

Caught in the Act: Administering Justice with the Aid of Body Cameras

Dr. Jamaica Kim Lopez Mabanglo
Faculty, College of Criminal Justice Education
Philippine College of Science and Technology,
Old Nalsian Road, Nalsian, Calasiao, Pangasinan, Philippines, 2418

Abstract:- Over the last few decades, policing has improved along with technological advancements. Yet, there are still challenges present in maintaining the public's perceptions of law enforcement's legitimacy and transparency, the adaptation to the technology in wearing body cameras has been viewed as one way to address the challenges and improve law enforcement practices. With this, the researcher became interested in determining the impact of using body cams in strengthening the case build-up after the conduct of search warrants in their anti-drug operations. Further, the researcher used qualitative research design specifically a case study since it is best suited to generate an in-depth understanding of a complex issue in its real-life context. Consequently, the study is aided by a semi-structured interview and the transcripts were analyzed using the thematic analysis method. Hence, the researcher discovered three significant themes in the impact of using body cameras in improving the case build-up after analyzing the qualitative data: transparency, corroborating evidence, and alternative eyewitness. Moreover, it was concluded that body cameras are becoming the norm in law enforcement operations, and can be employed in crime analysis and investigation across the country which has the purpose to guarantee that operations are free from any alterations and can likewise be available as evidence in court proceedings and serve as an alternative witness for criminal analysis and investigation that serves as an aid for the administration of justice.

Keywords:- Body Cameras, Body Cams, Case Build-Up, Body Cameras in Crime Analysis, Body Cams in Crime Investigation.

I. INTRODUCTION

For the past decades, policing has been improved along with the advancement of methods. It adopted the application of technological advances with new perspectives on policing as well as evaluations of current practices which brought changes in terms of legitimacy, efficiency, effectivity, and transparency.

On the other hand, there is a continuous notion that the ability of law enforcement to fight crime effectively depends on the public's perception of the legitimacy of the actions of the law enforcement officers. One basis for this is the principle of Sir Robert Peel which states that the ability to perform the duties is dependent upon public approval and to secure and maintain public respect.

Further, there are still challenges present in maintaining the public's perceptions of law enforcement's legitimacy and transparency. In many countries, some people do not have complete trust and confidence in the law enforcement in their operations and encounters between officers and community members that often involve the use of force or cases which resulted in death.

Hence, the adaptation to the technology in wearing body cameras also known as body cams has been viewed as one way to address the challenges and improve law enforcement practice of the officers on patrol or other tasks that can utilize it to get real-time information when interacting with members of the community. With this, there may be more transparency and accountability on the operations and thus, may improve law enforcement legitimacy. This may also serve as a surveillance tool to promote officer safety and efficiency and prevent crimes (Chapman, 2018).

In the United States, it is common for law enforcement officers to use body cameras. The body cameras served as a great tool, particularly in the prosecution of crimes since the videos were taken with the cameras are being used as evidence by the prosecutions to get clearer convictions (Penaranda, 2019). The use of video footage captured during the operational interactions may provide better documentation in confirming what really transpired and support the statements of the officers and the community (Chapman, 2018).

Meanwhile, in the Philippines, a campaign against illegal drugs has been pushed through to neutralize the illegal drug personalities nationwide. This is based on the new millennium indicating that there is a boom in the illegal drug industry in the county. With this, the Philippine Drug Enforcement Agency (PDEA) who serves as front liners in fighting the drug problem in our country needed to boost its operations capability in line with the government's anti-illegal drugs drive.

One of these measures is to require the PDEA agents to wear body cameras during their operations. The adaptation of wearing body cameras is helping the campaign more agreeable to everyone. The devices are being used to show transparency amidst the criticism in the war on drugs that has been carried out for the previous years.

In addition, the body cameras may serve as a great mechanism in ensuring proper accountability and transparency, and can also be used in the prosecution of

offenses like in the United States provided that they are handled and identified under the law and the rules (Penaranda, 2019).

Moreover, the utilization of body cameras is increasingly held up as a solution to preventing misconduct and enhancing the law enforcers' accountability. As a result, preliminary research suggests that body cameras could have an impression on adverse impacts including citizen complaints, the utilization of force, and other encounters. However, the use of body cams generates misunderstandings and affects privacy (La Vigne, n.d.).

Further, the body cameras will capture whatever is in front of the enforcer who wears it. However, this may not capture everything that occurs during an incident presenting challenge to investigators or agencies to properly evaluate and interpret the evidence in the course of an investigation. More to the point, one of the challenges is the accurate interpretation of the video footage which may be a difficult issue to address (Buchner, n.d.).

With this, the researcher became interested to determine the impact of using body cams in strengthening the case build-up after the conduct of search warrants in their anti-drug operations.

➤ *The Need of the Study*

The research study was conducted to determine the impact of using body cams of PDEA operatives in strengthening the case build-up in their anti-drug operations. Furthermore, the research was chosen since there are operations that are being compromised due to a lack of sufficient documentation. Furthermore, the study might assist concerned organizations in developing policies to improve the use of body cams in anti-drug operations.

➤ *Statement of the Problem*

- What is the impact of using body cams in strengthening the case build-up?

➤ *Scope of the Study*

The study focused on the implication of using body cameras in the investigative process in anti-drug operations of the PDEA agents assigned in the Provincial Office of Pangasinan. Also, the study was delimited in understanding the use of body cams in strengthening the case build-up after the conduct of the search warrant. Other perceptions of PDEA agents that are not assigned in the provincial office as well as those who are not using body cameras are not included. Further, the views and opinions expressed by the participants in this research do not necessarily reflect the whole PDEA operatives in Pangasinan and other areas. The gathering of information of the study was limited in a form of interviews through video conference platforms due to a worldwide pandemic that restricts full self-determination in gathering data.

II. METHODOLOGY

The researcher of the study used a qualitative research design specifically a case study since the approach is best suited to generate an in-depth, multi-faceted understanding of a complex issue in its real-life context.

The participants of the study were the PDEA agents who are using body cameras in their anti-drug operations specifically on the conduct of search warrants. The PDEA agents are the ones who are deployed in the provincial office of Pangasinan and were selected through snowball sampling. Moreover, the researcher asked the participants' permission for the utilization of information gathered from them for research purposes. The researcher used One-to-One interviews through Zoom conference calls which were recorded upon the permission of the participants. Consequently, the interview was aided by a semi-structured interview guide in which inquiries posed were open-ended questions and unconstrained, with the interviewer letting the progression of the interview direct the following posed inquiry. Accordingly, the questions are generally designed to find out the impact of using body cams in strengthening the case build-up.

Furthermore, the researcher employed intelligent verbatim transcription to transcribe the interview since it produces a more readable transcript while remaining true to the participants' voices and intended meaning. The researcher transcribed the recorded interviews into text, omitting fillers and redundancies which might interfere with the interview's contents.

Additionally, the data were subjected to coding and analyzing with the aid of QDA Miner software. The thematic analysis was utilized in the study using the combination of the inductive and latent approach that examines the semantic patterns in a data set acquired during the interview. These approaches were used since the researcher explored the underlying meaning expressed by the participants without a predetermined set of codes. The data was organized into themes based on similarities, which aid in building a sense of context and deriving meaning from people's experiences, perspectives, and opinions. Because the research aims and objectives include understanding people's experiences or perspectives through the usage of body cams, this analysis is most suited for the study. As a result, all interviews were recorded, transcribed, coded, and analyzed in order to produce the study's findings.

III. RESULTS, INTERPRETATION, AND ANALYSIS

This chapter presents, interprets, and analyzes the findings of the study on the impact of using body cams in strengthening the case build-up.

➤ *The Impact of Using Body Cams in Strengthening the Case Build-Up*

Upon analysis of the qualitative data, the researcher has identified three major themes in the impact of using body

cams in strengthening the case build-up based on the interviews with the PDEA operatives.

Providing Better Transparency. The first theme that was recognized by the researcher on the impact of utilizing body cameras in strengthening the case build-up is providing better transparency. This implies that the operations are independent from any attempt to conceal things due to the use of body cameras.

This can be supported by the statements of the participants that were interviewed in the study. Participant 1 mentioned that “The body cameras should cover all the entire operation from briefing until the end of the operations before we withdraw from the area of operation. For me, it’s very important to use body cameras. Body camera helps the transparency of operations. It serves as an eyewitness and it allows the public to see exactly what are the actions during the operations. It helps the public and helps the operatives from false accusations and abuse. So, it helps both the parties involved during the operation.”. Also, Participants 2 and 3 mentioned that the body cameras are useful to determine what really happened on the actual operation since the conduct of search warrant reflects the same with the footage captured by the body cameras used during their operations.

In addition, participants also mentioned that the use of body cameras is beneficial since it records the footage that is transparent with the operations of the PDEA. With the use of body cameras, the planting of evidence can be avoided and the implementation of the search warrant is documented to avoid the doubts of the community and other people involved.

This is corroborated by Chapman (2018), who claims that body cams can strengthen law enforcement legitimacy by increasing transparency and accountability. The use of video footage that was captured during the operational interactions, may provide better documentation in confirming what really transpired and support the statements of the officers and the community.

In addition, this is also supported by the campaign that the PDEA is targeting. One of their measures is to require the PDEA agents to wear body cameras during their operations to show transparency amidst the criticism that has been carried out for the previous years during their operations. These are the guidelines on the use of body cameras during anti-illegal drug operations dated January 29, 2018. The directives were provided to guarantee that operatives followed the operating protocols and to minimize expressed serious concerns of the drugs operations that were carried out(PDEA, 2018).

Thus, concerning transparency, a PDEA agent that uses body cameras is more than likely going to be more honest with not only the public they serve but also their officers. They do not want to stand in front of the public and tell them something different than what actually happened. This in turn makes them trustworthy and believable in their operations, which is a very important thing for law enforcement officers to have.

➤ *Corroborating Evidence.*

The researcher came up with the second theme, which is corroborating evidence. The participants noted that the usage of body cameras might be used as evidence or as the basis of the court in court procedures, hence the theme was chosen. The video obtained by body cameras depicts actual operations while conducting them, which can be used as proof of transparency. Because the recordings captured using body cameras may serve as evidence that the operation is a legitimate PDEA operation, this theme may complement the researcher's initial theme.

Participants mentioned that body cameras footage may be used as a reference by the court in court proceedings. Participant 4 also specifically mentioned that the recording is being saved and it can provide legitimacy of evidence if their operation is being questioned when the court requested evidence during their actual operations with regards to crime analysis and investigation. In addition, the actual operations are being preserved and footage may serve as a basis if it is well documented as stated by Participants 2 and 3.

The statements of the participants are supported by the fact that in the United States, law enforcement officers commonly use body cameras, which are regarded as a valuable tool, particularly in the prosecution of crimes, because the videos taken with the cameras are used as evidence by the prosecutions to obtain clearer convictions (Penaranda, 2019).

This is supported by the research of the National Institute of Justice which states that body cameras may serve as corroborating evidence. Arrests or prosecutions may use the footage captured as evidence. Video captured by body-worn cameras, thus according to proponents, may help document the occurrence and nature of various types of crime, reduce the number of time officers spend filling out paperwork for case files, corroborate evidence presented by prosecutors, and lead to a higher number of guilty pleas in court proceedings (Chapman, 2018) which can be used for crime analysis and investigation.

Moreover, according to the Bureau of Justice Statistics report mentioned that their law enforcement had acquired body-worn cameras increases the evidence quality(National Institute of Justice, 2017).

With the use of body cameras, it will be less difficult for PDEA agents to secure evidence that can further prove what really transpired in an operation. For this purpose, agents are assigned to carry the body cameras during operations so they can easily film all the activities and information that may be used as evidence during court proceedings.

➤ *Alternative Eyewitness.*

The last theme that was developed by the researcher in the study is, body cams serve as an alternative eyewitness. Body cameras serve as an eyewitness to PDEA operations since it records videos to find out what really happened that can be used as a basis in court. This theme can support the

first two themes mentioned in the study which can aid in the administration of justice.

The participants mentioned that a body cam “serves as an eyewitness” that may be used since people can “easily see in case something bad happened” to their operations.

Further, according to the participants “actual footage of the transactions” can be a good source of an eyewitness “because what is recorded on the body cam cannot be distorted”.

Body cameras can help both parties, as the participant mentioned that “body cam helps the public and helps the operatives from false accusations and abuse. So, it helps both the parties involve during the operation.” In addition, the participant mentioned that “and at least that, there are recordings saved that the operation was legit and without foul play and planting of evidence.

This is supported by the Stoleny Law, indicating that video evidence can be used to indicate officer wrongdoing during an arrest, which can be used to the defendant's advantage. Prosecutors might also utilize the footage to support their case. The prosecution presents evidence to a judge and jury during a trial. Defendants and arresting police are frequently called to give testimony regarding their roles in the case. Both law enforcement officers and defendants have been known to exaggerate or lie about the circumstances surrounding the defendant's arrest while on the stand. The body cameras record in real-time. Judges are more likely to trust a law enforcement officer or defendant if they can witness the parties' actions firsthand based on the video footage.

Further, when compared to bodycam footage, eyewitness line-ups and testimony are now seen as less reliable since some eyewitness testimony is frequently inaccurate or deceptive. The endocrine system responds to a stressful circumstance by producing adrenaline when for an instance, involving or witnessing an anti-drug operation. With this, the “fight-or-flight” response can alter memory and recall of distressing events. Eyewitnesses may not be able to recall the distinguishing traits of a suspect in police line-ups, rendering their testimony untrustworthy. Thus, body camera footage might be used to confirm or deny eyewitness testimony (Stoleny Law, P.A., 2021).

IV. FINDINGS AND CONCLUSION

➤ *Summary of Findings*

The researcher discovered three significant themes in the impact of using body cameras in improving the case build-up after analyzing the qualitative data: transparency and corroborating evidence, and alternative eyewitness.

As a result, the study's findings were primarily based on the experiences of four PDEA agents assigned to the Provincial Office of Pangasinan who had used body cameras in anti-drug operations, specifically in the execution of a

search warrant. Furthermore, more research is required in order to fully comprehend the study's necessity.

➤ *Conclusion*

Body cameras are becoming the norm in law enforcement operations and can be employed in crime analysis and investigation across the country. One of the main purposes of these cameras is to guarantee that operations are free from any alterations. Likewise, law enforcement has an incentive to narrate body camera footages with descriptive verbal remarks that support a subsequent prosecution, considering that the footage will be available as evidence in court proceedings and serve as an alternative witness for criminal analysis and investigation that serves as an aid for the administration of justice.

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