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Technology and Public Safety: Could the Use of Body Worn Cameras Increase Citizen Trust in Mexico's Police Forces?

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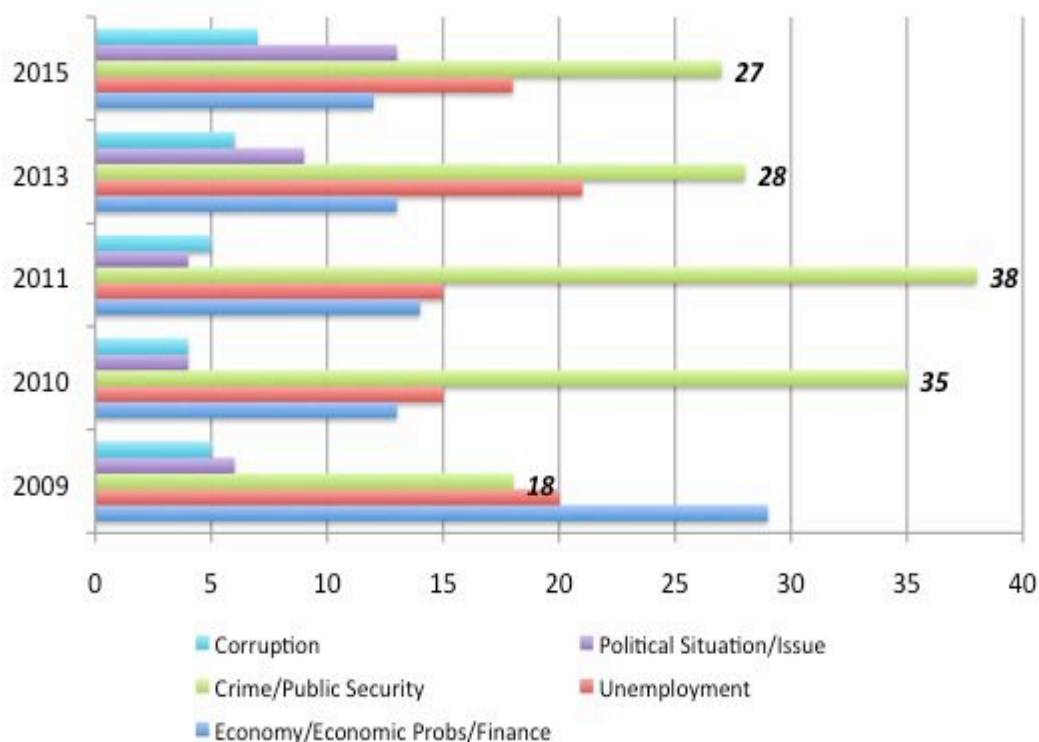
The potential benefits of introducing body cameras in Mexico are considerable. By helping build trust, accountability and transparency, body cameras can contribute to making Mexico's law enforcement more effective at promoting public security and more efficient at moving cases to trial. 2016 will be a critical year for the country, as it moves to fully bring a new criminal justice system into force. Carefully crafted trials of body cameras have the potential to accelerate lagging police reform efforts and contribute to the integrity of the new accusatory system by helping improve the quality of criminal investigations.

This paper begins with an overview of the policing context in Mexico, which is distinguished by a profoundly fractured relationship between law enforcement and the public. It then considers how body cameras, the latest technological innovation in policing, are being used to help bridge the police/citizen divide and provides an overview of international studies on the use of the devices to date. The paper concludes with considerations regarding the use of body cameras and Mexico, noting that six key issues merit attention in designing policies for their use in the country.

Corruption and Lack of Confidence in Law Enforcement in Mexico

Perception of crime is notoriously high in Mexico, as it is throughout Latin America. When asked to rank the most important problems facing their country, Mexicans rank issues related to the economy, crime and corruption as top concerns, as indicated in Table 1.ⁱ

Table 1. Mexico's Most Important Problem (% of all responses) 2015 and additional years



Source: *Latinbarómetro, Informe 1995-2015*.

Surveys also show that the Mexican public's trust in the institutions responsible for citizen security and the rule of law is low. Tables 2 and 3 indicate the low level of confidence Mexicans have in the judicial and law enforcement authorities in their country.ⁱⁱ The very high percentages of perceived corruption in key institutions in Mexico underscores the extreme deficit in trust and confidence law enforcement authorities in Mexico must address as they work to strengthen state capacity and sustain reform efforts in the country.ⁱⁱⁱ

Table 2. Levels of Confidence in Law Enforcement and Security Institutions in Mexico: 2014, 2015

Agency	Level of Confidence: 'A lot or some'	
	2014	2015
Navy	84.4	81.6
Army	80.7	77.6
Federal Police	57.5	56.2
Attorney General of the Republic	51.4	49.2
Judges	47.4	46.2
State Police	44.1	42.5
Federal Judicial Police (Policia ministerial o Judicial)	42.5	42.4
Agents of the Federal Attorney General (Ministerio Publico y Procuradurias)	41.9	41.5
Municipal Police	37.5	36.0
Transit Police	33.5	31.3

Source: INEGI, ENVIPE

Table 3. Perceptions of Corruption in Key Institutions in Mexico: 2013

INSTITUTIONS	% Who Believe It is Corrupt
Political Parties	91
The Police	90
Public Officials	87
Parliament/Legislature	83
The Judiciary	80
The Media	55
Education	51
NGOs	43
Church	43
Business	43
Military	42
Medical & Health Svcs	42

Source: Global Corruption Barometer, 2013

The need to improve the capability and effectiveness of Mexico's police agencies has been evident for many years and, as the data above highlights, could not be more pressing. Over the past twenty years, successive Mexican administrations have sought to create more professional, modern, and well-equipped police forces.^{iv} Reform efforts, mostly at the Federal level, have brought positive change for police agencies in some areas, including addressing "systemic problems found in the function and organization of police agencies," and strengthening the capability of law enforcement by improving work conditions, pay, equipment, and training.^v Yet significant problems and challenges persist, including "proper checks and balances to ensure accountability and fairness."^{vi}

The bar for Mexican law enforcement was raised significantly by the passage in 2008 of a series of constitutional and legislative reforms intended to make the justice system more effective, efficient, and transparent. Changes entail transforming Mexico's legal system to an adversarial judicial model in which the prosecution and defense present competing evidence and arguments in open court.^{vii} Since the reform required all states to complete the transition towards the new system within 8 years of its passing, 2016 will be a key year.

The modifications have important implications for policing. They will introduce the principle of contradiction at criminal trials (which will be accusatory and oral), rights for the defendant, and greater due process that will provide a needed check on law enforcement agencies. In the face of a stronger, more empowered legal defense for criminal defendants, standards for proper evidence gathering and presentation of criminal cases will necessarily increase.^{viii}

Body-worn camera programs offer a means to improve police capabilities in these very areas, not only through actual use on the beat, but also through police training initiatives. Additionally, by documenting encounters between police and the public, body cameras can also be used to investigate and resolve complaints about officer-involved incidents.^{ix}

Technology Is Helping Bridge the Citizen/Police Gap

Technological innovations have always had a profound effect on policing, with tremendous power to work both for and against policing practice and public safety.^x Today, it is imperative that police departments leverage a range of new technologies to work more efficiently, effectively, and transparently in fulfilling their mission. From big data detection systems to crime mapping software and crowd sourcing apps, law

enforcement agencies around the world are integrating new technologies in their day-to-day activities.^{xi}

Body-worn cameras are one of the most noteworthy tech innovations to be introduced in the law enforcement field. The devices, which attach to an officer's clothing, helmet, or sunglasses, offer a way to capture police interactions with the public; investigate officer-involved incidents; produce evidence; and address issues of agency performance, accountability, and transparency.^{xii}

The promise of body-worn cameras in policing, and indeed throughout the entire criminal justice system, is considerable. Perhaps their greatest potential is to aid in "building trust and nurturing legitimacy on both sides of the police/citizen divide; the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve."^{xiii}

Although the predominant use of body-worn cameras to date has been in developed nations, their utility is also being evaluated in a number of low- and middle-income countries. In Jamaica, the devices were introduced last year in an effort to improve the collection of evidence of criminal activity, increase transparency of police-public interactions, and build trust in the nation's law enforcement institutions.^{xiv} Traffic police in India have been using body cameras to record their movements and interactions with those who violate traffic rules, and indications are that the presence of a body camera positively influences behaviors on both sides of the device.^{xv} Pilot projects are also underway in South Africa and Brazil, two countries that researchers expect to offer insight into the effectiveness of the devices in countries characterized by high rates of violence, a culture of disobedience to the laws, and significant distrust of the police.^{xvi}

International Testing of Body-Worn Cameras: What Has Been Learned

The use of technology can improve policing practices and help build community trust and police legitimacy in the eyes of the public. But law enforcement agencies face major challenges in "determining the effects of implementing various technologies; identifying costs and benefits; examining unintended consequences; and exploring the best practices by which technology can be evaluated, acquired, maintained and managed."^{xvii}

The number of empirical studies assessing the use of body-worn cameras by law enforcement is small, but growing. The first full scientific study of the devices was released in 2013, based on a pilot program testing cameras provided by one of the

leading brands, Taser International, in Rialto, California.^{xviii} In it, researchers from the University of Cambridge's Institute of Criminology reported a dramatic reduction (59%) in the use-of-force by police equipped with body-worn cameras and an even more significant impact (87% drop) on citizen aggression toward officers. Another benefit was seen as the ability of camera footage to facilitate efficient resolution of citizen complaints and lower the overall number of complaints against police.

The results of the Rialto trial were highly suggestive and led the researchers to conclude that the benefits of using the cameras outweighed the costs, although they underscored the need for further research and additional trials. Over the past two years, several high-profile cases of police misconduct in the United States have drawn attention to the capabilities of body-worn cameras (as documented in the Rialto study) and prompted a growing public demand for their adoption as a means of promoting greater police transparency and accountability.

In late 2014, in an effort to help U.S. law enforcement agencies understand the factors they should consider to make informed decisions regarding the adoption of body-worn cameras, the U.S. Department of Justice provided a summary of the then-existing empirical studies (five total, including the Rialto study) that have examined the implementation and impact of the devices.^{xix} The report found that while the evidence is not definitive, there would appear to be major benefits derived from instituting a body-worn camera program.^{xx}

The perceived benefits of officer body-worn cameras were identified in that report as:^{xxi}

- Increased transparency and police legitimacy;
- Improved police officer behavior;
- Improved citizen behavior;
- Expedited resolution of complaints and lawsuits;
- Improved evidence for arrest and prosecution;
- Opportunities for police training.

The report also identified certain costs and concerns, including privacy considerations of both officers and the public, and training, logistical, and resource requirements.

November 2015 saw the release of results from a year-long trial of body cameras in London.^{xxii} The study, jointly commissioned by the Mayor's Office for Policing and Crime and the College of Policing, found that the cameras cut allegations against the police

by 33%. Based on the trial's success, the London Metropolitan Police Service decided to equip all frontline officers with body cameras.^{xxiii}

The public attitude survey associated with the London study was also revealing, indicating that the city's residents strongly support the police's use of body cameras and that their opinions of the technology are positively associated with their views of how 'procedurally just' the police are and their confidence in law enforcement.^{xxiv} The study's secondary outcome analysis also revealed that officers reported a range of innovative use of body cameras, including: professional development (footage is studied in team briefing sessions and practical examples of good practice are reviewed); use of intelligence (e.g. footage obtained at a crime scene aided a gang prevention task force's intelligence gathering); and sharing quick-time information with partners (e.g. the coroner) and the public (e.g. community monitoring groups).^{xxv}

Body Cameras and Mexico: What the Evidence Suggests

It is worth pointing out that of the studies on body-worn cameras to date,^{xxvi} none were conducted in settings that fully reflect the realities of policing in Mexico. The results of a study currently being conducted in the Rocinha neighborhood of Rio de Janeiro, Brazil, may provide evidence more directly relatable to Mexico, especially in terms of whether the devices are effective in reducing police corruption and improving citizens' trust in the police.^{xxvii}

As the researchers for the Rocinha study note: "the use of police body-worn cameras has not been systematically evaluated in countries where there is a culture of disobedience to the laws."^{xxviii} It merits watching the Brazil study's examination of whether the use of body-worn cameras to record interactions between officers and residents can be "a step in the right direction to constrain police misbehavior and build trust among the community."^{xxix}

For law enforcement in Mexico, each of the areas of potential benefit documented in the various studies reviewed for this paper presents a compelling reason to test the use of body-worn cameras.^{xxx} Yet three takeaways seem particularly relevant. First, body cameras can help cultivate public trust in the police. The mere presence of a camera on an officer's uniform is said to offer a highly visible demonstration of law enforcement's commitment to transparency and convey that officers aim to act in a fair and just manner when interacting with citizens.^{xxxi} Given the pervasive lack of public trust in Mexico's police, the implementation of a pilot program that has clear parameters and

has been well-communicated to the public would appear to offer a rare opportunity to begin to cultivate that trust.

Second, body cameras improve police accountability. By providing a visual record of what occurs during a police encounter, body cameras can aid in confirming or disproving officer denials of wrongdoing (e.g. excessive use of force or the solicitation of bribes, to name two examples) as well as citizen accusations of police abuse or misconduct.^{xxxii} Mexico's decades-long history of police impunity and corruption presents serious challenges to the country's future: economically, politically, and democratically. While body cameras are not a panacea for all that ails Mexican society, their benefits can prove significant in helping civilize behaviors on both sides of the camera.

Third, video evidence obtained through the use of body-worn cameras represents a potentially significant contribution to the country's ongoing judicial reform process. Video records of police encounters can provide evidence that is more accurate and impartial than the alternative (eyewitness accounts or other testimony).^{xxxiii} As Mexico continues to implement oral trials, these "evidentiary benefits" could aid in establishing the legitimacy of aspects of the new criminal justice system.

Developing Body Camera Pilot Programs in Mexico: Key Issues

Pilot programs and studies have helped identify several issues critical to the development of any body-worn camera policy. The stance a police department takes on these issues, experts note, tend to reflect the entity's wider perspective on public safety, care for the rights and safety of officers, and protecting civil liberties.^{xxxiv} Issues that merit consideration by Mexican law enforcement agencies as they develop policies and programs for the use of body-worn cameras, include:^{xxxv}

- Rules governing camera use (activation) and officer discretion regarding when to record;
- Protocols concerning how and when officers notify the public that cameras are in use and recording is underway (which may encourage compliance with officers' orders and calm potentially volatile encounters);
- Internal controls and safeguards for compliance to ensure that policies are followed properly and consistently (audits, quality assurance reviews and discipline are all important elements for consideration);
- Policies governing access to video footage by officers and the public;

- Guidelines and procedures for retention and purging of body-worn camera video as well as for the management of the video / data ecosystem created with the use of other technologies (CCTV, dashboard cameras).

In addition, citizen and community engagement policies will be especially important as body-worn camera programs begin to appear in Mexico.^{xxxvi} Very few Mexicans have seen improvements in their day-to-day sense of security over the past decade. The lack of public confidence in law enforcement authorities and the criminal justice system demands a thoughtful approach to community engagement as body camera programs are implemented in the country. A deliberate and sustained effort to promote public understanding, buy-in, and potentially even oversight of the police use of the devices in Mexico will be critical to the short- and long-term goals of these programs.

Conclusion

Mexico's need to create an effective police force operating within the confines of the law is irrefutable.^{xxxvii} Also beyond doubt is the challenge, difficulty, and time this effort requires; not only because "police reform is the single most difficult reform a country can undertake,"^{xxxviii} but also because of "the embeddedness of criminal organizations in everyday life and the failure to provide public safety due to corruption."^{xxxix} The introduction of body-worn cameras presents an opportunity for Mexico's police to engage in a more transparent and proactive way with the community, to begin working in a positive manner to establish trust and legitimacy, and to strengthen efforts to build the rule of law in the country.

ⁱ Latinobarómetro, Informe 1995-2015. Accessed at www.latinobarometro.org

ⁱⁱ INEGI, ENVIPE, op.cit., p. 47; and global corruption barometer, 2013

ⁱⁱⁱ Olson, Shirk, Wood, op.cit., p. 2.

^{iv} Meyer, Maureen. "Mexico's Police: Many Reforms, Little Progress." Washington Office On Latin America, May 2014, p. 1., Accessed at: http://www.wola.org/publications/new_wola_report_on_mexicos_police_forces

^v Donnelly, Robert and David A. Shirk, op. cit., p. 26.

^{vi} Ibid., p. 26.

^{vii} Meyer, Maureen, op.cit., p. 6.; and, Testimony of Maureen Meyer before the United States Congress, May 10, 2012. n.p. Accessed at: http://tlhrc.house.gov/docs/transcripts/2012_5_10_Human_Rights_In_Mexico/MMeyer%20testimony%20TLHRC.pdf.

^{viii} Donnelley and Shirk., op.cit., p. 21.

^{ix} President's Task Force on 21st Century Policing, op.cit., p. 31.

^x James Byrne and Gary Marx, n.d. "Technological Innovations in Crime Prevention and Policing. A review of Research on Implementation and Impact," Accessed at: <https://www.ncjrs.gov/pdffiles1/nij/238011.pdf>

^{xi} Numerous sources explore and provide insight into police testing and use of new technologies. Selected articles include: Muggah, Robert. "Why Police Body Cameras are Taking Off, Even After Eric Garner's Death." IPI Global

Observatory, December 11, 2014. Accessed at: <http://theglobalobservatory.org/2014/12/police-body-cameras-eric-garner/>; “Wilson, Sara E. “Cops Increasingly Use Social Media to Connect, Crowdfund.” GovTech, May 5, 2015. Accessed at <http://www.govtech.com/social/Cops-Increasingly-Use-Social-Media-to-Connect-Crowdfund.html>; Booth, Liza. “Can Technology Catch Criminals in Brazil?” ZDNet, May 16, 2014. Accessed at: <http://www.zdnet.com/article/can-technology-catch-criminals-in-brazil/>; and, Moraff, Christopher. “8 Ways American Policing Could Change This Year.” Next City, January 2, 2015. Accessed at: <https://nextcity.org/daily/entry/police-technology-changes-2015>.

^{xii} Miller, Lindsay, Jessica Toliver and Police Executive Research Forum (PERF), *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Office of Community Oriented Policing Services, 2014., p. 92.

Summarized and accessed at: http://cops.usdoj.gov/html/dispatch/10-2014/body_worn_camera_program.asp.

^{xiii} President’s Task Force on 21st Century Policing. 2015. *Final Report of the President’s Task Force on 21st Century Policing*. Office of Community Oriented Policing Services., p. 1. Accessed at: <http://www.cops.usdoj.gov/policingtaskforce>.

^{xiv} Dunkley-Willis, Alicia. “Police to Wear Recording Devices in Move to Ensure Transparency,” Jamaica Observer, January 24, 2014. Accessed at: http://www.jamaicaobserver.com/news/Camera-on-cops_15865569

^{xv} “Hyderabad Cops Get Body Worn Cameras,” The New Indian Express. August 15, 2015. Accessed at: <http://www.newindianexpress.com/cities/hyderabad/Hyderabad-Cops-Get-Body-Worn-Cameras/2015/08/15/article2974981.ece> and; Sharma, Mohit. “Delhi Traffic Cops Will Soon Wear Body Cameras.” Hindustan Times, May 15, 2015. Accessed at: <http://www.hindustantimes.com/newdelhi/delhi-traffic-cops-will-soon-wear-body-cameras-to-record-conversations-traffic-violations/article1-1347023.aspx>

^{xvi} “South Africa and Brazil to Try Smart Policing.” ENCA, February 26, 2015. Accessed at: <http://www.enca.com/south-africa/sa-and-brazil-try-smart-policing>; and, “Randomized Control Evaluation of Body-Worn Cameras.” Stanford, Freeman Spogli Institute for International Studies.

<http://fsi.stanford.edu/research/randomized-control-evaluation-use-body-worn-cameras>

^{xvii} *Ibid.*, p. 31.

^{xviii} University of Cambridge. “First Scientific Report Shows Police Body-Worn-Cameras Can Prevent Unacceptable Use-of-Force,” December 23, 2014. Accessed at: <http://www.cam.ac.uk/research/news/first-scientific-report-shows-police-body-worn-cameras-can-prevent-unacceptable-use-of-force>; Also, for a presentation summary of the study, see: “The Rialto Police Department’s Body-Worn Video Camera Experiment: Operation ‘Candid Camera’.”, April 29, 2013. Accessed at:

http://ccjs.umd.edu/sites/ccjs.umd.edu/files/Wearable_Cameras_Capitol_Hill_Final_Presentation_Jerry_Lee_Symposium_2013.pdf; The full study can be accessed here: <http://www.policefoundation.org/publication/self-awareness-to-being-watched-and-socially-desirable-behavior-a-field-experiment-on-the-effect-of-body-worn-cameras-on-police-use-of-force/>

^{xix} White, Michael D., *Police Officer Body-Worn Cameras: Assessing the Evidence*. (Washington, DC: Office of Community Oriented Policing Services, 2014), p. 5. Accessed at: www.cops.usdoj.gov.

^{xx} *Ibid.*, p. 39

^{xxi} *Ibid.*, p 6-7. Also see: Miller, Toliver, and PERF, *op.cit.*

^{xxii} College of Policing Limited and Mayor’s Office for Policing and Crime (MOPAC). *Police, Camera, Evidence: London’s cluster randomized controlled trial of Body Worn Video*, November 2015. Accessed at: <http://whatworks.college.police.uk/Research/Pages/Published.aspx>

^{xxiii} The cameras tested were the TASER Axon body-worn cameras. The London acquisition makes the Axon platform the most widely used body camera and digital evidence management solution in law enforcement, according to the company. “Taser Wins Major Bid to Outfit 22,000 London Metropolitan Police Officers with Axon Body Cameras.”, November 24, 2015. Accessed at: <https://www.taser.com/blog/posts/london-metropolitan-police-service-selects-taser>

^{xxiv} College of Policing Limited, *op.cit.*, p. 24.

^{xxv} *Ibid.*, p. 25-26.

^{xxvi} Plymouth, England; Renfrewshire/Aberdeen, Scotland; Rialto, California; Mesa, Arizona; Phoenix, Arizona were the five studies included in the study by Michael White, for the US Department of Justice (COPS).

^{xxvii} “Randomized Control Evaluation of Body-Worn Cameras.” Stanford, FSI, op.cit.

^{xxviii} *ibid.*

^{xxix} *ibid.*

^{xxx} Mexico’s armed forces have announced the intention of using bodycams to record certain special ops. related to the fight against drug cartels in remote areas, starting in 2016. Accessed at:

http://www.milenio.com/policia/Ejercito_videograbara_operativos-equipo_de_video_para_Ejercito-grabar_operaciones_0_616738357.html. The city of Tijuana has also announced a pilot program with bodycams, although no policies or protocols about their use have been announced. Accessed at:

<http://america.aljazeera.com/watch/shows/live-news/2015/8/police-in-tijuana-now-outfitted-with-body-cameras.html>. Mexico City case: <http://www.sdpnoticias.com/local/ciudad-de-mexico/2015/12/10/policias-capitalinos-portaran-camaras-en-sus-uniformes>

^{xxxi} La Vigne, Nancy., Moderator. “Evaluating the Impact of Police Body Cameras.” Urban Institute, Policy Debates, August 5, 2015. Accessed at: <http://www.urban.org/debates/evaluating-impact-police-body-cameras>; and Kaste, Martin. “Can Cop-worn Cameras Restore Faith in New Orleans Police?” NPR, May 22, 2014. Accessed at: <http://www.npr.org/sections/alltechconsidered/2014/05/22/314912840/can-cop-worn-cameras-restore-faith-in-new-orleans-police>

^{xxxii} Blitz, Marc Jonathan. “Police Body-Worn Cameras: Evidentiary Benefits and Privacy Threats.” American Constitution Society for Law and Policy, Issue Brief, May 2015., p. 1.

^{xxxiii} *ibid.*, p. 2.

^{xxxiv} Body-Worn Cameras in NYC: An Assessment of NYPD’s Pilot Program and Recommendations to Promote Accountability. July 2015. Accessed at: <http://www.nyc.gov/html/oignypd/assets/downloads/pdf/nypd-body-camera-report.pdf>.

^{xxxv} Points gleaned from various studies and reports, including: Miller, Toliver and PERF, op.cit.; President’s Task Force on 21st Century Policing, op.cit.; White, op.cit.; and, Body-Worn Cameras in NYCC, op.cit.

^{xxxvi} For insight into the interactions on security issues between Mexican civil society and the various levels of government in four cities see: Dudley, Steven and Sandra Rodríguez Nieto, “Civil Society, the Government, and the Development of Citizen Security,” in *Building Resilient Communities in Mexico: Civic Responses to Crime and Violence*. op. cit.; An argument for greater direct citizen oversight of the police is made by: Sabet, Daniel M. “Co-Production and Oversight: Citizens and Their Police,” also in *Building Resilient Communities in Mexico: Civic Responses to Crime and Violence.*, op.cit.

^{xxxvii} The high-stakes for the country entailed in police reform are discussed by many experts, including: Sabet, Daniel. “Police Reform in Mexico: Advances and Persistent Obstacles.” Accessed at: <https://www.wilsoncenter.org/sites/default/files/Chapter%208-Police%20Reform%20in%20Mexico,%20Advances%20and%20Persistent%20Obstacles.pdf>; Magaloni, Díaz Cayeros and Romero, op.cit.; Bailey, op.cit. and Chapter 7 accessed at: <https://noticide.files.wordpress.com/2013/06/capc3adtulo-john-bailey-libro-the-politics-of-crime-in-mexico-13-junio-2013.pdf>; and Felbab-Brown, Vanda. “Changing the Game or Dropping the Ball? Mexico’s Security and Anti-Crime Strategy Under President Enrique Peña Nieto.” Brookings Institution, Latin America Initiative., November 2014.

^{xxxviii} This statement was made by Vanda Felbab-Brown as a panelist for an event at the Woodrow Wilson Center to discuss John Bailey’s then-new book *The Politics of Crime in Mexico: Democratic Governance in a Security Trap* on April 16, 2014. Webcast Recap accessed at: <https://www.wilsoncenter.org/event/the-politics-crime-mexico-democratic-governance-security-trap>. Also see Felbab-Brown, V. Changing the Game or Dropping the Ball, op.cit., p. 6.

^{xxxix} Díaz-Cayeros, Alberto, Beatriz Magaloni, and Vidal Romero., op.cit., p. 6.