

MAINE STATE LEGISLATURE

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BODY-WORN CAMERAS AND LAW ENFORCEMENT IN MAINE:

A study of best practices and current use

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EXECUTIVE SUMMARY



Body-Worn Cameras: An increasingly accepted tool for law enforcement agencies

In the immediate aftermath of George Floyd's killing four years ago, many people campaigned for police reform to hold law enforcement more accountable for their actions. At the same time, many law enforcement supporters pushed back, maintaining that in the midst of the pandemic and surge in crime that followed, a more robust law enforcement presence was needed. In response to the demand for greater accountability, various legislative and policy proposals were put forth. Most notably, in June 2020, the George Floyd Justice in Policing Act, H.R. 7120, was introduced in the U.S. House of Representatives. The bill would have held law enforcement officers accountable for misconduct in court, improved transparency through data collection, and reformed police training and policies. It would have required federal uniformed officers to wear body-worn cameras (BWCs) and would have required state and local law enforcement to use existing federal funds to ensure the use of those cameras.

While this legislation passed the House in both the 116th and 117th Congress, it failed to gain passage in the Senate each time and was not enacted. Despite this failure, among police reform initiatives, the use of body-worn cameras has received the most widespread bipartisan support (Kull et al., 2020). While some reformers would like to quicken the pace, the adoption of BWCs by local, state, and federal law enforcement agencies continues to increase. Here in Maine, local, state, and federal funding has enabled agencies to purchase BWCs and implement their use.

Today, when high-profile events occur, there is often both an expectation that video footage exists and public pressure on law enforcement officials to release that footage. Civilians view the mere presence of a body-worn camera as the most important tool in the evaluation of allegations of use of force in police-civilian encounters (Wright, 2023). However, citizen access to BWC video depends on location. Each state has its own public records law that determines when and how the public may have access to BWC footage. Some states, like Maine, have not addressed BWC footage specifically. Therefore, the laws governing the release of BWC footage in Maine are aligned with existing public record laws and exemptions that are open to interpretation.

Purpose

In late 2023, at the request of the Attorney General of Maine, the Maine Statistical Analysis Center (SAC) of the Catherine Cutler Institute at the University of Southern Maine initiated this study of the use of body-worn cameras (BWC) by law enforcement officers in Maine. This inquiry is a follow-up to a 2021 study and report, also requested by the Attorney General and conducted by researchers at the Maine SAC. The intent of the current study is to explore updates in nationally recognized best practices and gather current information on BWC use, policies, costs, and trends in Maine.

This report includes highlights from the latest research on BWCs, a snapshot of the adoption of BWCs by Maine law enforcement agencies, and an analysis of the policies that have been formulated in response to their adoption.

Key Findings

Literature

This study is an in-depth look at BWCs and how they are being deployed in the state. This review of the literature has shown that the field of BWCs is expanding rapidly. Every year, more departments across the country acquire BWCs, furthering the need for study of this use of technology and implementation of policy. The literature has produced some findings on the effects of BWCs, particularly on the use of force, but there is much more research to be done to understand the complex ways that BWCs may affect policing. Several key findings from the literature review detailed in this report include:

- In 2020, a nationally representative survey from BJS found that 61.8% of local police departments (Goodison & Brooks, 2023) and 64.6% of sheriffs' offices used BWCs (Brooks, 2023), a substantial expansion for both agency types from prior respective usage of 45.1% and 43.7% in 2016 (Hyland, 2018).
- The BWC Training and Technical Assistance (TTA) Directory concludes from 44 studies that officers have generally positive attitudes about the impact of BWCs on evidence quality, citizen complaints, policy-community relations, and the ease of BWC operation (Gaub et al., 2023).

- The 30 studies included in the BWC TTA Citizen Perceptions Directory reveal that the public is supportive of BWCs, perceiving them to have evidentiary value, reduce citizen complaints and police use of force, and improve police-community relations (Gaub et al., 2023).
- A study published in 2021 suggests potential benefits of BWCs, including reduced use of force, and the corresponding cost-benefit analysis concluded the monetary benefits of BWCs outweigh the costs at a ratio of 5:1 (Williams et al., 2021).
- By 2021, 23 states had enacted legislation governing public access to BWC footage (Body Worn Camera Laws Database, 2021), and more have almost certainly followed.
- A 2023 Police Executive Research Forum (PERF) review of 127 departmental BWC policies found that only 14% “specifically referred to the release of BWC video footage pursuant to critical incidents” (“Body-Worn Cameras A Decade Later,” 2023). The fact that 16 of the 34 BWC-related bills proposed in 2023 specifically reference footage disclosure suggests that states are retroactively amending inattention to this issue, presumably in response to public feedback (Legislative Responses for Policing-State Bill Tracking Database, 2024).
- Data storage and security were listed as concerns by nearly all departments (97%) during the planning phase, and these concerns persisted after BWC implementation (92%). Long-term data storage costs presented a challenge for both planning and implementation (Gaub, 2017).

As for Maine BWC policy, many departments with BWCs use the Maine Chiefs of Police Association (MCOPA) model policy. This policy has not been updated in several years and may need some revisions to keep up with the latest evidence-based practices.

Survey on BWC Use Among Maine Law Enforcement Agencies

The research team conducted a comprehensive survey of all Maine law enforcement agencies on the use of BWCs and adoption of policy, in which 77% of all Maine law enforcement agencies responded. Some of the findings from the survey, detailed further in the report, include:

BWC programs. As of January 2024, 70% of respondents reported that their agencies use BWCs, 21% reported that they did not use BWCs but were considering using them in the future, and 8% said they were neither using nor considering them. Just three years ago, not even half (48%) were using BWCs, only a quarter (25%) were considering them, and 27% were neither using nor considering them. Nearly half (47%) reported using BWCs for three years or less, 24% reported using them for four to six years, and 29% reported using them for more than seven years.

Cost. Nearly two-thirds of respondents (65%) reported associated costs of \$10,000 or less annually. Costs associated with *training, upgrades, and staff time* were aligned with expectations for 86%, 75%, and 72% of agencies, respectively. Costs associated with *ongoing service costs* (e.g., software updates or technical support), *cloud storage costs*, and *hardware costs* exceeded expectations for 48%, 42%, and 41% of agencies, respectively. **Potential benefits.** Maine law enforcement agency leaders with BWCs reported a number of benefits of BWCs, including

accountability and transparency when perceived misconduct (93%), impact on complaints filed (84%), trust and perception by constituency (77%), and impact on use of force incidents (77%).

Data retention. Sixty-three percent (63%) reported using *cloud-based storage* to store video footage, 35% reported storing on a *hard drive*, and 26% stored on an *internal server*. The length of time video is stored appears quite inconsistent across agencies: 20% store footage for up to one year, 23% for over one year, and 57% indicated that the length of time stored varies.

Complaints against officers. Nearly one-quarter of agencies (24%) reported zero complaints against officers, and two-thirds (66%) reported between one and six complaints; the remaining 10% reported seven or more complaints.

Policy adoption. Of the 75 agencies using BWCs who responded to the 2024 survey, 99% reported having a BWC policy in place, and 70% of those with a policy indicated that it was publicly available.

“AS OF JANUARY 2024, 70% OF RESPONDENTS REPORTED THAT THEIR AGENCIES USE BWCs... JUST THREE YEARS AGO, NOT EVEN HALF (48%) WERE USING BWCs.”

Recommendations

Based on the research literature, interviews with Maine stakeholders, and findings from multiple statewide surveys of Maine law enforcement agencies, the research team offers the following three recommendations to the Maine Attorney General and stakeholders. A more detailed explanation of the study, findings, and recommendations are found within the report.

1. **Support flexibility and autonomy at the local level by allowing law enforcement agencies to develop their own body-worn camera (BWC) programs to meet their local needs and their municipal, county, and state budgets.**

A state mandate that all law enforcement agencies adopt BWC programs is not recommended.¹ The cost of such an unfunded mandate would be too burdensome. However, BWCs have become the norm in Maine, and it is likely that more Maine departments will continue to adopt them at their own pace, so some statewide guidance would be useful.

¹ SPO198, [LD 636](#), item 2 -The current study is a byproduct of proposed legislation that would have required Maine law enforcement officers to wear body cameras and that their use must be consistent with model policies and procedures developed by the Board of Trustees of the Maine Criminal Justice Academy. The legislation was amended to resolve a study of the use of body cameras instead.

2. Promote use of federal funding assistance to Maine law enforcement agencies to establish and maintain BWC capacity.

The U.S. Department of Justice Bureau of Justice Assistance (BJA) provides federal funding to local, county, tribal, and state law enforcement agencies to obtain BWC equipment and implement their use. The [BJA Small, Rural, Tribal BWC Program micro-grants](#) are designed for agencies with 50 or fewer sworn officers. Other BJA funding is available for larger agencies. In addition to funding, the grants provide technical assistance and ongoing resources in key topic areas, such as policy, technology, privacy, training, evaluation, and stakeholder involvement.

3. Establish minimum standards for BWC policy and training.

Establishing oversight of BWC policy and minimum standards of key components is important to ensure continued success of BWC programs in Maine. Occasional BWC policy and training updates are required to keep up with changing technology and legislative requirements. This ongoing oversight should balance the interests of the public while also promoting best use of technology and highest performance of law enforcement agencies.

INTRODUCTION

In late 2023, at the request of the Attorney General of Maine, the Maine Statistical Analysis Center (SAC) of the Catherine Cutler Institute at the University of Southern Maine initiated this study of the use of body-worn cameras (BWCs) by law enforcement officers in Maine.



This inquiry is a follow-up to a 2021 study and report, also requested by the Attorney General and conducted by the Maine SAC research team. The intent of the current study is to explore updates in nationally recognized best practices and gather current information on BWC use, policies, costs, and trends in Maine.

Among police reform initiatives, the use of body-worn cameras has received the most widespread bipartisan support (Kull et al., 2020). BWC use has expanded nationwide, and when high-profile events occur, there is often both an expectation that video footage exists and public pressure on law enforcement officials to release that footage. Civilians view the mere presence of a body-worn camera as the most important tool in the evaluation of allegations of use of force in police-civilian encounters (Wright, 2023).

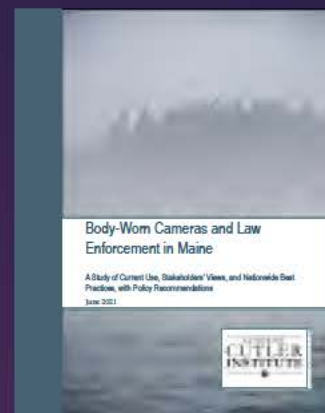
Body-worn camera video continues to be a pressing issue of national focus; however, citizen access to BWC video depends on location. Each state has its own public records law that determines when and how the public may have access to BWC footage. Some states, like Maine, have not addressed BWC footage specifically. Therefore, the laws governing the release of BWC footage in Maine are aligned with existing public record laws and exemptions that are open to interpretation.

Addressing the disparities that result from this interpretation has become more important as the use of BWCs has increased. In Maine, BWC use is now the norm among law enforcement agencies. A 2017 survey of law enforcement agencies found that 40% were using BWCs, along with 71% that were using Dashcams (Office of the Maine Attorney General, 2017). In 2019 there was proposed legislation that would have required all officers in Maine to wear BWCs, LD 636, An Act to Require Law Enforcement Officers to Wear Body Cameras.² Even though that legislation did not pass, use of BWCs in Maine has steadily increased. As of January 2021, nearly half (48%) of responding departments indicated they had BWCs (Grey et al., 2021), and in the current study, 70% of respondents had BWCs.

Survey analysis revealed BWCs have been well received by law enforcement leaders and their constituents. In the 2021 BWC law enforcement survey, 89% of leaders indicated a positive or very positive benefit of BWC footage when there is perceived misconduct, and 75% indicated a positive or very positive benefit of trust and perception by their constituencies (Grey et al., 2021).

While BWCs are viewed as beneficial for increased accountability and transparency here in Maine, there are some areas of BWC policy, practice, and cost that require further inquiry.

This report includes highlights from the latest national research and best practices, a review of key themes shared by stakeholders in the earlier study, and results from the most recent statewide survey of law enforcement leaders, with comparison to the 2021 survey. The report concludes with recommendations for the Office of the Attorney General and other stakeholders.



The 2021 Body-Worn Cameras and Law Enforcement in Maine report can be found on the Maine Statistical Analysis Center's website.

<https://mainesac.org>

² 129th Maine Legislature, Second Special Session, 2019, An Act to Require Law Enforcement Officers to Wear Body Cameras.

METHODOLOGY AND LIMITATIONS



Methodology

The current survey (see Appendix A) was adapted from a survey developed in 2020 by Catherine Cutler Institute staff in cooperation with the Maine Office of the Attorney General. Nearly all the questions in the current survey remained the same as the 2020/2021 survey to facilitate comparisons between the two. Notable changes include the deletion of a couple of questions, the replacement of a general question with two specific ones, and updated response options. Once finalized, the survey comprised 40 questions, which the Institute's Survey Research Center (SRC) staff loaded into Qualtrics, an online survey platform.

To distribute the survey, SRC staff obtained a contact list of all Maine law enforcement chiefs/ sheriffs from the Maine Office of the Attorney General. In early December 2023, SRC staff sent an introductory email announcement from the Maine Office of the Attorney General to each of these potential respondents (n=138). Ten of these emails bounced, and 20 recipients opted out of any further communications, leaving 108 valid eligible email addresses. Roughly five days later, SRC staff sent the survey link to these eligible addresses, followed by two additional reminders.

After the survey was deployed, the research team discovered that several agency emails needed updating. SRC staff updated these addresses along with addresses for the 10 that bounced originally and sent out a separate distribution to include these agencies, followed by reminders. Any chiefs/sheriffs who had not responded by late December 2023 or early January 2024 received one or two phone call reminders from SRC staff, encouraging them to complete the survey.

In mid-January 2024, the SRC closed the survey. In total, 107 of the 138 agencies completed the survey, for a response rate of 77%. While this is an excellent response rate, it was lower than the rate obtained from the previous study (94%). The current survey took participants an average (median) of 23 minutes to complete, and 92% (n=98) of those who started the survey completed it entirely. The remaining 8% completed enough of the survey (38% to 96%) that their responses were retained and included when possible.

Survey response data was downloaded from Qualtrics and analyzed with SPSS software. When possible, the findings from this survey were compared to the findings of the 2021 survey, as summarized below. In some instances, the comparison was a matched comparison, including only those agencies represented in both datasets (n=100). In other instances, the comparison included all responses, regardless of matching. In either case, care was taken to be explicit about the type of comparison made when discussing results.

This research study was approved by the University of Southern Maine's Institutional Review Board.

Limitations

The current report has the advantage of summarizing a revised survey, and it benefits from the hindsight gained from the first iteration of the survey. For example, in 2021 survey respondents who reported having BWCs were asked additional questions regarding number of use of force incidents and number of complaints filed against officers, but this line of questioning was not pursued for those who reported that their agency did not have BWCs, which limited the use of comparative analysis between agencies with and without BWC programs. In the current survey, these questions were asked of everyone, making such analysis possible.

There are other questions, however, that were not revised for the current survey but should be considered for revision in any future surveys. These are questions that seemed clear initially, but analysis of the current survey data suggested otherwise, either because the findings were unexpected or unexplainable or because there was apparent inconsistency in respondents' responses to related questions. These instances are addressed in the sections in which they occur.

The current project was also limited by scope. For instance, it might have been instructive had the authors been able to compare and contrast responses between agencies that added BWCs during the past three years and those with longer experience using the technology. This level of analysis was not included in the scope of work but should be considered for future research.

The project was also limited in terms of providing comparisons between this year's findings and findings from the earlier survey. Respondents in both cases were high-ranking law enforcement officials reporting on behalf of their agencies, and a high proportion (38%) of the agencies experienced turnover in leadership from 2021 to 2024. In these cases, where agencies completed both surveys, respondents within the same agency may have answered their respective surveys differently due not to actual changes in the agency, but due to new personnel's understanding of the topic.

In 2021, budgetary constraints limited the researchers' ability to conduct interviews with additional stakeholders, such as lower ranking law enforcement officers, members of civilian oversight boards, and crime victim advocates. Budgetary constraints in the 2024 study prevented researchers from conducting any stakeholder interviews. Given the rapidly evolving use of BWCs and the ability to obtain nuanced information from this type of research method, it would have been beneficial had researchers been able to do so this year.

Future research may seek the perspectives of lower ranking law enforcement officers regarding the use, implementation, and impact of BWC programming. It might also seek to parse the operational costs of BWC programming out into specific domains such as cost of initial base equipment, initial training, refresher trainings, storage and retention, and requests for release of footage. Given the financial constraints of adopting a BWC program for rural law enforcement agencies, additional study to ascertain how departments can pay for such a program would be constructive. Lastly, a future study involving an in-depth analysis of various BWC policies in use by various law enforcement agencies would shed more insight on which policy components should be replicated.

LITERATURE REVIEW

This review summarizes the existing literature on BWCs and BWC policy.



The following sections include a description of state and departmental BWC policies, their components, and their potential effects upon implementation. The review also includes a detailed exploration of two contentious policy debates and a comprehensive analysis of current Maine BWC policy. The review will conclude with a summarized analysis of the literature and its implications for body-worn cameras in the state of Maine.

01 Policy Component and Adoption

Body-worn camera legislation and policy are foundational components of any BWC initiative and critical determinants of a program's success. This section will examine state BWC laws, BWC policy components, the factors that precipitate policy adoption, and departmental training for officers regarding policy compliance.

1.1 Existing State Laws


With the proliferation of BWC programs across the country in recent years, state legislation has tried to keep pace. Data maintained by the National Conference of State Legislatures (NCSL) (Body-Worn Camera Laws Database, 2021) reveals that, as of April 2021:³

1. Thirteen states and the District of Columbia (D.C.) had “legislated funding opportunities” to support the implementation and operation of body camera programs in local and state law enforcement departments;
2. Nineteen states and D.C. required law enforcement departments to have a written BWC policy in order to use or receive funding for cameras;



³ The NCSL database has not been updated since April of 2021. It is one of several formerly active trackers of BWC legislation which are now defunct or have been deleted. Current BWC laws are almost certainly more expansive than the above figures show, but to what extent is impossible to determine without a systematic legislative review, which the authors of this report did not undertake.


3. Twenty-three states and D. C. addressed how open record laws apply to BWC footage;
4. Ten states and D.C. have authorized and/or created working groups to study BWCs. With this report, Maine can be added to this group as well.
5. Eight states mandate the use of BWCs by law enforcement officers: Colorado, Connecticut, Delaware, Illinois, Maryland, New Jersey, New Mexico, and South Carolina, although some states have staggered implementation to allow time to secure funding, develop policies, and train officers. Prior to May 2020, South Carolina was the only state to require all law enforcement to use BWCs.



This body of legislation is actively growing. In 2023, there were 34 bills introduced in 20 different states related to BWCs (Legislative Responses for Policing-State Bill Tracking Database, 2024). Unfortunately, publicly available BWC legislation tracking has slowed in the recent term, making it more difficult to determine the current legislative scope and direction. However, a non-systematic review of the 2023 legislation revealed that many bills targeted public footage release and officer footage review—two issues discussed below—suggesting a focus to current regulatory discourse.

1.2 Policy Components

In 2016, the Bureau of Justice Statistics (BJS) added a BWC-specific supplement to their recurring Law Enforcement Management and Administrative Statistics (LEMAS) survey, which is administered every four years to nearly 5,000 state and local law enforcement departments and illuminates national policing trends. A report examining the results of this survey supplement found the following (Hyland, 2018):

- 
- 85.9% of agencies that had acquired BWCs had a formal policy or were in the process of developing one, though the content of these policies varied greatly across departments.
 - The vast majority of policies included guidelines on specific events to record, citing traffic stops, officer-initiated citizen contacts, execution of arrests/search warrants, and firearms deployments as the most commonly included events.
 - 63.0% of agencies with BWCs reported that they received an average of 0 public requests for footage monthly or had never received one.

The BWC supplement was not repeated with the 2020 LEMAS survey, and there are no plans to renew it going forward, according to a BJS representative.

1.3 Policy and Program Adoption



In 2020, a nationally representative survey from BJS found that 61.8% of local police departments (Goodison & Brooks, 2023) and 64.6% of sheriffs' offices used BWCs (Brooks, 2023), a substantial expansion for both agency types from prior respective usage of 45.1% and 43.7% in 2016 (Hyland, 2018). Large agencies saw the greatest gain—every police department serving over 1 million constituents reported having adopted the technology—but the increase was consistent across agencies of all sizes. As researchers observe this trend, many speculate as to the factors influencing BWC acquisition.



A 2020 study published in response to this question found that the frequency of police-involved deaths of non-White civilians and subsequent protests were positively and significantly correlated with BWC adoption across 139 U.S. departments, signifying that “societal [need] to address the issue of police use of deadly force against minority residents is a critical factor for explaining BWC implementation” (Pyo, 2020b). However, another study by Pyo (2020a) suggested that certain socioeconomic and political characteristics, including low police union resistance, motivated state BWC mandates regardless of the incidence of police brutality, suggesting that “problem severity” and “public demand” do not catalyze BWC adoption in a statewide context as it does on the departmental level.

1.4 Training



Officer training is a critical part of the implementation of any BWC program. Confidence in the program from law enforcement and civilians is predicated on the ability of officers to operate the cameras easily, effectively, and in compliance with department policy. As yet, there have been no studies comparing training methodologies, so departments must rely on expert suggestions and anecdotal success stories to construct the training components of their policy. The Constitution Project Committee on Policing Reform recommends required training for all department personnel who wear cameras and/or have access to footage, including supervisors, members of Internal Review, and auditors (“The Use of Body-Worn Cameras by Law Enforcement,” 2016).

The model policy published by the Department of Homeland Security in May 2023 (Department of Homeland Security, 2023) suggests the following minimum policy training components:

1. BWC operation, maintenance, and care;
2. Correct handling, storage, use, and dissemination of BWC data;
3. Privacy compliance and proper privacy and FOIA policy procedures for redacting, sharing, and disclosing BWC data;
4. Required, optional, and non-permissible uses of BWCs;
5. Officer/agent and public safety considerations when wearing/operating BWCs;

6. The laws, regulations, or policies governing the use of BWCs; and,
7. Civil rights and civil liberties considerations.



The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) provides a Body-Worn Camera Training and Technical Assistance (BWC TTA) website and toolkit with extensive resources on policy, BWC program implementation, and guidance regarding BWC cost and storage estimates. Additional suggestions include creating a training manual for officers, incorporating BWC training into police academy curriculum, and naming a liaison within the department for BWC issues (“Body-Worn Cameras: Training Perspective,” 2020).

02

Body Camera Effects

Body-worn cameras have been developed amidst public calls for police reform in the years since Michael Brown’s 2014 death, and many departments have acquired the technology hoping it would deliver on its potential to reform policing and repair police-community relations. This hypothesis has been tested with implementation, and there is now a significant body of literature to suggest that BWCs can measurably improve a host of policing outcomes under the right conditions. However, the findings, while generally positive, have ultimately tempered the once-high public expectations for BWCs as a policing “silver bullet.” The resultant disappointment is palpable, though subtle in some places—the aforementioned decline in BWC legislation tracking—and explicit in others—the December 2023 New York Times article titled “How Police Body Cams Failed Us” (Umansky, 2023). To combat misunderstanding and facilitate public comprehension of the literature on BWCs and policing outcomes, the BWC TTA team has created the Body-Worn Camera Directories of Outcomes, which track and summarize recent studies targeting the impact of BWCs on citizen complaints, use of force, officer activity, officer perceptions, and citizen perceptions (White et al., 2023a).



2.1

Effects on Law Enforcement

Use of Force

The Department of Justice’s Use of Force Directory reports that 14 of 30 recent studies demonstrate “substantial...reductions in the use of force” (White et al., 2023b) with BWC implementation. This conclusion is contradicted elsewhere, however; a systematic review of 30 different randomized-controlled trials conducted between 2004 and 2019 found no definitive trend in the use of force with the introduction of BWCs (Lum et al., 2020), though the authors noted that the variation in results might indicate “conditions in which BWCs could be effective [in force reduction].” Emerging research suggests that the difference between discretionary and mandatory activation policies may be a determining factor in the impact of BWCs on use of force.



Police Passivity, or the “Ferguson Effect”

One hypothesized effect of BWC implementation is a decline in proactive policing, colloquially known as the “Ferguson Effect.” The BWC TTA Officer Activity Directory cites 14 studies (Huff et al., 2023) that examined the interaction of BWCs with prevalence of arrests, citations, and self-initiated officer activities, and concludes the following:

1. The evidence examining BWC impact on arrests is mixed, and studies showed statistically significant results in both directions.
2. Evidence suggests BWCs may lead to an increase in citations.
3. Evidence suggests BWCs typically do not affect officer-initiated activity.

Law Enforcement Perceptions

The BWC TTA Directory concludes from 44 studies that officers have generally positive attitudes about the impact of BWCs on evidence quality, citizen complaints, policy-community relations, and the ease of BWC operation (Gaub et al., 2023). Officers had negative perceptions about the impact of BWCs on officer discretion, officer use of force, officer safety, and citizen aggression/resistance.

Reduced Complaints and Litigation Settlements

The literature supports the hypothesis that BWC implementation reduces the number of complaints and lawsuits leveled against a department. Eighty percent of the 35 relevant studies enumerated in the BWC TTA Directory reported a significant decline in citizen complaints after BWC deployment by a department (White et al., 2023c). The positive impacts of this effect are numerous. A 2021 analysis suggested that the effects of BWCs, including a possible reduction in use of force, have the potential to save departments money on the order of a 5:1 benefit-cost ratio (Williams et al., 2021)—no small benefit, as the median annual cost⁴ of a BWC program in 2018 was \$5,000 (“Cost and Benefits of Body-Worn Camera Deployments,” 2018).

2.2 Effects on Civilians

Civilizing Effect

Some have theorized that BWCs may exert a “civilizing effect” on both parties in a police-public encounter. This hypothesis, based on self-awareness and deterrence theories, posits that both officer(s) and civilian(s) would behave more lawfully in the presence of a camera, knowing that their actions would be recorded and potentially subject to evaluation and consequences (Demir,

⁴ The study’s authors felt that the median cost was more representative of the survey results than the mean, due to outlying agencies that reported exorbitant costs and dramatically skewed the average (the maximum reported total annual cost was \$5.3 million). Included figures are not intended to estimate the cost of a BWC program for a given department, as agency size and camera deployment scope can lead to drastic variation in expenses.

2019). However, a study of 10 experiments across the United States and Europe found that reported assaults against officers increased when they donned BWCs (Ariel et al., 2016a). The reasons for this finding were unclear; the researchers suggested that officers might report assault more frequently with footage to corroborate their claim, that “toned down” officers might be more vulnerable to assault, or that an officer might be more likely to report an incidence of violence in which they did not employ the use of force (assumed to be more likely while wearing a BWC).

Civilian Perceptions of Police

Many departments hope to demonstrate their commitment to transparency, safety, and fairness through the implementation of BWCs. The literature suggests that communities recognize this effort, and multiple experiments have found that BWCs improve how citizens perceive police in several different areas. The 30 studies included in the BWC TTA Citizen Perceptions Directory reveal that the public is supportive of BWCs, perceiving them to have evidentiary value, reduce citizen complaints and police use of force, and improve police-community relations (Gaub et al., 2023). A study examining community attitudes towards police across racial lines found that BWCs could positively influence perceptions of police legitimacy and increase “anticipated feelings of safety” in police encounters, particularly for Black respondents (Pagan, 2019). These conclusions should be understood in context, however; even trials which found a positive impact of BWCs on citizen perceptions stressed that other policing reforms (e.g. implementing organization justice) had a greater influence (McClure et al., 2017; Police Executive Research Forum, 2018).

2.3 Small Departments

A matter of concern for many states in implementing BWCs is how they will be received in small departments. The majority of Maine departments have 25 officers or fewer, qualifying as “extra-small” by most studies’ standards. A 2020 study found overwhelming consistency across departments of different sizes regarding camera activation, citizen notification, officer and supervisor footage review, auditing, and off-duty assignment (White et al., 2020). Additionally, implementation issues reported by small departments—namely, data storage and security—are the same as those faced by large departments, though less easily resolved due to resource disparity (Gaub, 2017). The researchers cited the “small agencies’ limited resources, manpower, and infrastructure,” and cautioned that “BWCs can overburden an agency because of those limitations.”



03

Policy Debates

Certain policy components, due to their potential for exceptionally positive or negative consequences, merit special consideration in the construction of policy and can significantly impact a BWC program. This section will elaborate on two of the most current and relevant policy debates.

3.1 Privacy vs. Transparency

Within BWC policy, there is an inherent conflict between the right to privacy and the desire for transparency. If departments make recording and public viewing of any encounter permissible, privacy will be violated; on the other hand, if departments restrict recording or withhold footage from the public, there is no mechanism for accountability. Consequently, agencies must strike a balance in their policy between prioritizing total privacy and total transparency.



Privacy

Understandably, BWC technology presents a concern for citizen privacy. Policy makers have two regulatory mechanisms at their disposal to establish privacy protections when it comes to BWCs: “1) mandating when a camera must be turned on and off, and 2) imposing notice and consent requirements” (Maury, 2016).

When to Record

Most policies restrict recording when officers are conducting strip searches, conversing with confidential informants, or when inside schools or medical facilities. Further research about the appropriateness of recording during calls related to sexual assault and/or domestic and dating violence encounters is essential. Some advocates have argued that these scenarios are too sensitive to be recorded, and that this use of BWCs infringes on victims’ rights to privacy and dignity. Of particular concern is the potential to deter victims from seeking help in the first place. Privacy concerns for victims can be minimized through the strict security of camera footage, sound procedures for upload and storage, and audits to ensure only legitimate access.



Citizen Notification and Consent

Almost all BWC stakeholders agree that acquiring consent to record from a subject would impede officers in performing their duties.⁵ Moreover, Maine’s laws only require the consent of one party to record (“Recording and Surveillance,” 2017). However, though officers may not need a subject’s



⁵ This refers to consent to record, obtained during an active encounter and before the BWC has been activated. This is distinguished from consent to release, which is obtained after a recording has been made and will be discussed further below.

permission, some believe they should still inform the subject when they are being recorded. The American Civil Liberties Union's (ACLU) model policy for BWCs (2021) recommends that officers inform subjects of recording "as close to the inception of the encounter as reasonably possible."

Transparency

Transparency in BWC policy is primarily represented by the accessibility of body-worn camera footage. This may refer to public access or law enforcement access, both of which are contentious topics.

Public Disclosure

All states have open-records or public disclosure laws that affirm the right of the public to access government information. By 2021, 23 states had enacted legislation governing public access to BWC footage (Body-Worn Camera Laws Database, 2021), and more have almost certainly followed. Depending on their legislation, these states may be considered "exemption" states or "public record" states (Maury, 2016). In exemption states, public records laws are ruled inapplicable to BWC footage, while public records states disclose this footage by default. However, departments in exemption states still often release footage.

Pursuant to the relevant legislation in their state, departments can implement their own policy regarding footage disclosure, although it seems most do not. A 2023 PERF review of 127 departmental BWC policies found that only 14% "specifically referred to the release of BWC video footage pursuant to critical incidents" ("Body-Worn Cameras A Decade Later," 2023). The fact that 16 of the 34 BWC-related bills proposed in 2023 specifically reference footage disclosure suggests that states are retroactively amending inattention to this issue, presumably in response to public feedback (Legislative Responses for Policing-State Bill Tracking Database, 2024).

Departments must also consider footage storage concerns as they relate to disclosure. The Leadership Conference on Civil and Human Rights (2017) declared that footage should be retained "as long as it might become relevant to a timely-filed citizen complaint; [or if it contains] evidentiary video of crimes, arrests, citations, searches, uses of force and confrontations." The option to save all data is rendered virtually impossible by the cost implications, but most BWC policies provide for certain videos to be flagged for indefinite retention. Departments need to strike a feasible balance between retention and deletion that is guided by their evidentiary and logistical storage needs.

Officer Footage Review

Whether or not officers should be allowed to view footage they have recorded using BWCs is controversial. The ACLU posits that officers should not be allowed to access BWC footage, particularly before filing a report or testifying on an incident. They argue that the potential for officers to



alter their description based on the footage would “enable lying,” “cross-contaminate evidence,” and “undermine the legitimacy of investigations” (Stanley & Birbring, 2015). Others worry that if officers are denied access to recordings, discrepancies between their account of events from memory and the scene displayed on camera might lead to accusations of lying or loss of credibility.



The Police Executive Research Forum (PERF), formerly in favor of permitting officers to review footage before giving a statement, in 2024 updated their recommendation to taking a “perceptual” interview of an officer after a critical use-of-force incident before viewing any video, then offering the opportunity for a second interview, to clarify or expand on any points that watching the video may have raised.

This “hybrid” approach reflects the emerging understanding that this technology has its limitations and that BWC footage is not necessarily a completely accurate, unambiguous account of law enforcement encounters. Researchers at the John Jay Center for Criminal Justice have found that viewing BWC footage reduced but did not eliminate the effect of misinformation in interpreting a police-public encounter (Jones et al., 2017). Considering this, stakeholders note that a pre-viewing perceptual interview practice preserves officer perception and BWC video footage as discrete evidentiary data points and honors them both as relevant and credible (“Body-Worn Cameras A Decade Later,” 2023).

3.2 Mandatory vs. Discretionary Recording Policies

This section will describe the policy debate over mandatory and discretionary activation policies for BWCs. A mandatory activation policy refers to specific guidelines which define when to activate BWCs and when not to; it does not refer to a policy that mandates recording at all times, though it would encompass this kind of policy. Discretionary policies are those which include flexibility for the officers to decide, in the moment of an encounter, whether to record the event with a BWC.

Mandatory Policy

Research suggests that mandatory activation policies may be more effective in reducing the use of force than discretionary policies. A systematic review of studies on BWCs and the use of force noted in its discussion that “moderator analyses suggest that BWCs may be more likely to reduce police use of force if agencies highly restrict officers’ discretion in how they use the camera” (Lum et al., 2020). This echoes previous research findings that discovered use of force rates were 37% lower under a mandatory recording policy in a study of eight departments (Ariel et al., 2016b). In other words, when officers were given zero discretion in when to turn cameras on and off, they were significantly less prone to use force.



The ACLU recommends that activation policies should allow for little to no discretion, with disciplinary action to be taken for noncompliance (“A Model Policy,” 2021). New BWC technology with automatic recording capability—i.e. camera activation triggered by sound, motion, or unholstering of a sidearm—presents a means to skirt the question of officer activation, but, as noted by Bowling & Iyer (2019), this technology’s advantages of timeliness, predictability and consistency are tempered by risks of “privacy intrusion, reliance on inaccurate systems and unauthorized access to, changes to, and potential loss of data.”

Discretionary Policy

On the other hand, proponents of discretionary policies cite potential for BWC activation to compromise the outcomes of delicate situations that occur in the course of policing duties. One study found that most officers supported some level of discretion when operating body cameras, citing concerns that mandatory recording would inhibit “authentic encounters” with the public, violate privacy in certain situations, deter informants from sharing information, and create extra labor (Newell & Greidanus, 2018). Officers also worried that mandatory recording policies might increase their hesitance to use force in a given situation, potentially jeopardizing their safety. This connection was also posited by an earlier study which found increased assaults against officers with the implementation of BWCs (Ariel et al., 2016a).



04

Existing Maine Policy

The Maine Chiefs of Police Association (MCOPA) published a model policy in June 2015 for the use of video recording equipment, provided “to assist agencies in the development of [their] own policies.” It’s unknown to what extent it has been used in this capacity by departments, but it may reasonably be considered the closest thing to a state model policy available in Maine. This model policy is evidently the product of thoughtful deliberation, care, and expertise from an impressive group of Maine law enforcement experts. It is also a product of its time. As this review has endeavored to demonstrate, the literature and subsequent recommendations have evolved tremendously since the MCOPA policy was published in 2015.

When evaluated against the DOJ’s BWC TTA Scorecard, a 45-point policy assessment index, the MCOPA policy received a ~63% result, critically omitting specified conditions for mandatory and discretionary BWC wearing, appropriate deactivation, guidelines for video storage, or a process for continued policy and program review (Grey et al., 2021). A set of civil rights criteria developed by the Leadership Conference and endorsed by the ACLU and the NAACP found failures in four out of eight critical component areas,



including personal privacy, officer review, footage access, and biometric use. Of course, evaluative standards of BWC policy should be understood in context of the goals of the organization which published them, and, as such, the foregoing should not be considered objective or universal; however, it should be noted that these two standards were developed and endorsed by key actors in the field of BWC study. The gaps in the MCOPA policy illuminated by this brief evaluation should be addressed in future versions of the policy or any new statewide guidelines.

05

Discussion

This review of the literature has illustrated the rapid expansion of the field of police body-worn cameras. Every year, more departments across the country acquire BWCs, furthering the need for study of the technology and the complex ways it may affect policing. The literature has produced significant findings suggesting BWCs have the strong potential to decrease complaints against law enforcement, can improve public perceptions of police, and may decrease the use of force under certain conditions. Concerns about policy deficiencies related to public disclosure and officer footage review have generated important discourse and creative solutions to address policy oversights from the infancy of this technology. In this respect and others, states and departments considering BWC programs in 2024 and beyond have the immense benefit of feedback from and research on programs adopted earlier.

Maury (2016) wrote that “police legitimacy derives from two elements: law enforcement performing its traditional role of ensuring public safety and being held accountable for its misconduct,” and BWC policy construction must find a balance between these two, particularly with regard to contentious issues. Best practices in policymaking—stakeholder involvement, internal and external buy-in, and continuous feedback and policy evolution—are especially critical on the issues of footage disclosure and officer footage review, as recent public criticism of BWCs seems to derive largely from perceptions of insufficient transparency. Policies should be explicit in determining how footage is disclosed, including to whom, on what time frame, and under what authority, keeping in mind that granting discretionary disclosure powers to officers or department leadership exposes them to criticism and may undermine the equity and accountability goals of a BWC program.

A central theme throughout the literature is the importance of stakeholder involvement to the success of a BWC program. As Nix et al. (2020) noted, “governments’ motivation for innovation alone is not sufficient for states to enact new policies,” and it is certainly not enough to singlehandedly maintain a thriving program. To the fullest extent possible, department leaders should



engage stakeholders—including and especially officers, civil rights advocates, and police union officials—at each step of the policy development and implementation processes, including:

- Clarifying program intentions and goals;
- Soliciting input in policy construction;
- Deciding how to leverage available political and economic resources, and;
- Providing an ongoing forum for constructive feedback.

These conversations can offer meaningful perspectives and bolster confidence in the technology and policy, which preempts potential issues and mitigates concerns.

Finally, this literature review has endeavored to demonstrate that existing Maine guidelines for body-worn cameras, as represented by the Maine Chiefs of Police Association model policy, contain valuable components but require revisions to reflect the most current research. Fortunately, there is an impressive amount of energy and resources currently being poured into this field to provide resources and direction to departments looking to create or improve their BWC programs. With an informed, cogent policy and a thoughtful implementation, the law enforcement officers and public of the state of Maine stand to benefit significantly from body-worn cameras.



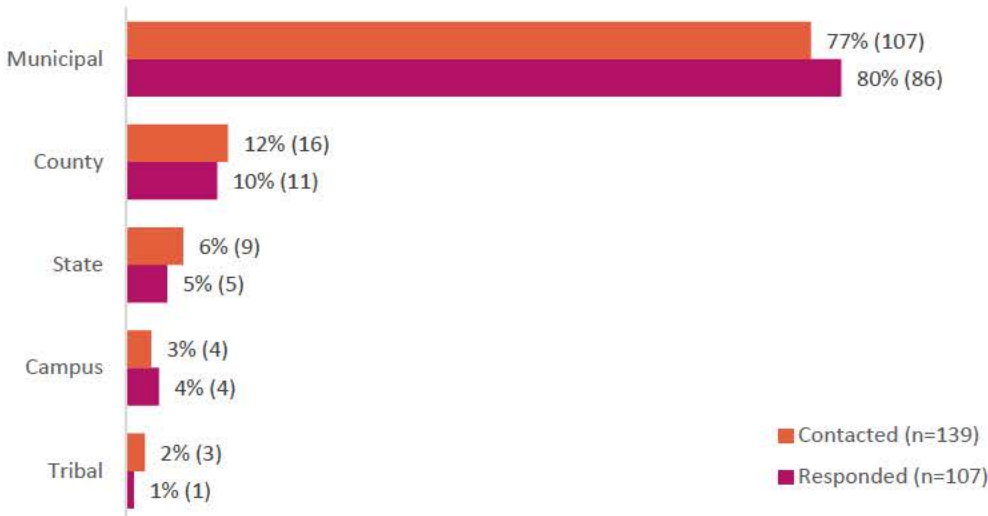
SURVEY FINDINGS

This section provides a summary of key findings from the 2024 BWC survey. In places, these findings are compared and contrasted with findings from the 2021 BWC survey. Some survey questions—namely, responses that are more straightforward and do not require additional contextualization—are not described in this section. Instead, they can be found in Appendix A, which contains response information for each survey question.



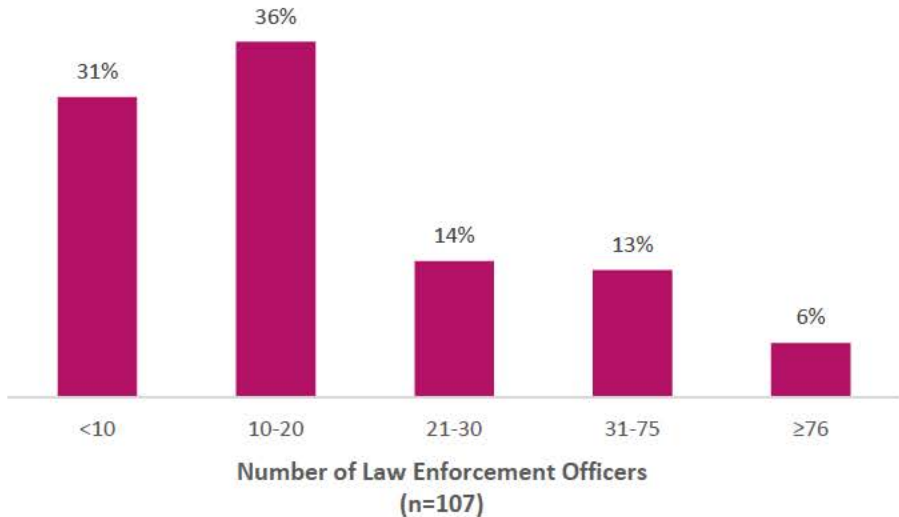
Respondent Agency Characteristics

The majority (80%) of responding law enforcement agencies (LEAs) were *municipal agencies* (i.e., city or town police departments). Approximately 10% of participants were *county agencies* (i.e., county sheriff), 5% were *state agencies* (e.g., Maine State Police, Warden Service, etc.), 4% were *campus-based agencies* (e.g., University of Maine), and the remaining 1% were *tribal agencies*. As shown on the following page, the distribution of respondents by agency type is very similar to the distribution of agencies asked to complete the survey. For example, *municipal agencies* accounted for 77% of LEAs contacted, which is only a three-percentage point difference from their responding rate (80%).



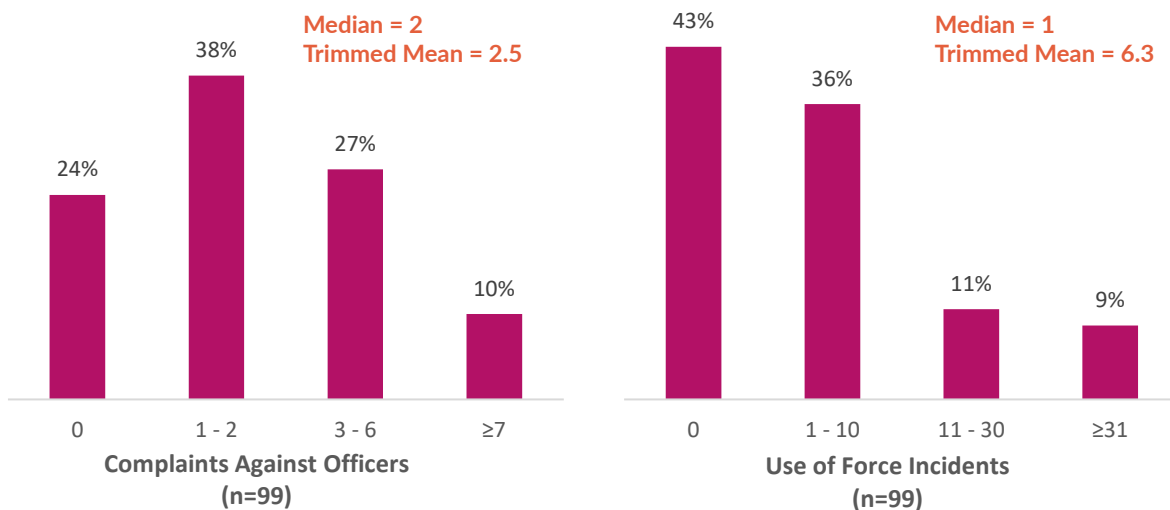
Contacted and Responded Rates by Jurisdiction Level

Participants were asked to report the county(ies) their agencies serve and their agency’s size (Appendix A, Table A1.3). Survey results show that all 16 counties were represented by at least one non-state law enforcement agency. A majority of the responding agencies (67%) employed 20 or fewer law enforcements officers, with 31% employing fewer than 10, and 36% employing between 10 and 20.



Complaints and Use of Force Incidents

Participants were asked to report the number of complaints against officers and the number of use of force incidents over the last 12 months.⁶ Nearly one-quarter of agencies (24%) reported zero complaints against officers, and two-thirds (66%) reported between one and six complaints; the remaining 10% reported seven or more complaints. For use of force incidents, 43% of agencies reported zero, 47% reported between one and 30 incidents, and 9% reported more than 30 incidents over the past 12 months.



Of note is the differences in the distributions between complaints against officers and use of force incidents. Agencies were more likely to have at least one officer complaint than a use of force incident, but, as evidenced by trimmed means,⁷ the number of use of force incidents tended to be higher than the number of complaints. While this research is unable to identify the specific cause(s) behind this finding, bivariate analysis shows that complaints against officers is very strongly associated with the agency size (i.e., number of officers employed).⁸ Use of force incidents are also strongly associated with agency size, but the effect size is slightly smaller.⁹

⁶ In the 2021 survey, only agencies who reported using BWCs were asked these two questions; for the 2024 survey, all respondents were asked to provide this information.

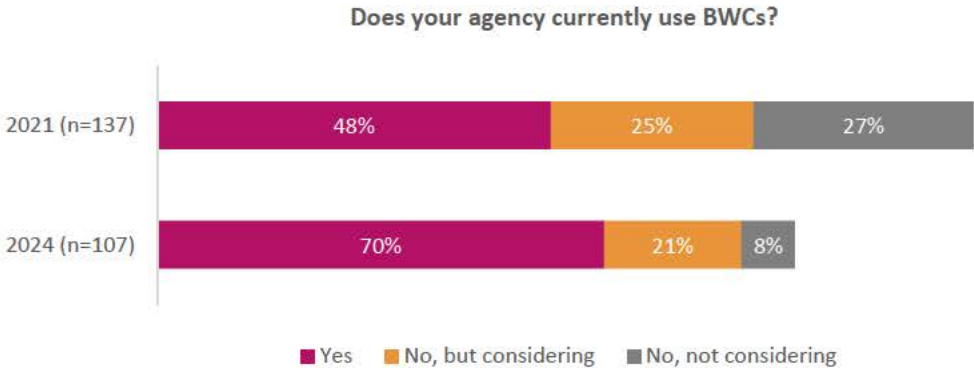
⁷ Trimmed means, which excludes the lowest and highest 5% of values, are used to minimize the impact of outliers.

⁸ $\chi^2(3) = 37.269, p < .001, \text{Cramer's } V = 0.614.$

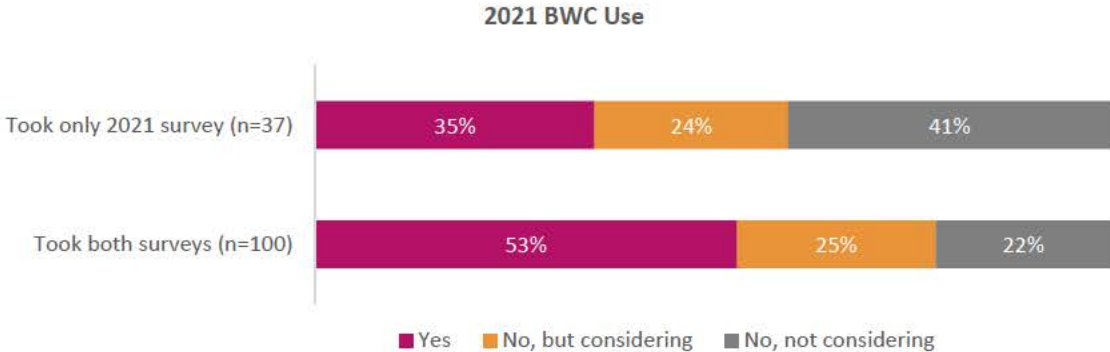
⁹ $\chi^2(2) = 17.813, p < .001, \text{Cramer's } V = 0.424;$ due to small proportions, the 11-30 and ≥ 31 categories were combined.

Body-Worn Camera Use

The survey asked whether participants were using BWCs and, if not, asked whether they were considering or not considering using them. Overall, 70% of respondents reported that their agencies use BWCs, 21% reported that they did not use BWCs but were considering using them in the future, and 8% said they were neither using nor considering them. As shown below, the proportion of agencies currently using BWCs appears to have increased by 22 percentage points between 2021 and 2024 while the proportion of those neither using nor considering appears to have decreased by 19 percentage points.



While it is tempting to conclude that a larger proportion of agencies are currently using or considering BWCs compared to 2021, these apparent findings must be interpreted with caution because fewer agencies responded to the current survey, and those who opted out this year were not a random selection. This becomes evident when respondents to the 2021 survey are divided into two groups—those who completed the 2024 survey and those who did not—and their BWC responses are compared. As shown below, agencies who took only the 2021 survey reported *no, not considering* at a much higher rate (41%) than those who completed both surveys (22%), indicating that the *no, not considering* group was more likely to opt out of the 2024 survey.¹⁰ Had they responded to the 2024 survey, their responses might have shown that they still do not have BWCs, which would have driven down the current use rate.

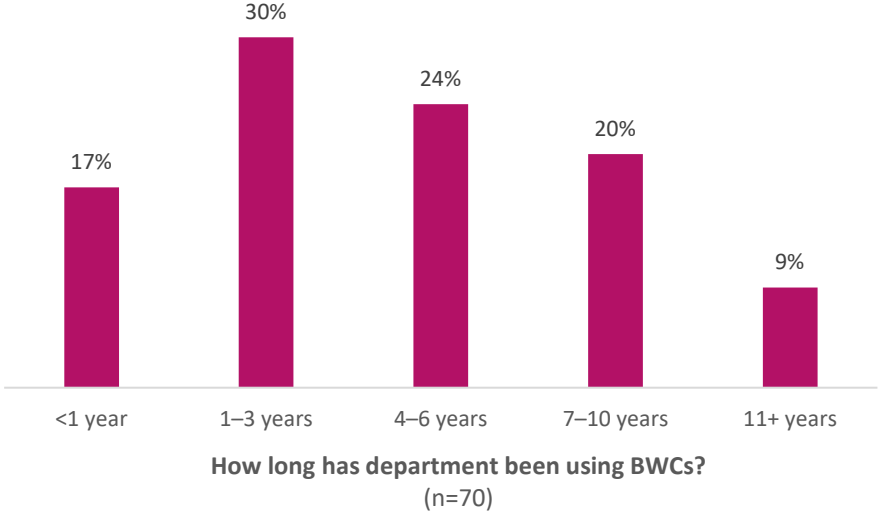


¹⁰ $\chi^2 (2) = 5.232, p=0.073, \text{Cramer's } V = 0.195.$

Another way to approach the question of whether BWC use has increased is to do a matched comparison, limiting the analysis to those agencies that completed both surveys. For the 100 respondents who took both surveys, the number reporting the use of BWCs increased by 36% (from 53 to 72) and those reporting *not considering* them decreased by 68% (22 to 7). This is additional evidence that the rate of use has indeed increased since 2021, sampling differences notwithstanding.

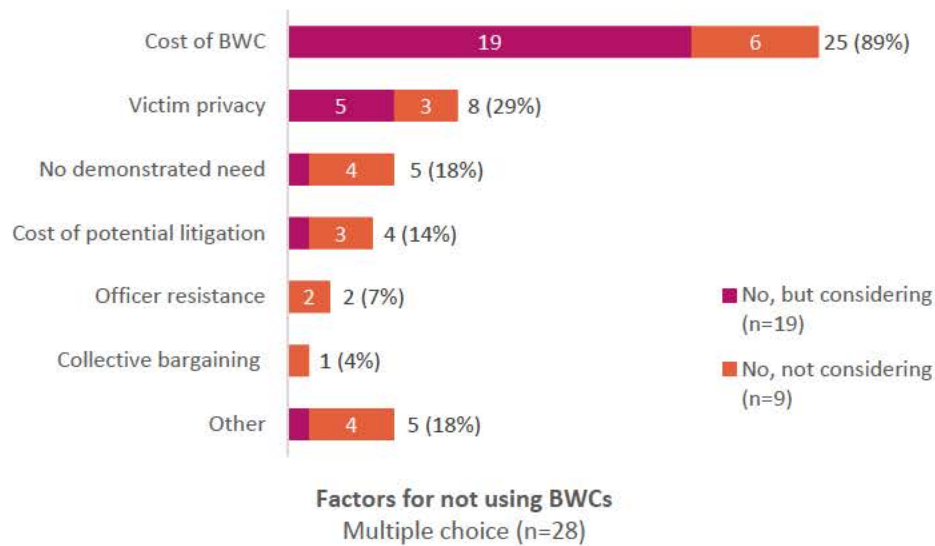
Length of Time Using Body-Worn Cameras

The survey asked how long agencies had been using BWCs. Nearly half (47%) reported using BWCs for three years or less, 24% reported four to six years, and 29% reported more than seven years.



Agencies Without Body-Worn Cameras

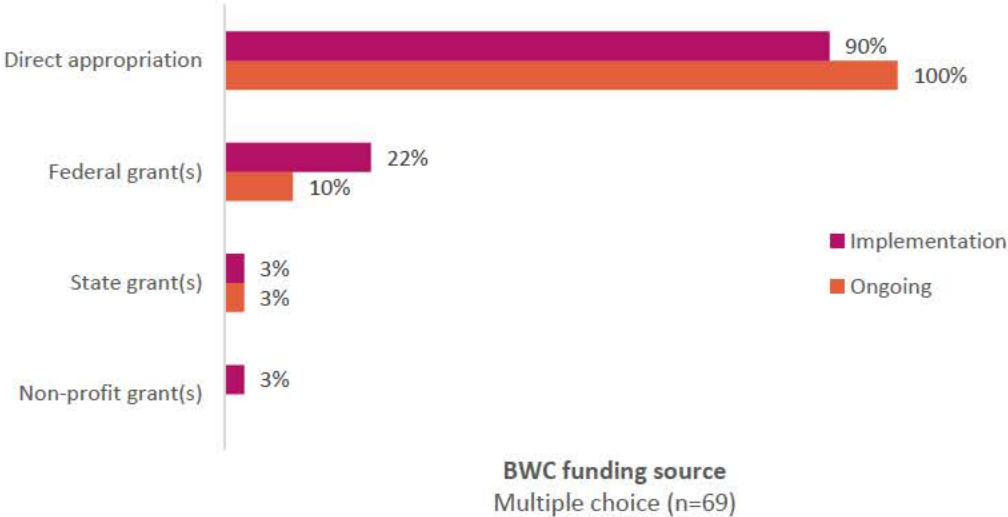
Respondents who reported not using BWCs, both those *considering* and *not considering* them, were asked to select the top three reasons that influenced their decision. Four agencies indicated that they were currently in the process of obtaining BWCs and are excluded from the chart below. The most frequently reported reasons for not using BWCs are *cost* (89%), *victim/witness privacy concerns* (29%), and *no demonstrated need* (18%).¹¹



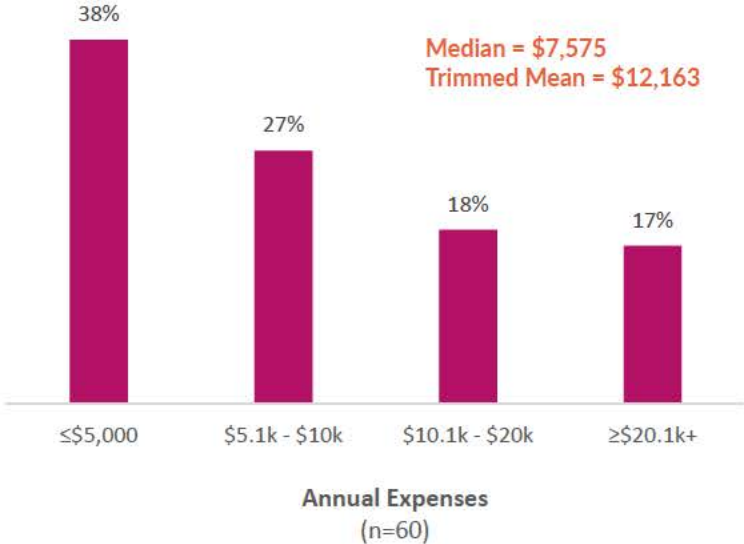
¹¹ The most frequently cited reason listed in the other category was administrative time to manage and release the data.

Funding and Costs

BWC users (n=75) were asked a series of questions about funding sources and costs. Across two questions, they were asked how BWC implementation and ongoing BWC costs were funded. All agencies (100%) received funding from direct appropriations (i.e., funding by a municipal, county, or state entity) for ongoing costs while 90% received it for implementation. Approximately 1 in 5 respondents (22%) received implementation funding from federal grants, and around half of this group (7 out of 15) also received federal funding for ongoing costs.

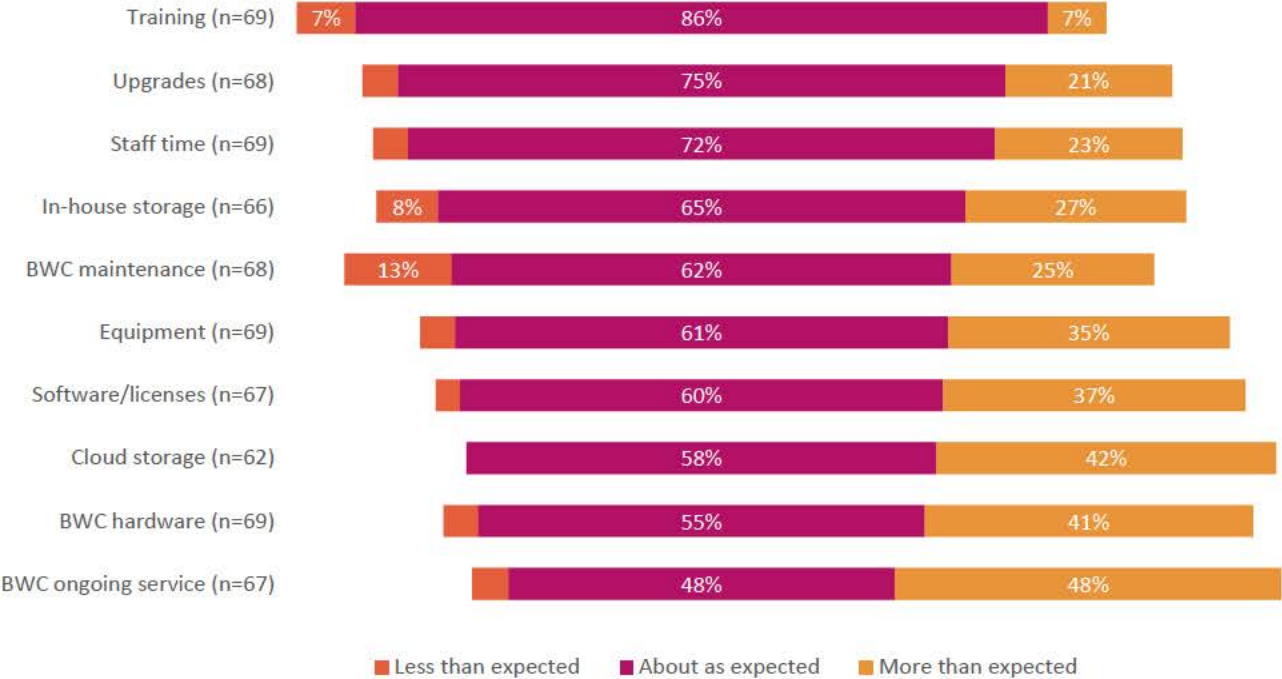


Respondents were also asked to report the estimated annual cost associated with their BWCs. This question had a low response rate, with only 80% of BWC users responding. Overall, nearly two-thirds of respondents (65%) reported spending less than \$10,000 annually.



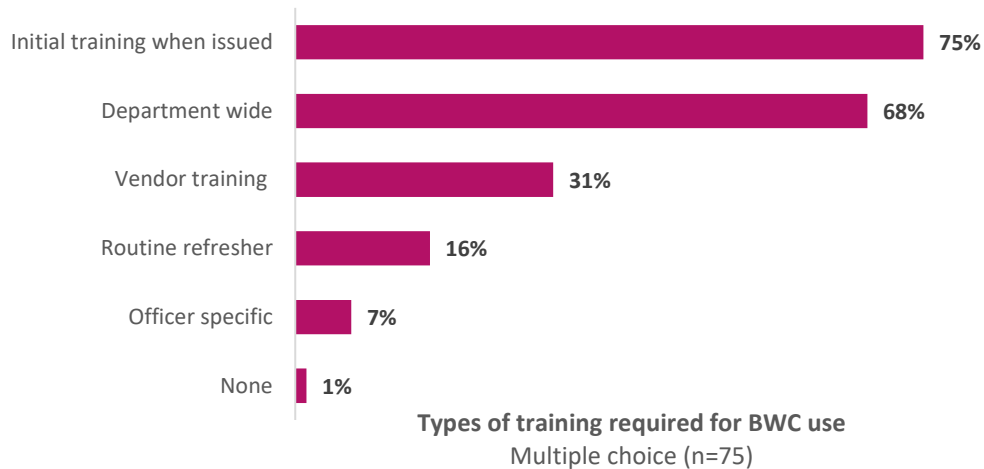
Finally, the survey provided a list of ten cost-related categories and asked users if costs were *more than expected*, *about as expected*, or *less than expected*. Ninety-two percent (92%) of BWC users responded to this question. The chart below shows how actual costs compared with agency expectations; those listed nearest the top are categories for which costs most closely aligned with expectations. For example, costs associated with *training, upgrades, and staff time* aligned with expectations for 86%, 75%, and 72% of agencies, respectively. On the other hand, the bottom of the chart shows categories where respondents frequently reported costs being more than expected: 48% for *ongoing service costs* (e.g., software updates or technical support), 42% for *cloud storage costs*, and 41% for *hardware costs*.

Actual Costs According to Expectations



Training

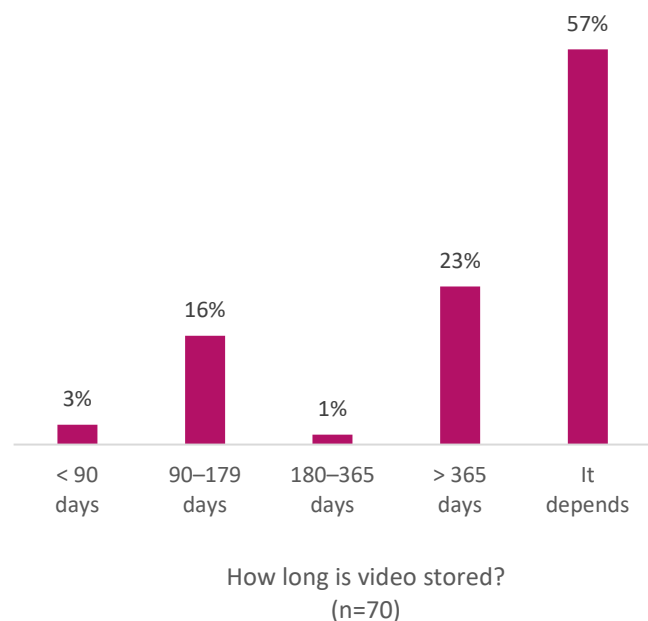
Respondents were provided with five types of standardized training (along with *none* and *other* options) and asked to report all types of training required by their agencies. All BWC users answered this question. The most frequently reported training types were initial training when issued (75%) and department wide training (68%). Only one agency (1%) reported that no standardized trainings were required. No agency reported an other type of training.



Video Storage

Respondents were asked two questions about video storage. The first asked how video footage is typically stored and allowed for multiple selections. Sixty-three percent (63%) reported using *cloud-based storage*, 35% reported storing on a *hard drive*, and 26% stored on an *internal server* (Appendix A, Table A2.9).

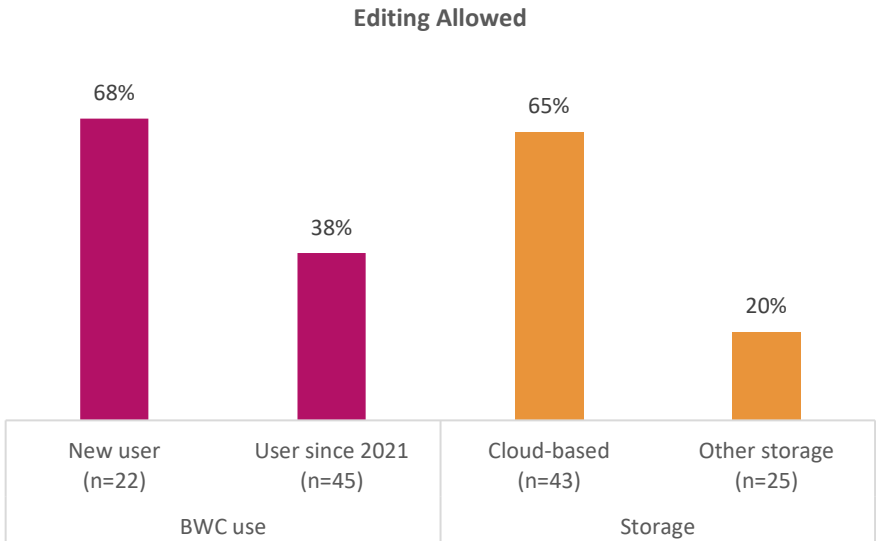
The next question asked how long video is stored. As shown, the length of time video is stored appeared to be quite inconsistent across agencies: 20% store footage for up to one year, 23% for over one year, and 57% indicated that the length of time stored varies. Given the context that not all video footage has evidentiary value—for example, a recording of a suspect who could face criminal charges has more evidentiary value than a recording of a standard traffic stop—the ambiguity is appropriate. In the future, if this survey is conducted again, it would be beneficial to expand this question to ask about the minimum length of storage time and the various situations that may influence storage times.



Video Editing/Redacting

When releasing footage to external stakeholders, agencies are tasked with balancing privacy concerns and victim rights against calls for transparency in policing. Therefore, some agencies edit footage to redact personally identifiable information—for example, removing audio of a specific address or blurring the faces of some parties. To understand the extent to which agencies use these tools, the survey asked respondents whether their agency edits or redacts footage, to which 93% of BWC users responded.

Forty-seven percent (47%) of agencies using BWCs reported they can edit footage, which differed markedly from the 2021 survey responses, in which only 4% of responding agencies allowed for editing. To further understand the increase in editing ability, the respondents who answered this question were split into two groups: those who were using BWCs at the time of the 2021 survey and agencies who began using BWCs after the 2021 survey (i.e., new users).¹² Furthermore, because edited footage requires additional storage space (i.e., keeping a copy of both the original footage and edited footage), analysis also grouped editing ability by whether respondents used cloud-based storage. Bivariate analysis found both new users and cloud-based users had a significantly higher rate than their counterparts with the strength of the relationship being moderate and high, respectively.¹³



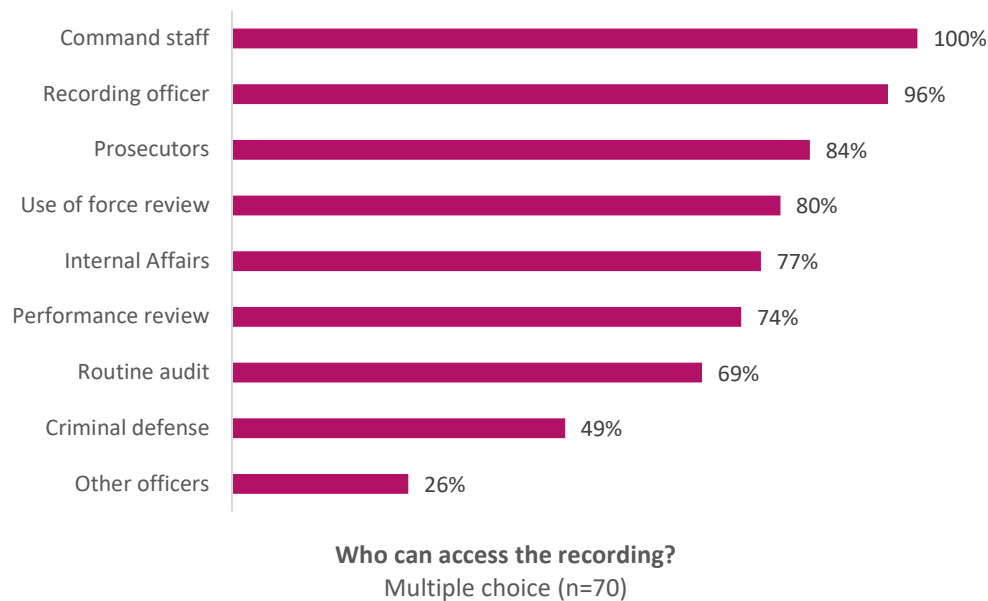
The relationship between new users and cloud storage users was also explored, and no association was found, meaning new users did not have a strong tendency to also utilize cloud storage. Consequently, these findings indicate that differences in video editing capabilities could be partially driven by recent changes in how vendors package their BWC services as well as an increased accessibility in cloud-based storage.

¹² Three respondents who did not complete the 2021 survey were excluded.
¹³ BWC use: $X^2(1) = 5.475, p=0.019, \Phi = -0.286$; Storage: $X^2(1) = 12.883, p < 0.001, \Phi = -0.435$.

Finally, agencies that allow for editing video footage (n=33) were then asked who was authorized to request edits. Three eligible respondents (9%) did not answer. Of the 30 respondents who did answer, 93% selected *chief/sheriff/troop leader*, 40% *command staff*, 23% *district attorney*, and 10% *officer* (see Appendix A2.12).

Video Access and Release

The survey asked BWC users who could have access to their BWC recordings. As shown in the chart below, all, or nearly all, agencies selected *command staff* (100%) and *officer who made the recording* (96%), followed by *prosecutors* (84%),¹⁴ and *use of force review* (80%). One finding of note is that *criminal defense counsel* is one of the least frequently selected items at only 49%. Since video footage can be highly relevant to criminal prosecutions, this proportion was expected to be higher. However, some of the respondents who listed “defense attorneys” in the public release question did not report *criminal defense* for this question. Consequently, the relatively low reported rate could be due to differences in how respondents are interpreting “access” to the recordings.



BWC users were asked if it is documented when an individual or group was granted access to footage. Of the 70 respondents who answered, 24% indicated that they did not document when each group was given access.

¹⁴ This category comprises two separate categories, *Office of the District Attorney* and *Office of the Attorney General*.

Additionally, BWC users were asked about the types of public release requests they received over the past year and were provided with three different categories in which to report: *private citizens*, *news organizations*, and an open-ended *other* category. In total, 59% of the agencies using BWCs reported receiving at least one type of release request over the past year. Forty percent (40%) of responding agencies received requests from *private citizens*, and 28% received requests from *news organizations*. Approximately 15% received requests from *other stakeholders*; nearly all of these *other* requests (91%) were described as coming from defense attorneys.

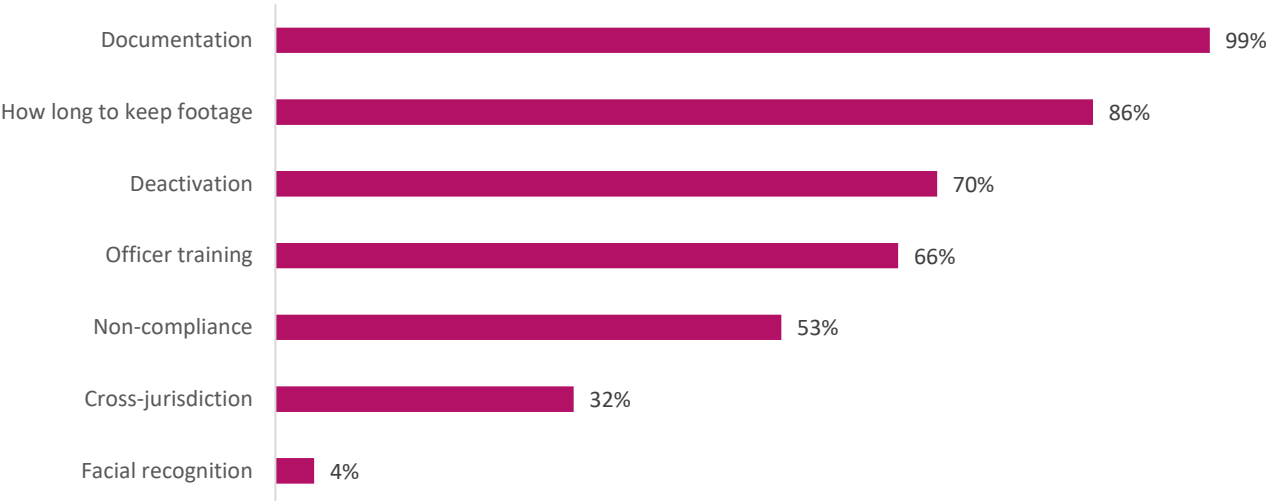
Policies

Of the 75 agencies using BWCs, 74 reported having a BWC policy in place (99%), and 70% of those with a BWC policy indicated that their BWC policy was publicly available.¹⁵ When asked to pick the top three reasons for enacting a BWC policy, respondents were most likely to select *evidentiary value* (64%), *reducing and resolving civilian complaints* (59%), and *improving officer/agency transparency* (54%).

Because the content of BWC policies were of particular interest to this study, a number of policy-related questions were posed to agencies who reported having a BWC policy. This section describes findings from the policy-related questions.

Policy Topics

Respondents were provided with seven policy topics and asked to select all the topics included in their BWC policy. Nearly all policies (99%) addressed *how camera use/recordings must be documented*, 86% included guidance on *how long footage must be kept*, and 70% discussed *when cameras must be deactivated*.



Policy Guidance Topics
Multiple choice (n=73)

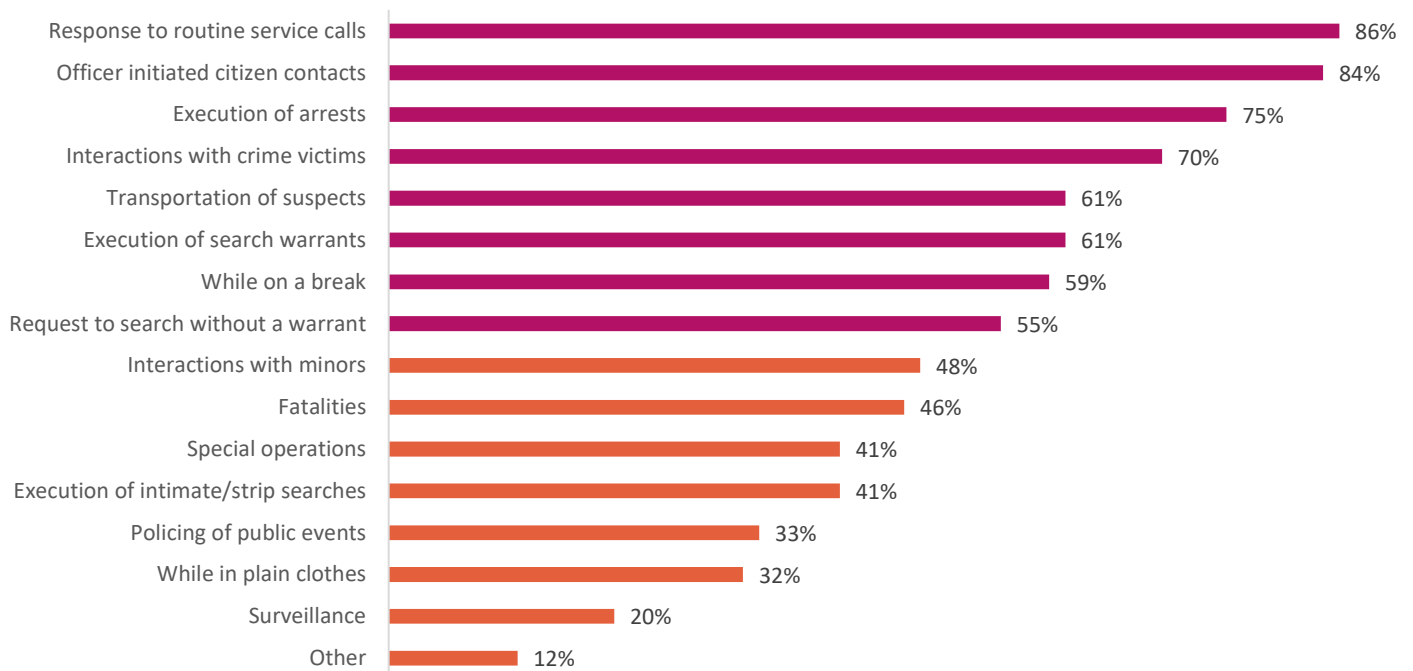
¹⁵ Three respondents with a BWC policy did not provide a response as to whether the policy was publicly available.

Respondents whose policies addressed camera deactivation (n=51) were then asked if the policy gave guidance for specific scenarios and listed eight categories (including *other*) to select from; 47 responded (92%). The most frequently reported settings were in a *hospital/medical facility* (68%), *during conversations with victims of sexual assault, in a school setting, and when a person with privileged communication is present* (40% each). Another question posed to all agencies with a BWC policy (n=74) was whether the policy addressed how to handle deactivation requests from the public, to which 34% answered in the affirmative.

Rules for Recording

Respondents were presented with a list of 16 different settings (including an *other*) and asked to indicate all the settings for which their BWC policy provided recording rules. Ninety-three percent (93%) of agencies that reported having a policy responded to this question. Eight of the settings were selected by the majority of respondents, ranging from *request to search without a warrant*, at 55%, to *response to routine service calls*, at 86%. The remaining eight settings were selected by between 12% and 48% of respondents.

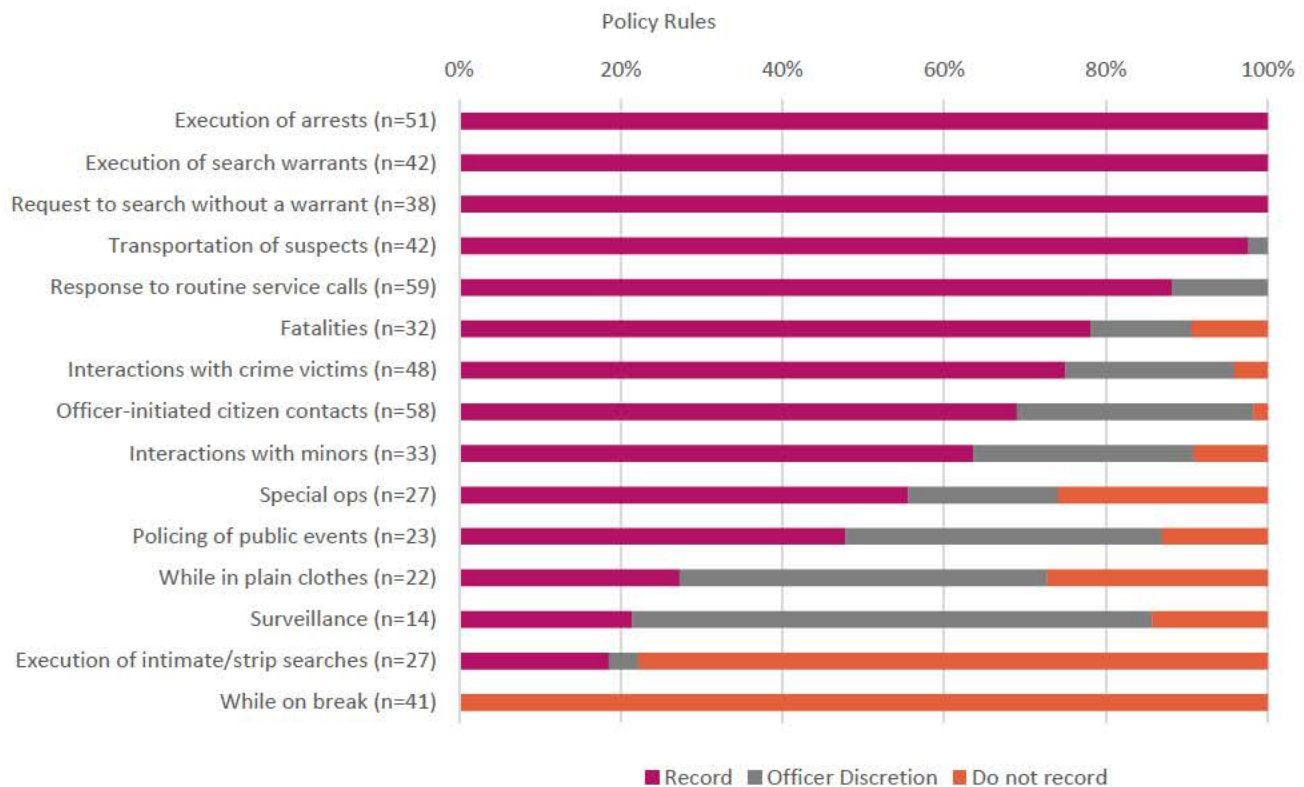
Proportion of Policies Providing Rules by Setting



For each setting selected, respondents were asked to specify what the rule called for—to *record*, to *not record*, or whether recording was at the *officer's discretion*. The number of agencies answering each question varied depending on whether their policy covered the setting, ranging from 14 to 59.

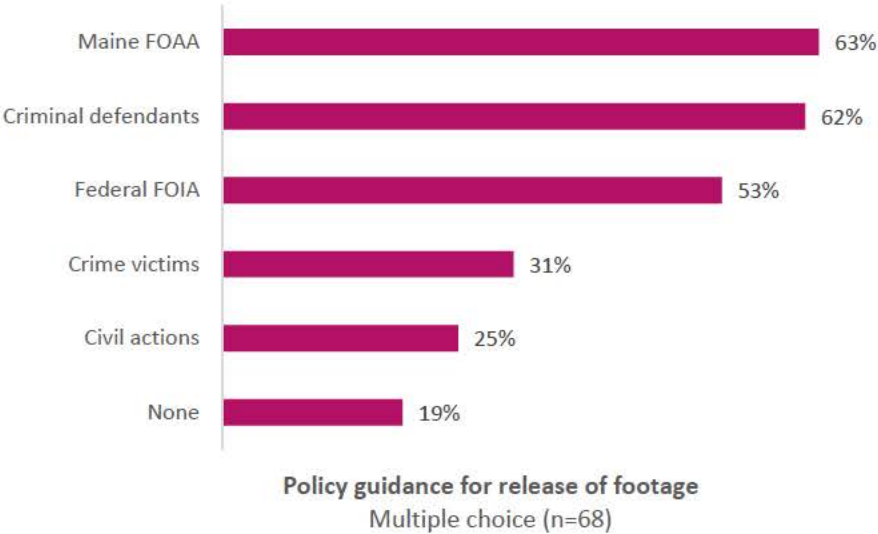
A useful way to look at these responses is by variability in responses or, in other words, by whether most agencies are reporting the same rule or different rules. This is demonstrated visually in the chart below; settings with bars consisting exclusively or primarily of one color are those in which there is a high level of consistency. Four settings have absolute consistency. Execution of arrests, execution of search warrants, and requests to search without a warrant are policy settings in which all policies call for officers to record; while on break is a policy setting in which all policies call for officers to not record.

Greater variability exists in the middle of the chart and is largely introduced by the officer discretion option. For example, in policing of public event settings (n=23), 48% of policies call for recording, 13% call for not recording, and 39% call for officer discretion. Likewise, in officer-initiated citizen contact settings (n=58), 69% of policies call for recording, 2% call for not recording, and 29% call for officer discretion.



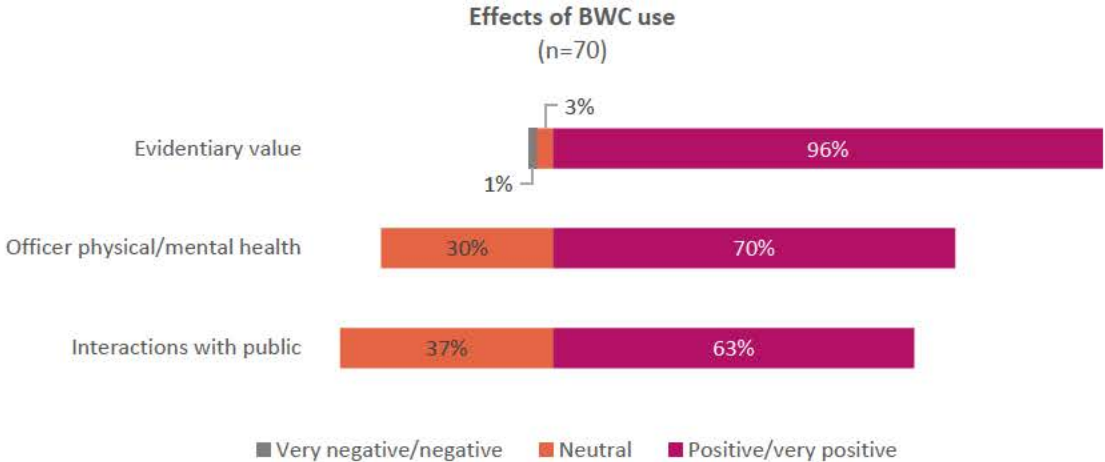
Footage Release Policies

Respondents with a BWC policy were asked if their department included a formal request process for those who want to view footage, to which 50% selected “yes,” which represents an increase from the 2021 survey (31%). Additionally, agencies were asked to report the types of release requests addressed by their policy. The most frequently selected request types were *Maine Freedom of Access Act (FOAA) requests* (63%), *criminal defendants/defense counsel requests* (62%), and *Federal Freedom of Information Act (FOIA) requests* (53%). Approximately 19% of respondents reported that their policy did not address any requests.

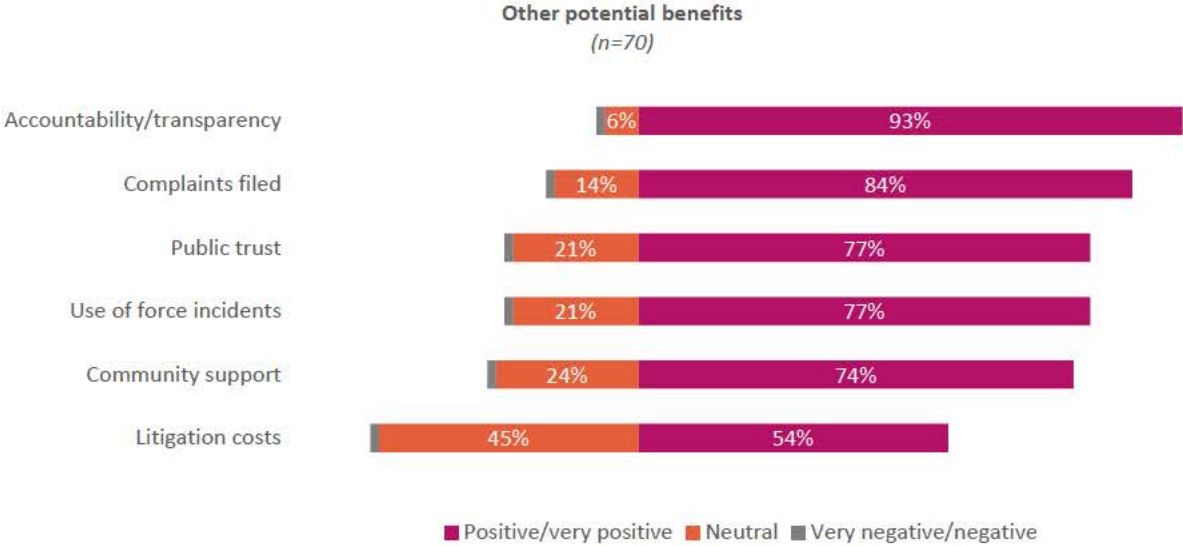


Effects and Benefits

BWC users were asked to rate the effects of camera use on *interactions with public*, the *physical/mental health of officers*, and *evidentiary value*. Ninety-three percent of BWC users answered these questions. For all three categories, a majority of agencies reported a positive effect, with *evidentiary value* having the highest positive rate, at 96%.



Respondents were provided with six potential benefits of BWCs along with five ratings, including *very negative*, *negative*, *neutral*, *positive*, and *very positive* and were asked to apply a rating to each potential benefit. Nearly all respondents (93%) said that BWCs had a *positive* or *very positive* effect in terms of *accountability and transparency when officer misconduct is suspected*. In fact, for all items, a strong majority of respondents (74% to 93%) rated the impact as *positive* or *very positive*. The only item that showed a mixed response was *litigation costs*; 45% of responding agencies rated the effect of BWC on this item as *neutral*. Only one agency rated the effect of each and every item as *negative*.



STAKEHOLDER INTERVIEW FINDINGS

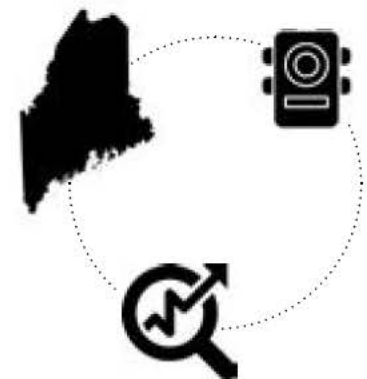
In 2021, researchers interviewed a dozen stakeholders to gain a more in-depth understanding of BWC use in Maine.



Eight (n=8) individual and group interviews were conducted with various justice system and community stakeholders to gain a greater understanding of their experiences with BWCs and gather lessons learned in the development of BWC policy. Potential participants were identified in consultation with the Attorney General and invited to participate based on factors such as their response to the 2021 BWC law enforcement survey, size of agency, jurisdiction represented, and subject matter expertise.



Stakeholders included three police chiefs and a sheriff in a group interview, a district attorney, a defense attorney, a member of the press, two staff members from National Alliance on Mental Illness (NAMI) of Maine, an attorney from the American Civil Liberties Union (ACLU) of Maine, a member of the Maine Commission on Domestic and Sexual Abuse, and a community leader from a racial justice organization. The interviews were guided by a standard set of questions (see Appendix B), and qualitative analysis revealed overarching themes across all interviews. The key themes and insights gained in 2021, as summarized below, are still applicable to the current study.



Cost is a Barrier

For law enforcement agencies, the implementation and initial oversight of BWCs created significant budgetary challenges. Rural and some suburban communities have smaller budgets and so the financial burden was greater for agencies in these communities. Some departments used grants to fund all or most of the initial investment; however, there are ongoing costs associated with storage and equipment maintenance as well as the staff time for video footage management, program oversight and audits, training, and responding to requests for release of footage.

The Positives Far Outweigh the Negatives

Law enforcement leaders agreed that BWCs had been well received by their officers. One leader called the cameras a “lifesaver” because when a lawsuit is filed against his officers or agency, BWC footage can be used to resolve the dispute. The cost of investigating complaints is reduced, and officer morale is improved.

**“I THINK THE POSITIVES FAR OUTWEIGH THE NEGATIVES.”
—POLICE CHIEF**

This benefit was also noted by other stakeholders. “People can make some really ugly allegations against officers,” said a newspaper editor. “The video is there as much to protect officers as it is to tell us what happened at a scene.” Even community members who said they had had negative experiences with law enforcement officers affirmed that BWCs should be used. “There [have] been several instances when I feel like body cameras would have been helpful,” said one such stakeholder. One mental health peer advocate echoed this theme, noting “if there’s a response to an overdose or some kind of mental health call, especially to, say, a hospital, where somebody may be in a state of psychosis, and then there’s some question later, they’re going to want that body camera on.”

Lack of Consistency and Clarity for Use of Video and Retention Times Are a Concern

Stakeholders noted that while there are rules of evidence and statutes related to matters of public record, Maine does not specifically outline how BWC footage should be handled. This lack of direction leaves each department to determine their own interpretation of state laws, regulations, and local municipal requirements when responding to public access requests for footage. During the law enforcement group interview, one leader explained that his department was instructed by

**“I CAN’T FIND ANY SET RULES FOR PUBLIC ACCESS, NOR CAN I FIND ANY SET RULES FOR VIDEO STORAGE TIME. IS THAT CORRECT?”
—POLICE CHIEF**

their district attorney that footage associated with a case must be retained as long as the case record is kept. Another said his department's policy for retention was being updated to match a change in time allowed for citizens to sue a municipality after an incident.

Any video that is retained is subject to Maine's Freedom of Access Act (FOAA), but there again, interpretation of the statute is required. Furthermore, there are more than 300 exceptions to the Act, and although none of those mention BWCs specifically, other statutory language does apply. For each frame on a FOAA-requested video and for every person who appears on each frame, a law enforcement agency must consider its own policy as well as the governing state and federal rules. This time-consuming process leads to inconsistent results.

**“FOAA REQUESTS ARE ALWAYS VERY CHALLENGING. [...] IT'S ALMOST A FULL-TIME JOB TO RESPOND TO SOME OF THESE—WHAT YOU CAN GIVE, WHAT YOU SHOULDN'T GIVE, FIGURING IT OUT.”
—SHERIFF**

Beyond the law, stakeholders said they also struggle with the need to balance citizen privacy rights with calls for law enforcement transparency and accountability. There was less agreement around what protections are needed for citizens depicted in the footage, especially when it comes to the public release of those recordings. Some felt that privacy concerns of individuals are a higher priority, and the public release of video could potentially compromise safety and expose someone's most vulnerable moments, even if their image was redacted. Others felt strongly that release of BWC recordings should be routine as they uphold the overall safety of the public by providing a broad level of transparency.

Additional themes related to the need for strict guidance on when/what to record, so officer discretion of what is and is not recorded is minimized. Many of those interviewed said policy should provide clear protocols for when and when not to record. One stakeholder suggested officers narrate when turning off cameras in sensitive situations when there is a higher need for privacy, including investigations of domestic and sexual violence (e.g., “Now I'm turning this off because we're in a medical setting . . .”).

DISCUSSION

Body-worn cameras are now the norm in Maine. Between 2017 and 2024, the reported rate of BWC use in Maine among agencies surveyed increased from 40% to 70%. In 2024, nearly half of all agencies surveyed indicated they had been using body-worn cameras for three years or less. BWC prevalence is likely to continue to increase as more federal funding becomes available to implement BWC programs. Maine has a timely opportunity to reflect on its many BWC successes and address gaps and inconsistencies in policies and legislation.



BWCs have been well received in Maine.

Nearly all law enforcement agencies reported a positive experience with the implementation of their BWC programs. The most frequently cited benefits of BWC use were *accountability and transparency when perceived misconduct, impact on complaints filed, and trust and perception by constituency*. A cross-section of Maine law enforcement leaders interviewed in 2021 elaborated on those benefits of BWCs and also noted the reduced cost of investigating complaints and improvement in officer morale.

Key findings in Maine in both the 2021 and 2024 studies are consistent with national studies. The positives of BWCs outweigh the negatives, with the most frequently cited negative being cost. However, some experts broadened the benefit-cost analysis of changes in use of force and reduction in citizen complaints and found the benefits of BWCs compared to their cost is approximately 5:1 (Williams et al., 2021).

Cost of BWCs has been a barrier.

In Maine's 2024 statewide survey of law enforcement, funding was cited as the primary barrier for agencies that had indicated they were open to implementing BWCs but had not done so yet. The total cost of implementing a BWC program depends on multiple variables such as number of sworn officers; type of cameras and docking equipment; maintenance; software; upgrades required for internet technology, networks, and infrastructure; and storage—cloud-based and/or external drives. The personnel time to oversee agencies' use of BWCs and respond to public information requests to view video is an additional, associated cost of the program.

Federal funding for BWCs exists to alleviate the financial burden on agencies and serves as an incentive to implement and upgrade BWC programs. In 2021, the Bureau of Justice Assistance (BJA) created a funding stream specifically for smaller, rural, and tribal law enforcement agencies, and many law enforcement agencies in Maine have accessed this funding. BJA also provides funding for larger agencies, although only one in five Maine agencies had more than 30 officers according to the 2024 survey. Over the past three fiscal years, the BJA has provided over \$700,000 to Maine law enforcement agencies for BWC programs.

BWC policies in Maine are developed by each agency but may benefit from some statewide guidance in designated areas.

Because the overall success of BWC programs is rooted in civilian perceptions of transparency and accountability, support for BWC use is strongly connected to publicly available policies. In the 2024 survey, 99% of respondents indicated they have a BWC policy, and most (70%) are publicly available. Maine's widely available BWC policies should be considered a success of BWC implementation across the state.

Federal Funding for BWCs in Maine

Fiscal Year	Type of Bureau of Justice Assistance Grant to Fund BWCs	ME Law Enforcement Agency	Award Amount
2023	<u>BJA Small, Rural, Tribal</u>	Caribou Police Department	\$ 4,976
2023	BJA Small, Rural, Tribal	Monmouth Police Department	\$ 1,500
2023	BJA Small, Rural, Tribal	Sagadahoc County Sheriff's Office	\$ 30,000
2022	<u>BJA Small, Rural, Tribal</u>	Bucksport Police Department	\$ 2,725
2022	BJA Small, Rural, Tribal	Clinton Police Department	\$ 3,672
2022	BJA Small, Rural, Tribal	Fryeburg Police Department	\$ 5,505
2022	BJA Small, Rural, Tribal	Hampden Police Department	\$ 9,053
2022	BJA Small, Rural, Tribal	Paris Police Department	\$ 6,127
2022	BJA Small, Rural, Tribal	Penobscot County Sheriff's Office	\$ 62,000
2022	BJA Small, Rural, Tribal	Piscataquis County Sheriff's Office	\$ 7,500
2022	BJA Small, Rural, Tribal	Rumford Police Department	\$ 10,724
2022	BJA Small, Rural, Tribal	Saco Police Department	\$ 32,500
2022	BJA Small, Rural, Tribal	Winslow Police Department	\$ 8,000
2022	BJA Small, Rural, Tribal	Winthrop Police Department	\$ 10,000
2022	<u>BJA Byrne Discretionary Grants Program</u>	Cumberland County Sheriff's Office	\$ 250,000
2021	<u>BJA Implementing the Prison Rape Elimination Act (PREA) Standards, Protecting Inmates, and Safeguarding Communities</u>	Maine Department of Corrections	\$ 250,000
2021	<u>BJA Policy and Implementation Program</u>	University of Southern Maine	\$ 8,000

BWC policies should also be comprehensive and reviewed regularly, so adjustments can be made as needed. As technology evolves there have been policy implications for equipment, redaction, and storage of digital evidence. For example, the current study found significant shifts in the use of redaction of BWC video in Maine between 2021 and 2024.

Another trend in BWC policy over the past three years relates to officer review of video prior to making a formal statement. As explained in the literature review section, there has been a shift nationwide in BWC policies related to officer review. Current best practice is to require officers to make a preliminary statement about events before being allowed to view video, after which they would make a more formal statement.

The 2024 survey also found there are some areas of BWC policy where rules vary across law enforcement agencies. For example, the 2024 survey found the BWC policies for recording interactions with civilians varies. There were inconsistencies in rules for recording officer-initiated contact, interaction with minors, and policing of public events. Some statewide guidance could be useful for ensuring more consistency across agencies.

Balancing transparency with the needs of ongoing investigations and privacy concerns is a challenge.

Despite the omnipresence of cameras in the 21st century, law enforcement leaders are tasked with balancing expectations of transparency against individuals' rights to privacy, along with the needs of ongoing investigations. In the 2024 survey, half of respondents indicated their BWC policy included a formal process for responding to requests to release BWC footage. However, nearly one in five respondents indicated their BWC policy provided no guidance on how to address requests for access to video.

The Maine Freedom of Access Act grants the public broad access to government records. Maine law is silent on BWC video as a specific record; however, [Maine law](#) limits dissemination of intelligence and investigative information when it might compromise a case. The pervasiveness of BWC video presents unique challenges, and, as mentioned in the literature review, many states have addressed BWC video specifically in legislation to give guidance on what types of BWC footage can be released. More than half (59%) of respondents indicated they had received requests for release of BWC footage over the past year, most often from private citizens and news organizations. For transparency and to comply with public record law, some images must be made available to the public, albeit with restrictions.¹⁶

¹⁶ **§804. Limitation on dissemination of intelligence and investigative record information** - Except as provided in sections [805 A](#) and [806](#), a record that is or contains intelligence and investigative record information is confidential and may not be disseminated by a Maine criminal justice agency to any person or public or private entity if there is a reasonable possibility that public release or inspection of the record would: 1. Interfere with criminal law enforcement proceedings. 2. Result in dissemination of prejudicial information. 3. Constitute an invasion of privacy. 4. Disclose confidential source. 5. Disclose confidential information. 6. Disclose trade secrets or other confidential commercial or financial information. 7. Disclose investigative techniques or security plans. 8. Endanger law enforcement or others. 9. Disclose statutorily designated confidential information. 10. Interfere with civil proceedings. 11. Disclose arbitration or mediation information. 12. Identify source of consumer or antitrust complaints.

Given the current lack of clarity, ongoing training for law enforcement leaders would be helpful to decipher what BWC footage could be released under public access laws and what is exempt. BWC video does meet the definition of a record and should be considered public information, except when it compromises a case. Pursuant to Maine law, there are limitations on dissemination of intelligence and investigative information. One leader summed up, “[These requests] are always very challenging It’s almost a full-time job to respond to some of these—what you can give, what you shouldn’t give, figuring [it] out.”

Another area where public release is allowed but still open to interpretation relates to the release of video depicting deadly force by law enforcement.¹⁷ While Section 804 of Maine law specifies a number of harms that preclude the dissemination of records, Section 806 states that dissemination may nevertheless occur if the benefits to the public outweigh the harms, a determination that must be made by the Attorney General.

Advocacy rights groups would argue that policies should also consider the privacy of individuals being recorded in sensitive situations, with clear protections in place for releasing or redacting video. However, without any statewide guidance, these protections are currently in place sporadically, within some agencies’ BWC policies and not in others. This lack of clarity regarding what is a public record and therefore subject to release and what should be exempt due to anticipated harms currently requires interpretation at the agency level, which presents challenges and increases the likelihood of inconsistencies across Maine.

There is a need for clearly outlined policy on release of recordings and restrictions on what would be considered an invasion of privacy, such as accidental death, suicide, or victims of sensitive or violent crime, including sexual assault and domestic violence; recordings of minors; depictions of medical and mental health facilities, treatment, and health care information; and recordings made where the subject has a reasonable expectation of privacy. As BWCs continue to be an integral tool of 21st century policing in Maine, more guidance is needed on how to balance the rights of the public to view more routine video captured by BWCs against the investigative needs of law enforcement and privacy rights of those who are recorded.

¹⁷ **§806-A. Video depicting use of deadly force** - This chapter does not preclude the public dissemination of that portion of a video in the custody of the Attorney General depicting the use of deadly force by law enforcement when the public interest in the evaluation of the use of deadly force by law enforcement and the review and investigation of those incidents by the Attorney General outweighs the harms contemplated in [section 804](#). Upon receiving a request for video depicting the use of deadly force, the Attorney General shall issue a decision on whether to release the video no later than 30 days after the request and, in the event of denial, shall provide written notice stating in detail the basis for the denial, a time frame for release of all or part of the video and the process to appeal the decision pursuant to [Title 1, section 409](#).

RECOMMENDATIONS

Based on the research literature, interviews with Maine stakeholders, and findings from multiple statewide surveys of Maine law enforcement agencies, the research team offers the following three recommendations to the Maine Attorney General and stakeholders. A more detailed explanation of the study, findings, and recommendations are found within the report.



01

Support flexibility and autonomy at the local level by allowing law enforcement agencies to develop their own body-worn camera (BWC) programs to meet their local needs and their municipal, county, and state budgets.

A state mandate that all law enforcement agencies adopt BWC programs is not recommended.¹⁸ The cost of such an unfunded mandate would be too burdensome. However, BWCs have become the norm in Maine, and it is likely that more Maine departments will continue to adopt them at their own pace, so some statewide guidance would be useful.

¹⁸ SPO198, [LD 636](#), item 2 -The current study is a byproduct of proposed legislation that would have required Maine law enforcement officers to wear body cameras and that their use must be consistent with model policies and procedures developed by the Board of Trustees of the Maine Criminal Justice Academy. The legislation was amended to resolve a study of the use of body cameras instead.

02

Promote use of federal funding assistance to Maine law enforcement agencies to establish and maintain BWC capacity.

The U.S. Department of Justice Bureau of Justice Assistance (BJA) provides federal funding to local, county, tribal, and state law enforcement agencies to obtain BWC equipment and implement their use. The [BJA Small, Rural, Tribal BWC Program micro-grants](#) are designed for agencies with 50 or fewer sworn officers. Other BJA funding is available for larger agencies. In addition to funding, the grants provide technical assistance and ongoing resources in key topic areas, such as policy, technology, privacy, training, evaluation, and stakeholder involvement.

03

Establish minimum standards for BWC policy and training.

Establishing oversight of BWC policy and minimum standards of key components is important to ensure continued success of BWC programs in Maine. Occasional BWC policy and training updates are required to keep up with changing technology and legislative requirements. This ongoing oversight should balance the interests of the public while also promoting best use of technology and highest performance of law enforcement agencies.

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APPENDIX A

SURVEY DATA TABLES

Appendix A contains the 2024 survey questions, the categories provided, and the number of responses for each category. Data tables are grouped and ordered as they appeared in the survey findings chapter.



A1. Agency Characteristics

Table A1.1 - Agency jurisdiction

Question 1. What is your jurisdiction? Check all that apply.	Number	Percent
State	5	5%
County	11	10%
Municipal	86	80%
Tribal	1	1%
Campus	4	4%
Number of respondents	107	100%

Table A1.2 - Agency county

Question 2. What county/state jurisdiction do you serve? Check all that apply.	Number	Percent
Androscoggin	5	5%
Aroostook	7	7%
Cumberland	13	13%
Franklin	5	5%
Hancock	6	6%
Kennebec	10	10%
Knox	2	2%
Lincoln	5	5%
Oxford	7	7%
Penobscot	14	14%
Piscataquis	1	1%
Sagadahoc	5	5%
Somerset	2	2%
Waldo	5	5%
Washington	5	5%
York	12	12%
Number of respondents	102	100%

Note: Table excludes state agencies because they serve all counties

Table A1.3 - Agency size

Question 3. How many officers are employed in your department/agency?	Number	Percent
Fewer than 10	33	31%
10-20	39	36%
21-30	15	14%
31-75	14	13%
76+	6	6%
Number of respondents	107	100%

Table A1.4 - Respondent role

Question 4. What is your role? Check all that apply.	Number	Percent
Police chief	81	76%
Sheriff	9	8%
Other command staff	8	7%
Evidence technician	0	0%
Officer	1	1%
Supervisor	3	3%
Detective	0	0%
Other	6	6%
Number of respondents	107	100%

Table A1.5 - Officer complaints

Question 32. Please indicate the approximate number of complaints filed against officers in your department in the last twelve months?	Number	Percent
No complaints	24	24%
1-2 complaints	38	38%
3-6 complaints	27	27%
7+ complaints	10	10%
Number of respondents	99	100%

Note: Responses were recoded into the categories listed.

Table A1.6 - Use of force incidents

Question 33. Please indicate the approximate number of use of force incidents filed in the past 12 months.	Number	Percent
No incidents	43	43%
1-10 incidents	36	36%
11-30 incidents	11	11%
31+ incidents	9	9%
Number of respondents	99	100%

*Responses were recoded into the categories listed.

Table A1.7 - Dashboard cameras

Question 4. Does your agency currently use mobile video recorders (AKA dash cams) in its vehicles?	Number	Percent
No	39	36%
Yes	68	64%
Number of respondents	107	100%

A2. Body-Worn Camera Use

Table A2.1 - Body-worn cameras

Question 6. Does your agency currently use body worn cameras?	Number	Percent
Yes	75	70%
No, but we are considering them	23	21%
No, we are not considering them	9	8%
Number of respondents	107	100%

Table A2.2 - Agencies without body-worn cameras

Question 7. If not using or considering, why not? Please check the top three factors that influenced your decision:	Number	Percent
Cost of equipment, system, storage, and maintenance	25	89%
No demonstrated need in this jurisdiction for the information that body cameras might provide	5	18%
Officer resistance or concerns	2	7%
Community resistance or concerns	0	0%
Collective bargaining agreements	1	4%
Cost of potential new litigation over police procedure and practice	4	14%
Risk of violation of victim and/or witness privacy	8	29%
Other	5	18%
Number of respondents*	28	100%

* Four agencies indicated that they were currently in the process of obtaining BWCs and are excluded from this table.

Table A2.3 - Number of body-worn cameras

Question 8. Approximately how many body worn cameras are in use at your department?	Number	Percent
1-10 cameras	34	45%
11-20 cameras	26	35%
31+ cameras	15	20%
Number of respondents	75	100%

Note: Responses were recoded into the categories listed.

Table A2.4 - Length of time using body-worn cameras

Question 26. How long has your department been using body worn cameras?	Number	Percent
Less than a year	12	17%
1-3 years	21	30%
3-6 years	17	24%
6-10 years	14	20%
More than 10 years	6	9%
Number of respondents*	70	100%

* Five eligible respondents did not answer this question.

Funding and Costs

Table A2.5 - Ongoing expenses

Question 37. How do you pay for ongoing expenses of your BWC program? Check all that apply:	Number	Percent
Federal grant(s)	7	10%
State grant(s)	2	3%
Non-profit grant(s)	0	0%
Direct appropriation: Municipality	54	79%
Direct appropriation: County	5	7%
Direct appropriation: State	4	6%
Other	5	7%
Number of respondents*	68	100%

* Seven eligible respondents did not answer this question.

Table A2.6 - Expense expectations

Question 34. Tell us about expenses: Were the costs to run a program more than expected, about as expected or less than expected?	Less than expected	About as expected	More than expected	Number of respondents
Cameras: hardware	3 4%	38 55%	28 41%	69 100%
Cameras: ongoing service contract	3 4%	32 48%	32 48%	67 100%
Cameras: maintenance	9 13%	42 62%	17 25%	68 100%
Storage: cloud based	0 0%	36 58%	26 42%	62 100%
Storage: in-house storage	5 8%	43 65%	18 27%	66 100%
Additional equipment	3 4%	42 61%	24 35%	69 100%
Software and licenses	2 3%	40 60%	25 37%	67 100%
IT infrastructure upgrades	3 4%	51 75%	14 21%	68 100%
Personnel/staffing time	3 4%	50 72%	16 23%	69 100%
Training	5 7%	59 86%	5 7%	69 100%
Unexpected costs	1 7%	5 33%	9 60%	15 100%

Table A2.7 - Annual costs

Question 35. What is the estimated annual cost to your department/agency to operate body worn cameras?	Number	Percent
≤\$5,000	23	38%
\$5.1k - \$10k	16	27%
\$10.1k - \$20k	11	18%
≥\$20.1k+	10	17%
Number of respondents*	60	100%

* Many respondents were unsure about the annual costs of equipment; in total, 15 eligible respondents did not answer this question.

Table A2.8 - Program implementation

Question 27. Describe the implementation of your program:	Number	Percent
Was better than expected	38	54%
Was worse than expected	3	4%
About as expected	29	41%
Number of respondents*	70	100%

* Five eligible respondents did not answer this question.

Training

Table A2.9 - Required trainings

Question 9. What types of standardized training are required to wear cameras? (Check all that apply.)	Number	Percent
Department wide	51	68%
Officer specific	5	7%
Initial training when issued	56	75%
Routine refresher	12	16%
Vendor training on mechanics and operation	23	31%
Other	0	0%
No standardized training is required	1	1%
Number of respondents	75	100%

Video Processes

Table A2.10 - Type of video storage

Question 20. How is video typically stored? (Check all that apply.)	Number	Percent
Hard drive	24	35%
Cloud-based	43	63%
Internal server	18	26%
Other	0	0%
Number of respondents*	68	100%

* Seven eligible respondents did not answer this question.

Table A2.11 - Length of video storage

Question 21. How long is the video stored?	Number	Percent
Less than 90 days	2	3%
90-179 days	11	16%
180-365 days	1	1%
More than 365 days	16	23%
It depends: Please explain	40	57%
Number of respondents*	70	100%

*Five eligible respondents did not answer this question.

Table A2.12 - Video editing/redacting

Question 23. Can video footage be redacted/edited?	Number	Percent
No	37	53%
Yes	33	47%
Number of respondents*	70	100%

* Five eligible respondents did not answer this question.

Table A2.13 - Video editing/redacting authorization

Question 24. Who is authorized to request that footage is redacted/edited? (Check all that apply.)	Number	Percent
Chief/sheriff/troop leader	28	93%
Command staff	12	40%
District attorney	7	23%
Officer	3	10%
Other	1	3%
Number of respondents*	30	100%

* Only respondents who allow video editing (i.e., answered 'yes' to question 23); three eligible respondents did not provide an answer.

Table A2.14 - Video access

Question 25. Who can have access to recordings? (Check all that apply.)	Number	Percent
Officer who made the recording	67	96%
Other sworn officers	18	26%
Command staff	70	100%
Criminal defendant or defense counsel	34	49%
Office of District Attorney	58	83%
Office of Attorney General	51	73%
Internal Affairs investigators	54	77%
Use of force review by command staff	56	80%
Supervisors for performance review	52	74%
Routine audit of department's adherence to policy	48	69%
Other	5	7%
Number of respondents*	70	100%

* Five eligible respondents did not answer this question.

Table A2.15 - Video access documentation

Question 25b. Is it documented when each individual or group has access to the footage? Yes/No/Other: Please specify	Number	Percent
Yes	51	73%
No	17	24%
Other	2	3%
Number of respondents*	70	100%

* Five eligible respondents did not answer this question.

Table A2.16 - Video release requests

Question 19. In the past 12 months, please indicate which types of requests for public release you received and the approximate number of each type of request.	Number	Percent
Private citizens	30	68%
News organizations	21	48%
Other	11	25%
Number of respondents*	44	100%

Note: Due to irregularities in reporting, the number of requests reported by respondents could not be included here; therefore, only the types of requests reported is shown.

* Not all agencies had public release requests and therefore were unable to answer the question.

A3. Body-Worn Camera Policies

Table A3.1 - Body-worn camera policies

Question 10. Is there a policy in place in your agency/department that determines body worn camera practices?	Number	Percent
No	1	1%
Yes	74	99%
Number of respondents	75	100%

Table A3.2 - Public availability

Question 11. Is the BWC policy publicly available?	Number	Percent
No	21	30%
Yes	50	70%
Number of respondents*	71	100%

* Four eligible respondents did not answer this question.

Table A3.3 - Policy influences

Question 12. Please check the top three factors that influenced your agency/ department's decision to enact policy:	Number	Percent
Improving officer safety	34	47%
Reducing and resolving civilian complaints	44	60%
Reducing agency liability	31	42%
Improving officer/agency transparency	40	55%
Enhancing offender accountability	3	4%
Evidentiary value	47	64%
Reducing use of force complaints	2	3%
Supporting more successful prosecutions	17	23%
Other	1	1%
Number of respondents*	73	100%

* One eligible respondents did not answer this question.

Table A3.4 - Camera activation

Question 13. According to your policy, when must officers activate body worn cameras?	Number	Percent
At all times when on duty	3	4%
When responding to a call	14	19%
When interacting with the public	46	62%
Officer discretion	1	1%
Other	10	14%
Number of respondents	74	100%

Table A3.5 - Policy guidance

Question 14. Does the department's BWC policy give guidance on: (Check all that apply.)	Number	Percent
How camera use/recordings must be documented	34	47%
Camera use in cross-jurisdictional situations	44	60%
How long footage must be kept	31	42%
How officers are trained	40	55%
Consequences of officer/departmental non-compliance	3	4%
Application of facial recognition software/ other biometrics to footage	47	64%
When cameras must be deactivated	2	3%
Number of respondents*	17	23%

* One eligible respondents did not answer this question.

Table A3.6 - Camera deactivation

Question 15. Does your policy give guidance around specific scenarios when cameras must be deactivated? (Check all that apply.)	Number	Percent
In a medical facility	32	68%
In a correctional facility	12	26%
In a school setting	19	40%
When responding to call for service for mental health/medical crisis	8	17%
Conversations involving victims of domestic violence	14	30%
Conversations involving victims of sexual assault	19	40%
When another person who has a communications privilege with the survivor is present, e.g., doctor patient, attorney client, healthcare professional	19	40%
Other	19	40%
Number of respondents*	47	100%

* Only respondents who indicated their policy addressed deactivation were shown this question; four eligible respondents did not respond.

Table A3.7 - Public deactivation requests

Question 16. Does the department BWC policy address how to handle deactivation requests from the public?	Number	Percent
No	49	66%
Yes	25	34%
Number of respondents	74	100%

Table A3.8 - Settings addressed in policy

Question 17a. Does your department BWC policy provide rules for recording in the following settings? (Check all that apply.)	Number	Percent
Response to routine service calls	59	86%
Officer initiated citizen contacts	58	84%
Execution of intimate/strip searches	28	41%
Request to search without a warrant	38	55%
Execution of search warrants	42	61%
Execution of arrests	52	75%
Transportation of suspects	42	61%
Policing of public events	23	33%
Surveillance	14	20%
Interactions with minors	33	48%
Interactions with crime victims	48	70%
While in plain clothes	22	32%
Special Ops	28	41%
Fatalities	32	46%
While on a break, such as lunch, restroom, personal call	41	59%
Other	8	12%
Number of respondents*	69	100%

* Five eligible respondents did not answer this question.

Table A3.9 - Rules for settings

Question 17b. What rule does the policy state in each of those settings? Check all that apply.	Record	Officer discretion	Do not record	Total
	Response to routine service calls	52 88%	7 12%	0 0%
Officer initiated citizen contacts	40 69%	17 29%	1 2%	58 100%
Execution of intimate/strip searches	5 19%	1 4%	21 78%	27 100%
Request to search without a warrant	38 100%	0 0%	0 0%	38 100%
Execution of search warrants	42 100%	0 0%	0 0%	42 100%
Execution of arrests	51 100%	0 0%	0 0%	51 100%
Transportation of suspects	41 98%	1 2%	0 0%	42 100%
Policing of public events	11 48%	9 39%	3 13%	23 100%
Surveillance	3 21%	9 64%	2 14%	14 100%
Interactions with minors	21 64%	9 27%	3 9%	33 100%
Interactions with crime victims	36 75%	10 21%	2 4%	48 100%
While in plain clothes	6 27%	10 45%	6 27%	22 100%
Special Ops	15 56%	5 19%	7 26%	27 100%
Fatalities	25 78%	4 13%	3 9%	32 100%
While on a break, such as lunch, restroom, personal call	0 0%	0 0%	41 100%	41 100%
Other	5 63%	0 0%	3 38%	8 100%

A4. Effects and Benefits

Table A4.1 - BWC impacts

	Positive	Neutral	Negative	Number of respondents*
Question 28. Characterize the effect camera use has on interactions with the public	44 63%	26 37%	0 0%	70 100%
Question 29. Characterize the effect camera use has on the physical/mental health of officers	49 70%	21 30%	0 0%	70 100%
Question 30. Characterize the impact of camera use for evidentiary value	67 96%	2 3%	1 1%	70 100%

* Five eligible respondents did not answer this question.

Table A4.2 - Other potential benefits

Question 31. Rate other potential benefits of body worn cameras: Scale 1-5	Very negative	Negative	Neutral	Positive	Very positive	Number of respondents
Complaints filed	0 0%	1 1%	10 14%	11 16%	48 69%	70 100%
Use of force incidents	0 0%	1 1%	15 21%	14 20%	40 57%	70 100%
Public trust	0 0%	1 1%	15 21%	19 27%	35 50%	70 100%
Community support	0 0%	1 1%	17 24%	23 33%	29 41%	70 100%
Accountability/transparency	0 0%	1 1%	4 6%	21 30%	44 63%	70 100%
Litigation costs	0 0%	1 1%	31 45%	10 14%	27 39%	69 100%
Other	1 8%	0 0%	3 25%	0 0%	8 67%	12 100%

APPENDIX B

KEY INFORMANT INTERVIEWS

The following survey instrument was used to conduct eight phone and video interviews with stakeholders to gather information on the current and potential use of body-worn cameras by Maine law enforcement officers.



Informed Consent Script

We are part of a research team at the Catherine Cutler Institute at the Muskie School of Public Service at the University of Southern Maine. We are working on a study of the use of body-worn cameras by Maine law enforcement officers and are interested to learn more from your perspective.

The research team is gathering data from a variety of sources to analyze and create a summary report for the Attorney General. The report findings may be used to enhance body-worn camera policy(ies) in the state.

Participating in this research is voluntary. We ask that you answer the questions based on your own experiences and we will take notes on your responses. You may choose not to answer certain questions. We would like to record this Zoom call but only for our own use for notetaking. Recordings are saved in a protected file and will not be shared beyond the research team. This interview will take approximately 45 minutes to complete, however, you can choose to end it at any time. Do I have your permission to record this interview?

If you have any questions, please contact me, Alison Grey (alison.grey@maine.edu or 207-228-8485) or George Shaler, Senior Research Associate (gshaler@maine.edu or 207-274-9299). If you have any questions or concerns about your rights as a research subject, please contact the USM Research Compliance Administrator at (207) 228-8434 or usmorio@maine.edu. Would you like to begin? (Researcher documents reply.)

Key Informant Interview Questions

During the course of this conversation, we hope to learn about your experiences with body-worn cameras in your district/town/county/region and gather “lessons learned” from your experience and observations.*

1. We’d like to start by just gathering some basic information about how long your body-worn camera program has been in operation, along with the department size and scope of your program. Please describe.

Given your experience, what advice both positive and/or negative would you give an agency considering body-worn camera programs?

We also want to get your perspective on some of the larger issues that have been identified in the national research on BWC to see if this is an issue here in Maine.

2. What successes and challenges should the Attorney General, legislators, and community stakeholders be aware of related to:
 - a. Development of policy
 - Mandatory activation v discretion
 - b. Costs to operate a body-worn camera program
 - Equipment, data retention/storage, personnel/staffing
 - c. Community engagement and support of the use of BWCs by law enforcement officers
 - d. Privacy protections v freedom of information/transparency
 - e. Other considerations particular to rural, smaller department, etc.? Please describe.
3. Is there anything else we should have asked or that you would like to add on BWCs and BWC policies?

*We will note if we reviewed their publicly available testimony on LD 636 and ask if their views have changed since their original testimony.

MAINE STATISTICAL ANALYSIS CENTER

The Maine Statistical Analysis Center (SAC) informs criminal and juvenile justice policy and practice by providing research, analysis, training, and technical assistance to governmental agencies and community-based non-profits. The Maine SAC's team of experts conducts applied research, evaluates programs and initiatives, and provides organizational development services to partners with the aim of building their data capacity and ability to use data to inform decision-making.



Maine SAC: <https://mainesac.org>

SURVEY RESEARCH CENTER

The Survey Research Center provides technical expertise and assistance to support the generation, processing, and analysis of quantitative data in the social sciences, human services, and public opinion fields. The Center provides a wide range of research and technical assistance services to federal, state, and municipal governments, private nonprofit agencies, businesses, and University faculty and departments. Services include proposal preparation, market research, needs assessments, program evaluation, policy analysis, and information system design.



Survey Research Center: <https://www.srcmaine.org/>

CATHERINE CUTLER INSTITUTE

The experienced staff members of the Catherine Cutler Institute work collaboratively to help partnering organizations and communities thrive in a changing world by translating knowledge and best practices into sustainable solutions that are responsive to societal needs and focused on meaningful outcomes.



Catherine Cutler Institute: <https://usm.maine.edu/cutler/>

