with more than 50% drop in the overall number of incidences of use-of-force compared to control conditions, as well as roughly ten times more citizen complaints in the 12-months preceding the study. (Farrar, 2013; Ariel et al., 2015; Santoro, 2022).



**Figure 4, Source: Ariel et al. (2015)**

Public scrutiny of footage from body-worn cameras is typical in the context of policing, as BWC tapes can be disclosed to the public upon public record requests. Also, supervisors have unrestricted access to officer footage. Given the possibility that this footage will be viewed later by a large audience, police and citizens should, in theory, engage in civil behaviour in the presence of a BWC. This theory has helped scholars explain the effect of body cameras on police-citizen encounters. (Williams, 2019)

**Deterrence theory**

The word "deterrence" can be defined as "the prevention of action by fear of the consequences; it is a state of mind brought about by the existence of a credible threat of unacceptable counteraction." (Dictionaries, 2002). Thus, deterrence theory posits that threats can be employed and transmitted to influence or affect an adversary's behaviour.

In practise, deterrence works by balancing an actor's perceived costs and rewards of engaging in an undesirable action. The notion of deterrence holds that criminal punishments not only punish violators but also prevent others from committing similar actions. Many people emphasise the importance of deterring criminal behaviour in the aftermath of a high-profile occurrence in which an offender appears to have received a low sentence. Some feel that a harsher punishment would have prevented the catastrophe and could prevent similar tragedies in the future.

Deterrence theory finds its roots in the works of two 18th-century philosophers, Ceasare Beccaria in 1764 and Jeremy Bentham in 1781, who sought to explain why people commit crimes and how the severity of punishment can prevent crime. Beccaria emphasised the necessity of laws, as they exist to enable a cohesive community free of violence and turmoil. Individuals would always try to take from others in the society, as they are usually not content with their own portion. As a result, laws were required, and violations of laws should result in punishment with the sole intention of preventing others from committing the offence. Also, he argued that punishment must be commensurate with the gravity of the crime committed, as if two crimes are punished equally, there is nothing to dissuade individuals from committing the greater crime when it brings a higher advantage. He also highlighted that punishment should take place as soon as possible after a crime is committed, and included that the certainty, rather than severity of punishment, is more effective in preventing crime. (Johnson, 2019)

Bentham, in agreement with Beccaria, went further to state that humans are ruled by pleasure and suffering. Thus, individuals have the free will to choose behaviours that will increase pleasure and evade pain. He contended that every activity a person takes

part in increases happiness. According to this utilitarian concept, people act to gain an advantage or to avoid pain or unhappiness. The worth of pleasure or suffering is determined by its intensity, length, certainty, and proximity. So crime is the result of a decision made by an individual who weighed the benefits and costs of his act and deemed the benefits, i.e., pleasure, to outweigh the costs, i.e., pain. (Johnson, 2019; Stinson, 2020). Therefore, if you sufficiently increase the penalty for committing a crime, individuals will refrain from committing the crime. Thus, an individual will engage in criminal behaviour if the benefits of committing the offence outweigh the costs. So, to deter crime, the punishment must be swift, certain, and proportional to the crime an individual has committed. The focus of this theory is then the "swiftness," "certainty," and "proportionality" of punishment.

Deterrence theory is also divided into two parts: general and specific. Under general deterrence, the goal is to prevent the public from committing crime. As a result, the state's treatment of offenders acts as a model for other members of the public who have not yet taken part in illegal activities. It aims to deter them from committing crimes by educating them about the terrible effects of legal penalties. On the other hand, specific deterrence is intended to prevent the particular individuals who commit a crime and are apprehended and punished from committing another crime. With the harsh penalties, the offenders will be dissuaded from committing crimes again in the future. (Stinson, 2020). With both threads—specific and general—one can infer that the essence is to dissuade individuals from committing crime, which would greatly reduce the presence of crime in communities.

In analysing BWCs, some scholars argue that the proper framework is deterrence because the increased likelihood of penalty threats linked with the use of BWCs predicts a decreased use of force. It also goes to say that the presence of body-worn cameras provides evidence in the case of misbehaviour by a citizen or officer. It follows logically that when suspects and officers are aware of the BWC, it is equally believed that neither will intentionally breach the law given the high likelihood of being apprehended and found guilty thanks to videotaped evidence. BWCs are considered "credible threats." Therefore, it makes sense to assume that both participants in the encounter are aware of both the repercussions of noncompliance and the fact that they are being watched. With the footage serving as evidence in court, the expectation is that the likelihood of punishment being meted out, whether as a prison sentence or sanctions from supervisors, will increase on the part of police officers and citizens too. It also means that the presence of these cameras should serve as a deterrent to misconduct by both officers and citizens, considering that punishment is "certain." This is based on the belief that the certainty of being caught is a greater deterrent than punishment (Williams, 2019; Stinson, 2020; Choi et al., 2022).

Deterrence theory is one that is frequently cited as a foundation or explanation for police officers' use of BWCs. Using deterrence theory as a lens, one can conclude that BWCs are intended to improve the civility of police-citizen interactions. According to deterrence theory, prior to committing any crime, a form of cost-benefit analysis happens. So prior to committing the crime, the individual weighs the cost of committing the crime against the benefits they stand to gain from that crime. Thus, if the cost seems likely to outweigh the benefit, the individual is most likely to avoid engaging in that crime.

So far, these two theories give theoretical backing to the purpose of body cameras. In fact, both theories rely on each other. There is strong theoretical justification for the use of BWCs as a preventative measure to modify the behaviours of people who are being observed. It is hypothesised that BWCs have both an intrinsic (self-awareness theory) and an extrinsic (deterrence theory) influence on those being monitored, causing police and people to interact in a way that is socially acceptable. (Braga et al., 2018)

However, there is a distinction between self-awareness and deterrence theory that must be understood in order to understand why they differ. Self-awareness is more dependent on an internalised standard that one sets for themselves, and by becoming aware of one's behaviours and how they compare to that standard, future corrections to fit the standard will be made. Deterrence stems from self-awareness, but it emphasises that the possibility of being detected and punished, as well as the degree of punishment, will impact an individual's future behaviour.

However, research has shown that these theories have also faced limitations in the course of undertaking the study of body cameras. This is to say that if these theories are right, the presence of body cameras should reduce the rate of crime among citizens as well as prevent unnecessary violence against the citizenry, Black people included.

However, considering theories are key to explaining reality, these theories, in actuality, do not explain the realities, as despite the implementation of body cameras, cases of police violence against black people are still rising in the United States. This is because of the presence of underlying factor of bias that many do not want to acknowledge exists against Black people. Thus, these theories are limited in scope and do not account for all scenarios. They do not take cognizance of human nature and preconceived notions. For

instance, some officers are racist and will act as such regardless of who they are aware is watching them. Also, Rozsa (2020) highlights the significance of psychological nature, stating that some police officers have imbibed certain biases and stereotypes over the years. This could be as a result of their upbringing and the beliefs with which they were raised. Also, the history of law enforcement in America originated with slave patrols, who were trained to treat Black people differently, perceive them as threats, and enforce laws like Jim Crow laws. Thus, it is no surprise that even officers who do not identify as racist end up taking racist actions, as they have imbibed unconscious biases that have resulted from the community they grew up in, where "White supremacy" is the order of the day. The next chapter will focus on analysing case studies that depict police encounters with Black people and how these biases may have played out. This will help to further provide clarity to readers so as to conclude if body cameras can be as effective as they are meant to be in the reality of the American sphere.

### **Chapter Summary**

This chapter emphasizes two theories- self-awareness theory and deterrence theory. These two theories, although not limited to these two, give a theoretical explanation of why police body-worn cameras should be effective in serving as a deterrent to both citizens and officers. Self-awareness theory posits that when people are being watched, they change their conduct and display more socially acceptable behaviour, when made self-aware and given the impression that not living up to these standards will have a negative impact on them. Deterrence theory highlights that crimes can be averted when an offender believes the costs of committing the crime outweigh the benefits, emphasising certainty, swiftness, and proportionality of punishment. It also



discussed the limitations of these theories in understanding human nature and preconceived notions.

## **CHAPTER FOUR-CASE STUDIES AND DISCUSSION**

### **Overview**

This chapter will focus on discussing the concept of implicit bias, which is the unconscious bias highlighted in the previous chapter as a problem arising in police relations with Black communities. This implicit bias reflects the unconscious adoption of certain preconceived beliefs, especially against Black people, by the American community, which has resulted in stereotyping and even the use of excessive force by police officers. The chapter will also highlight ten case studies of police encounters with Blacks and compare them with some cases of police encounters with white criminals. This is in order to establish a pictorial understanding of how the unconscious bias police officers in America have adopted may or may not be significantly impacting their encounters with Black people, thus rendering the solution of body cameras ineffective.

### **The role of implicit bias in policing**

James (2022) defines bias as "our conscious or unconscious preferences for and against certain things, places, people, or groups." It is a human trait that emanates from the need to categorise others so as to digest information rapidly and make sense of the environment. There are two types of biases: explicit and implicit. If one is conscious of their bias and actively acknowledges it, it is known as "explicit bias." For instance, a person could say something like "Women are not fit to work in positions of power," which reflects an explicit bias against women. This form of bias is usually controllable and intentional (Ruhl, 2020). Implicit bias, on the other hand, according to Stark (2021), is "the unconscious, unknowing differential treatment of another person based on a number of discriminatory factors, including but not limited to race, color, age, sex, gender, nationality, sexual orientation, disability, and religion." This form of bias usually

operates outside the sphere of one's control or conscious awareness but is very likely to influence actions an individual may take. Thus, the individual may profess to be neutral or free of bias, but certain actions will reflect the implicit bias the individual possesses. The assumption that White individuals typically link criminality with Black people without even recognising it is a common example of this.

This is not to say that implicit bias is completely wrong or evil. Every individual holds some form of implicit bias. The search for patterns and navigating the overwhelming stimuli in this extremely complex world frequently result in these biases. Cherry (2020) supports this by stating that the brain has a built-in propensity to search the world for patterns and connections. This capacity to create associations about the outside world is essential for social cognition, which is the individual's capacity to retain, analyse, and use knowledge about other individuals in social contexts. Thus, individuals become accustomed to the objects, environments, and people with whom they frequently engage. Anything or anyone that departs from this is automatically greeted with a sense of caution, distrust, and occasionally even terror.

Also, major contributors to the formation of these biases are parental upbringing, culture, the media, etc. As a result, an individual will end up adopting certain attitudes toward a group of people or associating them with stereotypes unconsciously, which may be contrary to their conscious beliefs. For instance, one could consciously believe that they are not racist or even sexist, yet certain actions they would take unconsciously would contradict that belief. Also, it is worthy of note that these biases manifest in different spheres of life, from the work environment to schools and healthcare to the criminal justice system, including the police force. (Desmond-Harris, 2016)

It is important to emphasise that the American police officer is given power to pursue crime and examine the public's behaviour to determine who seems suspicious of criminality. As the police department has been equipped with this power and is not immune from this bias, it is important that this concept be well understood, as well as its possible effect on their decision-making process and actions. The police force is pervaded with racial discrimination; however, it is important to note that while some officers fall into the category of overt racists, most officers are not intentionally racist. It is not always a case of police bias; rather, it is one where human bias plays into policing. Thus, if a police officer unconsciously believes that Black people are more likely to commit crime, which is the mindset a lot of officers have imbibed, they will more likely target Black people and treat them with higher suspicion than their white counterparts. Also, a person's perception of the world can be influenced by implicit biases, and those perceptions can be influenced by implicit biases. The nature of law enforcement may have a significant impact on the implicit biases of police. For instance, police officers deal with more criminals than the typical person in the course of their duties. A police officer may be more inclined to perceive a Black civilian as a criminal if, like the majority of Americans, they identify negative ideas, like criminality, with Black people. This bias would also be reinforced every time the officer saw Black people committing crimes. This bias will not apply to White people as much because the officers do not have the same bias toward them (Spencer et al., 2016).

These stereotypes are so ingrained in American culture that people pick them up through subtle conversational cues. For instance, instructing their children to stay away from certain areas or referring to inner city districts with high numbers of people of

colour as bad neighbourhoods by white, affluent people or even painting Black people as "out of place" in certain environments perpetuates negative preconceptions about people of colour and a sense of White superiority. In 2014, 18-year-old Deshawn Currie was entering his home, where he lived with his White foster family, when a neighbour called 911 with claims of a break-in. When the officers arrived, he was shocked and asked why they were in his house. The officers pointed to the pictures of his white foster family on the wall as proof that he was not a member of the family. He was pepper sprayed after the officers claimed he became "threatening and belligerent" (Dickerson, 2014). This paints a picture of the reality that Black people in America face as they are automatically stereotyped as being out of place in rich to middle-class neighborhoods. Even wealthy Black people are not left out of the general stereotype that comes with being Black.

Police officers, like the rest of America, were brought up with these stereotypes, so many of them have implicit or explicit prejudices that cause them to become more scared and "defensive" in situations involving people of colour, prompting them to use force or even open fire. Since Africans were brought to this nation as slaves, there has been a sense of "superiority" ingrained in society. This sense of "superiority" is perpetuated by contemporary policies that disproportionately disadvantage people of colour. Fear combined with a belief in white supremacy leads to increased brutality and the needless killing of Black and Brown individuals by police. (Rosette, 2020)

Since the 1990s, numerous lines of study have led to the conclusion that most police officers have an implicit bias towards particular minority groups or races because of their view of the group and their "typical" involvement in crime. Ray et al. (2017) reviewed existing studies in political science, public health, criminology, social

psychology, and sociology that provided evidence of bias in policing, especially with regards to race. This skewed perception of racial or ethnic minority involvement in crime has affected police officers' judgments and responses to people of different racial and ethnic backgrounds. These automatic associations have led to more frequent stops and possibly hostile or violent contacts from the police with these minority communities.

Implicit bias, as subtle as it sounds, has proven to have dangerous consequences. The United States, for example, has a 70% White population, where 3.5% of Black Americans, compared to just 1.4% of White Americans, have reported being the target of police use of nonfatal force (Scutti, 2016). These high rates of police brutality against Black Americans imply that this implicit bias is also widespread in the policing profession. When there are conflicts involving Black people, they are more likely to use excessive force. Holroyd (2015) drew a vivid picture which explains the reality of Black people's relations with police officers. He stated that if it is the case that people are generally more likely to interpret an ambiguous object in the hands of a Black man than a White male as a weapon, a condition that requires police officers to show "reasonable grounds" for suspecting possession of a weapon may well be implemented differently.

Thus, if implicit biases influence the police's assessments of the degree of aggression displayed, with Black male behaviour being perceived as more aggressive than White male behaviour (based on the same behavioural indicators), then assessments of when (and what) "reasonable force" is necessary may differ depending on the race of the individual. This shows how implicit biases operate to subtly influence who is viewed as suspect, who is stopped and searched, who is deemed a threat, what assessments of "necessary force" are made, who is deemed to be armed and dangerous, and who is shot,

thereby perpetuating discrimination (Holroyd, 2015). This is the reality of being Black person in America.

The next few paragraphs will highlight case studies that will further give readers a vivid understanding of the realities of Black people and policing in America.

### **Notable case studies**

This research will be highlighting different case studies of police incidences with Black people and how bias has played a major role in how police relate with the African American community. It will also compare these cases with those involving White people so as to reflect the differences in how both races are treated in their encounters with police officers. It is important to highlight these cases so that readers are able to visualise these events and not imagine them to be something of a myth. This will help readers understand the importance of dealing with the issue of implicit bias against Black people in order to see a significant reduction in police brutality cases.

### **Michael Brown**

This was the case that spurred the rapid adoption of body cameras across American police departments. On August 9th, 2014, in Ferguson, Missouri, Michael Brown and his friend, Dorian Johnson, were walking on a two-lane street when Darren Wilson, a police officer in his patrol car who had received a theft report at a nearby convenience store, approached them for jaywalking. A scuffle ensued between Wilson and Brown, the details of which are unclear. A few seconds later, Johnson and Brown took off running while Wilson shot Brown multiple times, leading to his death. The deceased was also left on the street while onlookers watched in horror. There have been

conflicting accounts of what happened between the two men. While some witnesses contend that Brown was in a surrendering stance with his hands up over his head when Officer Wilson shot and killed him, Officer Wilson maintained that he was acting in self-defence when he fired the fatal shots. This emphasises the need for police officers to wear body cameras because it is practically impossible to determine with precision what actually occurred given the vastly disparate eyewitness reports of the incident (Suggs, 2015).

### **Walter Scott**

In 2015, Walter Scott was stopped by Officer Michael Slager for a brake light that was not functioning. As Slager approached his vehicle, Scott exited and ran away. His family members later explained that he likely ran away because he was owing child support payments and wanted to avoid arrest. Slager first used his taser and thereafter fired several gunshots at Walter, which resulted in his death. Slager had first claimed that Scott had taken control of his taser, which made him act in self-defense. However, a viral video that had recorded the encounter showed that Scott had, in fact, not reached for the officer's taser as claimed (Vann & Ortix, 2017).

### **Tamir Rice**

On November 22, 2014, Tamir Rice, a 12-year-old boy, was playing with a pellet gun outside a recreational centre in a park in Ohio. Someone had placed a call to 911 stating that someone was wielding a gun in a park. The caller had also stated that the person was most likely a juvenile whose pistol was most likely fake. However, that information was not relayed to the police officers who responded to the call. A report had



also stated that the 911 responder asked the caller repeatedly if the suspect was White or Black. Timothy Loehmann, one of the two officers responding to the scene, came out of the patrol vehicle and shot Tamir. The 12-year-old died the following day from the wounds sustained in the shooting. While this shooting was ruled controversial because the police officer thought it was an actual gun, it paints a picture of the reality of Black people, as the response to a 12-year-old White child wielding a toy gun may have been vastly different (Lynch et al., 2020).

### **Stephon Clark**

22-year-old Stephon Clark in 2018 was shot in his grandmother's house in Sacramento. A report had come in stating that a suspect who allegedly matched Stephon's description was breaking car windows. The police officers were led to Clark's house, where he was confronted with guns drawn. After showing his hands as they requested, one of the officers exclaimed that there was a gun, which led them to shoot him, which led to his death. It was then found out that what was in his hand was a cellphone and not a gun. There was also no instrument found on him that was used to break the cars' windows. However, the police officers were exonerated since they felt threatened. Again, this reflects the implicit bias that these officers see when they see an object in a black person's hands (Karimi, 2019). It is worthy of note that body cameras were present during the shooting.

### **Botham Jean**

On September 16, 2018, Botham Jean was seated in his apartment with a bowl of ice cream. He was killed by an off-duty police officer, Amber Guyger, who mistook his

apartment for hers. She lived on the floor above him in the apartment complex and thought he was an intruder. She feared that he would harm her, which resulted in her firing her gun at him. There was no form of aggression from Jean; however, she assumed that he was out to hurt her, despite him being in his own apartment with only a bowl of ice cream in his hand (Santucci, 2021).

### **John Crawford III**

In 2014, John Crawford III was shopping and talking to his girlfriend on the phone when he picked up a pellet gun sold in the sporting goods section of Walmart. A customer called 911 with claims that someone was wielding a gun in the store. By the time the officers arrived on the scene, giving Crawford a few seconds to react in shock, Officer Sean Williams shot him fatally, which led to his death. (BieryGolick, 2019)

### **Philando Castile**

In 2017, Philando Castile, along with his girlfriend and 4-year-old daughter, were pulled over by some police officers who claimed that they looked like armed robbery suspects. After being pulled over, officer Jeronimo Yanez asked Castile for his licence and insurance. A few seconds later, Castile informed Yanez that he had a firearm in the car, and Yanez told him not to reach for it. After confirming that he was not reaching for the gun, Yanez fired seven shots into the car, effectively killing Castile. (Croft, 2017)

### **Breonna Taylor**

In 2020, Breonna Taylor was sleeping in bed with her boyfriend, Kenneth Walker, when plain clothes police officers with a search warrant barged their way into

their apartment. Her boyfriend, assuming it had been Taylor's ex-boyfriend, fired a shot that hit one of the officers in the leg. This led to multiple gunshots from the officers, which effectively killed Taylor and injured Walker. Walker, who had been licenced to carry a gun, called 911, thinking it was a home invasion, and stated that his girlfriend had been shot. He was then taken in on charges of attempted murder of a police officer (Carrega & Ghebremedhin, 2020). For this case, reports on the presence of body cameras are unclear as disputes have risen against the report that the officers either did not have body cameras or had them turned off (Jones & Ghebremedhin, 2021).

### **Andre Hill**

Andre Hill was another victim of racial policing. Officer Coy responded to a call in the early hours of December 22, 2021, with reports of a man seated in his SUV, putting on and off the engine periodically. It is unclear whether Hill had anything to do with the SUV. However, he was also leaving his friend's house during that time with an illuminated smartphone in his hand. Officer Coy shot Hill several times while telling him to show his hands. The officer later claimed that he thought he had seen a gun in his hands. (Vera & Reiss, 2021). Although the officer had been wearing a body camera, it was put on after the shooting had occurred.

### **Atatiana Jefferson**

Atatiana Jefferson had been playing video games with her 8-year-old nephew, Zion Carr. One of her neighbors, who saw her front door open and lights on in the early hours of the morning, called 911 to do a welfare check. When the police officers arrived, one of them, Aaron Dean, went quietly to her backyard with a flashlight to look in.

Jefferson heard some noises and got her gun from inside her purse. As she got to her window with her gun raised, she was immediately shot fatally. The testimony from her young nephew noted that the door had been opened because they had been making food that had burned and needed to ventilate the house. Jefferson was killed in the comfort of her home in front of her young nephew. (Collins & Gordon, 2022). The officer in question had been wearing a body camera.

### **Discussion**

These ten case studies, handpicked from many cases of police brutality against Black people, have highlighted the racial implicit bias that has played out when dealing with the African American community. While body cameras were present in some of these cases, others had video footage from CCTVs within the arenas. The question remains: if these victims were replaced with White people, would the officers still handle things the same way? This brings one to consider cases of White people who committed grievous crimes yet were treated better than Black people who in most cases had not been proved to be guilty. One can compare the above case studies with the case of Dylan Roof, a White supremacist who killed nine Black people at a Charleston church. Roof was apprehended and also reportedly taken to get Burger King after claims that he was hungry (Silverstein, 2015). It is easy to infer that when a white man commits a heinous murder, he often survives to tell the tale and is even likely to get a free meal attached. However, if a Black man is involved in a little traffic infraction, the police hired to keep him safe are very likely to kill him.

Another example is the case of a White man, Sebastian Ledwick. During their surveillance of a possible marijuana grow business in 2015, two plainclothes officers

were shot at by Ledwick. It is interesting to note that the officers did not return fire at the suspect but rather left the scene and returned later to arrest him. Furthermore, he was charged with two counts of assault with a deadly weapon and one count of carrying a hidden weapon for the incident and was nevertheless allowed to remain free on bail till his sentencing (Cestine, 2016). It is sufficient to query whether the officers did not feel as threatened as they would if it had been a Black shooter. Two weeks after this incident, a Black woman, Yvette Johnson, was shot and killed by two officers for a shoplifting incident. The report stated that they asked her to drop her gun and she did not, which led them to shoot and kill her. There was no claim that her gun was pointed at them (Kay, 2015).

A more recent case is one involving another White supremacist, Payton Gendron. Gendron, earlier this year, had driven three hours from his home near Binghamton, New York, to the Tops Friendly Markets store in a predominantly black neighbourhood and shot thirteen people, eleven of whom were Black. He had left a racist manifesto online and was streaming the shooting live on Twitch, a media platform, before the platform stopped it. Police officers confronted Gendron and were able to talk him into dropping his gun and arresting him without firing a single shot. The officers were praised for their tremendous acts of bravery and use of training (Prokupecz et al., 2022). Other cases involving White criminals who were arrested peacefully include Austin Thompson, Robert Crimo III, Bryan Riley, Robert Aaron Long, Duke Webb, Dalton Potter, Gregory and Travis McMichaels, as well as so many others (Wright, 2022). The question remains why the same training and restraint applied by police officers to these white suspects cannot be applied to Black people, armed or unarmed.

In light of the above cases, while the importance of body cameras in reducing police brutality cases is significant, one cannot help but conclude that body cameras are not the total solution to the issue of police brutality. While many run with the notion and perception of body cameras as a panacea, as a thorough, clear-cut response to suspected misbehaviour in future police-public encounters, it is important to note, as always, that the problem is more difficult, and the answer is less certain than what is acknowledged or recognised in public discourse. Even if everyone concurs that the broad use of body cameras is a good idea, the rhetoric and expectations surrounding the technology, as well as its true advantages and very real restrictions, must remain realistic and transparent.

Body cameras have been useful in providing footage to ensure that some of these officers are able to face charges for their crimes; however, it does not necessarily stop the pandemic of police brutality but rather highlights the major issue that needs to be tackled, which is fixing the foundation of racial bias in the American system that stems from the history of slavery of Black people in America.

### **Chapter Summary**

This chapter highlights the concept of implicit bias and how it is embedded in the foundation of the American system. It also emphasises how this bias has affected policing in America. It further highlights high profile cases in America that reflect the presence of racial implicit bias and how it has led to the unnecessary loss of lives for the Black community. After contrasting these cases with those that involve White people, the research concluded that this implicit bias is a significant issue that has to be gotten rid of, especially in the policing sector, in order to drastically reduce the pandemic of police brutality.

## **CHAPTER FIVE- SUMMARY, RECOMMENDATIONS AND CONCLUSION**

### **Overview**

This concluding chapter will focus on summarising the findings of the research in accordance with the objectives that the research set out to accomplish. It will also proffer recommendations and solutions as to what could be done concerning the current sphere of brutality against Black people in America.

This research was written with the intent of synthesising the research done on the effects of body cameras in reducing police misconduct in America and outlining its benefits and shortcomings. It has also been concluded that, while the presence of body cameras is significant in holding police officers accountable, it is not the fix or solution to police brutality that many believe it should be.

### **Summary**

This research set out to accomplish the following objectives:

**Objective One: To describe the history and development of policing in America.** This study discussed the history of policing in America and how the model of policing adopted in America was tailored after the model of policing in the United Kingdom. The paper also highlighted how the system of policing in the North differed from the slave patrols that were adopted in the South, where the slavery system was prevalent. This study highlighted in detail how, even though slavery was abolished, Black people were still subjected to racism and injustice, all of which laid the foundation for why many Black people are still treated unjustly in the American system and why the police force has a strained relationship with Black communities.

**Objective two: To identify the link between policing history and its current relationship with Black people.** In tandem with the first objective, the study examined the existing literature on the concept of police brutality and highlighted the role of the media in propagating the stereotyping of Black people as criminals through news, TV shows, and other mediums that have contributed to explaining why Black people are treated in an unjust manner.

**Objective three: To describe instances of police brutality against people of color.** The study introduces the concept of implicit bias and how it explains the actions of the American system as well as the actions of police officers against Black people, even though they claim to not be racist. The presence of implicit bias derived from America's relationship with Black people from decades before has resulted into the latter being treated as second class citizens and stereotyped as criminals that require excessive force in encounters. The study further highlighted ten high-profile cases of brutality against Black people and contrasted them with high-profile cases in which White people were involved. This is intended to paint a vivid picture in the minds of readers for a clear understanding of the realities of being a Black person in America. The result showed that while White Americans who were actual criminals were treated with restraint and control, Black people whose guilt had not even proven received treatments of excessive force and brutality, which most times end up in death.

**Objective four- To describe how body cameras function with policing in America.** The study discusses body cameras in detail and acknowledges the benefits they provide. Body cameras have provided evidence for the prosecution of both officers and citizens. It has also provided some form of accountability and transparency to the public,



as studies show that both citizens and officers are more likely to be at ease and civil in the presence of body cameras. It has provided a civilising effect on both parties, as the likelihood of video evidence serves as a deterrent to both parties. The footage also serves as a tool for police officers to engage in training; thus, officers are able to watch videos of encounters and learn what to do and what not to do in certain encounters. However, the presence of body cameras in policing also has its drawbacks. Privacy concerns are a major issue. The presence of a recording device being able to record people at vulnerable moments, like domestic violence victims, have been a cause of concern as these victims are unlikely to desire evidence of their vulnerable moments watched by people who can access these footages. Another major drawback is the cost of acquiring and maintaining these devices, as well as the storage of the footage recorded. These cameras are expensive to maintain, while storage and disposal of footage are also needed. These are a few of the drawbacks identified in the course of the research. This study also adopted two theories—self-awareness and deterrence—to explain the importance of the presence of body cameras in police-citizen encounters.

**Objective five-To ascertain BWCs effectiveness in accountability and transparency of the police force:** After evaluating different studies, the study concluded that the evidence of the effectiveness of body cameras is mixed, as while some research highlights a significant effect of body cameras in securing accountability and transparency, other studies have shown little or no significant effect of body cameras. However, this study came to the conclusion that while body cameras serve an important function in policing, they are not the solution to police brutality against Black people that we all hoped they would be. Rather, the foundational issues of slavery and colonialism

that have influenced the bias in the American system need to be tackled. It is significant to note that this bias does not just play out when Blacks come in contact with police offices. Rather, it is ingrained in their everyday lives—in the health sector, the employment sector, and other spheres. Thus, even if body cameras are present in police encounters, it does not affect how Blacks are stereotyped just because of the colour of their skin.

**Objective six: To describe and investigate the concept of qualified immunity and how it influences policing activities.** Qualified immunity was also discussed in the course of the research. While the study noted the importance of qualified immunity for public officials to carry out their job functions, police officers included, it is important to state that erring police officers who have been sued by victims have invoked this clause in order to avoid answering for their crimes. This in turn hurts the victims, as they do not receive justice. Also, the presence of these erring officers remaining on the police force means that there is a high chance that these crimes will be committed again by them.

### **Recommendations**

It is crucial to remember that appropriate implementation of the body camera police tool necessitates a thorough assessment of current policy ideas rather than the hurried, impulsive adoptions that have happened around America. Body cameras can be a crucial part of reform. Even though it cannot end tensions between these minority communities and the police, as well as decades of racial policing, nor will it be able to put a stop to police misconduct, it can make the police more accountable and transparent. However, body cameras alone will never be the hoped-for panacea; therefore, their adoption should not be used as a justification to stop talking about the underlying causes

of police violence and strained community relations, which is implicit bias. The crux of the issue is for police departments to handle encounters with people in a just manner, regardless of their race, gender, etc., whether there are cameras present or not. Thus, there must be a solution provided to the issue of implicit bias.

Based on the findings of this research, there is an apparent need for reform in the policing sector. This paper thus recommends the adoption of implicit association tests (IATs) as part of the psychological section of the recruitment process for new police officers. This test will evaluate the attitudes and beliefs of the new recruits that they may be unaware of, which may affect their encounters with people of color. This test will be fundamental in sifting out recruits who have implicit racial bias. Also, police departments should implement mandatory regular implicit bias trainings that will boost awareness of the presence of implicit bias and call for them to be conscious of their bias when dealing with people of color. There needs to be a conscious unlearning and relearning in the police force that will change the dynamics of the police's relationship with African American communities.

It is also worthy to note that while body cameras are great for accountability, they are still slightly distrusted by the public in large part because of the existence of officer control over activation. Therefore, it is imperative to address this issue with sound policy and strict enforcement in order to restore the public's confidence in these programs. Additionally, no matter how many procedures are put in place to try to limit officers' personal biases, this will still occur in police departments if part of the issue is that American society as a whole is struggling with implicit racial bias. It is up to society as a whole, not just the police, to address those issues.

## **Conclusion**

Body cameras are important in policing but can only serve as a band-aid solution to the problem of police brutality against Blacks as it does not address neither does it resolve the underlying issues of racism and implicit bias that has pervaded the American system. Thus, there is a need for every individual to re-evaluate how implicit bias has influenced their relationships with people and things that do not conform to their group. Also, police officers need to undergo training as well as implement reforms that would help reduce the effects of bias in their encounters with citizens. It will be unrealistic to state that this bias can be stopped immediately. Rather, it takes a while, but while these trainings for officers to unlearn and relearn begin, how many more Black lives have to be lost? This is a question for the American community to ponder upon.

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