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Stop-gaps, lip service, and the perceived futility of body-worn police officer cameras in Baltimore City

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ABSTRACT

Body-worn cameras (BWCs) are touted as a much-needed remedy to address police misconduct. Proponents argue that BWCs can serve not only as an accountability instrument, but that their use will lower costs attributed to investigation and evidence collection in the event of a civilian or internal complaint. However, the push for furnishing patrol officers with BWCs in order to bolster accountability, professionalism, and faith in institutional legitimacy might be a misguided effort. The argument that public perception of police officers' use of force will be improved once officers are outfitted with a surveillance mechanism is unfounded for at least two reasons. First, evidence suggests that because they are aware of their being recorded, wrongdoing police officers may plant weapons and invoke language at a crime scene that corroborates a justified response to suspects who pose a threat. Second, civilians and officers alike have always known images of unjust state violence and that the presentation of even the most damning evidence does not necessarily deter officers from violating constitutional protections, or reduce the likelihood of being acquitted when they do. Drawing from the narratives offered by 68 Black Baltimore City residents who were interviewed on the heels of Freddie Gray's death in 2015, this study explores what surveilled community members think of BWCs and their disutility, as well as center their suggestions for true and lasting improvements in police-civilian interaction. Theoretical implications for critical race theory, legal legitimacy, and legal cynicism are also discussed.

KEYWORDS

Body-worn cameras; critical race theory; Freddie Gray; legal cynicism; police legitimacy

On April 12, 2015, Freddie Carlos Gray Jr. was arrested by officers of the Baltimore Police Department (BPD) for allegedly possessing an illegal switchblade. Eyewitness accounts and video footage suggest that the six BPD officers involved in Gray's arrest used excessive force while detaining him. It was also reported that the officers failed to safely secure Gray inside the transport van, resulting in his sustaining lethal injuries to his larynx and spinal cord. Due in large part to the community outcry that followed Freddie Gray's death, this fatality has been heralded as yet another high-profile lethal encounter between police officers and young Black civilians.

In the effort to reduce these recurring confrontations, many have called for policing reform initiatives that include bolstering technological advancements aimed at engendering a more efficient, professional, and accountable police patrol force. Those advancements include enhanced GPS triangulation devices used to create hot-spot crime maps, handheld biometric or mobile finger-printing devices, surveillance drones, license plate tag readers, the mining of social media data, and audio-visual data collection by officer-worn cameras (Custers & Vergouw, 2015).

Research that explores the costs and benefits of body-work camera (BWC) program implementation offer mixed results. Findings suggest the BWCs may reduce civilian complaints against police officers (Ariel, Farrar, & Sutherland, 2015; Ariel et al., 2017) and result in quicker resolution of civilian complaints that are filed and sustained (Katz, Kurtenbach, Choate, & White, 2015). Footage can also be used to enhance training protocols (Coudert, Butin, & Le Métayer, 2015; Willits & Makin, 2018) and pinpoint how evidence-informed policy can be best deployed (Voigt et al., 2017). Other studies challenge the benefits of BWC implementation, citing that officers are tempted to obscure or manipulate the devices' recording capacity (Taylor, 2016b); that officers share an institutional knowledge of how to consciously build recorded narratives that corroborate justified search practices and the use of force (Crespo, 2016; Fagan & Geller, 2015); that proper data storage and management are too costly for city budgets (Lin, 2015); and that access to the footage must be regulated to protect the rights and privacy of recorded victims, the accused, and passersby (Pagliarella, 2016; Taylor, 2016a). The role that BWCs could impose on the "Ferguson Effect," or the chilling of proactive policing, is also still debated (Ariel, Sutherland, Henstock, Young, & Sosinski, 2018; Gonzales & Cochran, 2017).

The "Ferguson Effect" refers to the notion that on the heels of an officer-involved fatal shooting of an ethnoracial minority, criminal elements are emboldened to act during moments when police officers feel hamstrung in their ability to use proactive tactics to enforce the law (Nix & Wolfe, 2017). Recent study findings suggest that despite the implementation of BWC programs and an apparently ramped-up surveillance and accountability protocol imposed upon officers policing these spaces, officers who have confidence in their authority or perceive their agency as fair are more willing to partner with the community to solve problems, regardless of the effects of negative publicity (Wolfe & Nix, 2016). Still, this information was not available to Baltimore City officials at the time they decided to move forward with the BWC program. Although the research community now offers empirically based insights into how BWCs shape police-civilian encounters in racially tense contexts (for examples, see Ray, Marsh, & Powelson, 2017; Shjarback, Pyrooz, Wolfe, & Decker, 2017), neither Baltimore City officials nor their officers or civilian constituency were guided by that information.

On September 17, 2015, Baltimore County Executive Kevin Kamenetz announced a program to equip 1,435 BPD officers with body-worn cameras. Full deployment was not completed until September 30, 2017. While this program was not yet implemented at the time of Gray's death in April of 2015, Baltimore residents interviewed in our study had much to say about its inevitability and its implications for police accountability. In the state of Maryland, BWC footage is considered public record and subject to release under the Maryland Public Information Act. This means that because BWC footage for any police activity is classified as material created or received by a state-funded agency in connection with the transaction of public business, those data can be requested by anyone. The BPD and Attorney General of the State of Maryland are required to honor those data requests unless an ongoing investigation or pending prosecution merits retention of the film.

The implications for the quality of publicly available material evidence collected, as well as how its existence could impact police transparency and accountability efforts, are arguably profound. However, while not always recorded from the vantage point of an officer's chest, collar, or helmet, the existence of footage that captures police officer lethality disproportionately aimed at ethnoracial minorities in Baltimore City is not new, and strained police-civilian relations have been a well-documented feature of Baltimore's political landscape for decades. As such, it is not apparent that the decision to furnish BPD with officer-worn cameras would amount to the panacea that proponents of the initiative would have social justice stakeholders believe. In this article we present Baltimore City residents' interrogation of this program, its merits, and its weaknesses.

Theoretical framework and review of related literature

Our analysis of Baltimore City residents' responses to questions about the utility of police officer body-worn cameras is couched in two sociolegal perspectives: critical race theory and legal cynicism.

Critical race theory (CRT) establishes the fundamental role that the law and legal institutions play in the maintenance of constructed racial hierarchies (Delgado & Stefancic, 2017). Despite the promise of neutrality and the installation of allegedly color-blind agendas, the criminal legal system has proven particularly debilitating for Black, Latinx, and indigenous lives and the communities from which they originate (Armenta, 2017; Martín & Danner, 2017; Van Cleve & Mayes, 2015). CRT scholarship suggests that the contemporary "Get Tough on Crime" agenda, and all of the legislation upon which it is bolstered, is sustainable only because of the social construction of race and racism. As previous research suggests that race-based policing practices erode police-civilian trust, increase doubts about the legitimacy of police institutions, and breed legal cynicism (Gau & Brunson, 2015; Tyler,

Fagan, & Geller, 2014), it may be the case that recording those interactions may not lead to any enhancement of public trust or safety for non-White community members.

Legal cynicism is a cultural orientation in which individuals imagine the law unfolding somewhere on the spectrum of irrelevance, to inconvenience, to utterly dismantling (Bottoms & Tankebe, 2012; Kirk, 2016; Sampson & Bartusch, 1998). At a minimum, individuals who express cynicism and resentment toward legal institutions may feel disenfranchised or estranged from the promise of police protection (Bell, 2017). At the more extreme end of the continuum, they may feel emboldened to unbind themselves from the obligations of law and order. For at least four reasons presented in existing research, the racial nuance that may exist along this attitudinal range merits further investigation by social work researchers and practitioners.

First, when this cynicism emerges in social contexts that are already marked by eroded informal community control mechanisms, crime and violence are more likely to proliferate (Kirk & Papachristos, 2011; Morenoff & Harding, 2014). Second, contemporary sociolegal scholarship suggests that individual-level conceptualizations of law and its significance may vary across groups, and can also explain a diverse measure of impressions of citizenship, agency, and collective buy-in (Berrey, Hoffman, & Nielsen, 2012; Longazel, Parker, & Sun, 2011). Third, studies also indicate that direct experiences with police harassment reduce individual trust in government institutions, with resentment increasing as cumulative interaction (direct and indirect) persists (Brunson, 2007; Brunson & Weitzer, 2009; Weaver & Lerman, 2010). Finally, scholarship that focuses squarely on expressions of legal cynicism among Black Americans specifically (Braga, Winship, Tyler, Fagan, & Meares, 2014; Jones-Brown, 2000; Kerrison, Cobbina, & Bender, 2018; Tyler et al., 2014) suggests that faith in legal institutions is significantly dampened by direct and vicarious negative experiences with law enforcement personnel. Whether the footage resulting from a BWC program in a predominantly Black Baltimore City would persuade Black residents to trust police officers, or galvanize an already embodied wisdom and expectation for police violence, remains to be seen.

The following study builds on this existing research agenda in two primary ways. In the current research, we first explore Black Baltimore City residents' reported perceptions of the BPD agenda, and how those goals are operationalized. Second, we demonstrate that residents' feelings about the utility of a local BWC program are nuanced and shaped by the extent to which they believe that the BPD public safety agenda is even salvageable. Since the rollout of BWC programs is relatively new to law enforcement protocol, researcher and practitioner communities have scant evidence of citizens' attitudes toward BWCs program on which to rely. Thus, this study aims to fill that gap in the literature by providing a qualitative exploration of

Black Baltimore citizens' thoughts on the purpose and promise of the BWCs program, particularly when deployed as a potential remedy for police lethality and a long-standing strained police-civilian relationship.

Methods

Sample

The current study draws on data collected from in-depth interviews with adults who either lived in Baltimore City, or engaged in some form of community action in the greater Baltimore, Maryland, region following the death of Freddie Gray in April 2015. The interviews were conducted in June 2015 in a local public library and at a private office in a centrally located church. Prior to beginning the interview, the research team members outlined the study objectives, secured informed consent, and assured respondents that they would be compensated \$40 for their involvement.

In order to meet the larger study's aim of exploring contemporary mechanisms of social action that follow a high-profile law enforcement officer-involved fatality, the sample selection was purposive in nature. Specifically, we used a maximum variation sampling strategy, as it is designed to capture a wide range of perspectives that would illuminate a variety of responses to these lethal encounters (Bhattacharya, 2017). We targeted a heterogeneous group of individual protesters and residents of Baltimore who varied across race, gender, and age, thus yielding a non-probability sample. In particular, individuals were recruited to participate in the project if they resided in Baltimore City or engaged in some form of community action (e.g., protests, rallies, vigils, live tweeting, aid provision to first responders, etc.) following the death of Freddie Gray. Several approaches were used to recruit respondents to participate in the study. First, efforts were made to purposefully recruit from sites that we knew were occupied and frequented by social activists. As such, a flyer describing the research project was placed on the first and second authors' Facebook and Twitter accounts, which was disseminated to social justice and political activist networks that are particularly active on social media. Also, the first and second authors shared the project announcement with prominent Baltimore City community members with affiliations in long-standing religious institutions, community colleges and universities, as well as more newly established citizen-led grassroots initiatives. Flyers were also posted and distributed at the local public library, and an invitation to participate in the study was placed in a local newspaper with a broad readership.

Data collection consisted of digitally recorded in-depth, face-to-face interviews, which lasted approximately one hour. The interviews were semi-structured and featured a series of open-ended questions that allowed for considerable probing. Respondents were first asked to describe their reaction to the death of Freddie Gray and the public events that transpired following his death. Then they were asked about their experiences with Baltimore City police officers, as well as their perceptions of police officers' opinions of people of various racial and ethnic backgrounds. Finally, they were asked about their projections of future outcomes and solutions that would come to pass in the aftermath of Gray's death.

Analytical strategy

All interviews were transcribed verbatim and imported into the NVivo qualitative research software package for coding. The analytical process of coding involved a number of sequential stages that identified ideas and themes as opposed to counts of explicit words or phrases (Namey, Guest, Thairu, & Johnson, 2008). The coding team included this essay's first and second authors. The coding process began with a list of initial categories derived from the existing policing, critical race theory, and legal consciousness literature and included such key indicators as harassment, cynicism, citizen trust, and legitimacy. To facilitate future analyses, all emergent themes were coded, which resulted in more than 30 main categories or parent tree nodes (e.g., Black respectability politics, community action involvement, perceptions of police officers' attitudes, etc.) and more than 100 subcategories used in the coding scheme. The tree node domains helped us to organize the transcripts into meaningful segments, but ultimately our conclusions were based on a holistic reading of the interviews in their entirety (Namey et al., 2008), looking for trends in those interviews that were linked to respondents' explanations of their views of Baltimore City Police procedure and what the implementation of BWCs would mean for the institution's treatment of Black Baltimore City residents.

For this study, we have focused on the testimonies offered by the 68 respondents who self-identified as Black or African-American. Of the Black respondents interviewed, 59% were women, 40% were employed full-time at the time of the interview, the majority (51%) reportedly earned less than \$10,000 in 2014, and all but three respondents lived in Baltimore City for at least one year prior to participating in the study. Finally, the respondents' ages range from 18 to 86 years old, with a mean age of 46 years and a median of 48.5 years. The following section includes a discussion of the most common patterns of Black Baltimore residents' accounts of policing and their thoughts on the utility of an expanding body-worn camera program.

Findings and discussion

Perceptions of the Baltimore Police Department and its agenda

Forty-six of the 68 Black respondents in our study reported having had direct contact with the BPD at some point in their lifetimes, or were at least able to recall and describe a vicarious police-civilian encounter that someone close to them had shared. Police contact of some sort was not an uncommon occurrence within their communities. However, many Black respondents offered that Baltimore City is “not an easy place to police” and recognized that there are systemic sociostructural deficits that make law enforcement’s charge that much more difficult, regardless of the presence of police officer BWCs. They also remarked that the challenges of police-Black civilian encounters are derived from the mainstream’s tendency to conflate social ills disproportionately navigated by Black folks, with inherent Black pathos and criminality.

Structural deficits and subsequent assumptions of Black criminality

Respondents shared that the absence of jobs, educational programming, and affordable housing are the root causes of violence that, albeit an inappropriate response, justify the state’s call for police presence in their communities. They also reported that this structural violence and dysfunction complicates efforts toward maintaining informal social order and civic harmony. Moreover, many spoke of difficulties whose origins were historical and the product of a long-standing legally codified racist agenda that sought to distance Black citizens, both symbolically and materially. Chez, for example, spoke at length about how contemporary distrust between police and civilians stems from 20th-century redlining policies, joblessness, and racially motivated justifications, as (dis)investment was in fact derived from decades of legislative policy. First, he described why culturally deficient and historically ignorant state agents moving through Black neighborhoods—particularly if unfamiliar with the space, its people, and their history—have trouble identifying with the communities that they are charged with protecting:

A lot of White people are intimidated by the movement of a Black person or their intentions or why they do things because they don’t have a cultural relationship with those people. Now if you don’t have a cultural relationship with your community whether you are Black, White, Chinese, or Martian, your community you will always have this mistrust.

The cultural mismatch that he believes exists between Baltimore City police and Black citizens under their surveillance, can be directly attributed to the spatial mismatch and socioeconomic distance that exists between the two groups. Chez later shared that Black civilians’ mistrust of police can be attributed, at least in part, to the recognition that police are just one manifestation of a state that is not, and has never been, invested in their health, success, or well-being. He added the following:

Now historically the Black community has a reason to mistrust the government—the city local and state government, from a historical perspective... certain neighborhoods was completely wiped out 'cause it was more racially motivated. I can walk into an actual market and actually I can show you all these buildings that's over a hundred years old that's empty because the city had the perspective to give more money to certain neighborhoods than to other neighborhoods while the neighborhoods start to deteriorate constantly more.... Now here's the thing to study—the history of jobs in the last 100 years. Not just the last 10 years but the last 100 years. History of home ownership in the last 100 years in the same community. The history of the education of the community in the last 100 years. And then, since Baltimore is so diverse, then study the community that's next to it that's doing well within the same time frame. And, that brings up a lot of questions that needs to be answered. Why did this happen?... It didn't happen overnight. It happened [over a period of] years. Years and decades in the making.... It's stuff that's always there, but it's people sweeping it under the rug for a long time. Now before there was webcams, cell phones or not, lots of stuff was swept under the rug. Because we have more cameras now, we see a lot more of these things and because we see a lot more of the power and neighborhoods being destroyed... we've got social reviews by people who've got tablets and can videotape everything live, which is putting more out in the open. You can only sweep so much stuff under the rug before you trip over the rug.

Chez warned that police-civilian trust could never materialize absent a directed and concerted effort by the state to reconcile structural harms committed against Black Baltimore citizens. He also shared that camera footage and more extensive documentation and dissemination of those ills might bring that change about.

Demarco, who lived in Freddie Gray's neighborhood and who knew him personally, described the community's physical context as “terrible” and “ruthless.” Just as the Los Angeles riots of 1992 brought about a national social justice outcry, he believes that footage evidencing Baltimore's unrest will prompt the same overwhelming call to redress the neighborhood blight that is so common a context for Demarco, Freddie Gray, and countless other Black citizens.

Other respondents were less optimistic about the value of camera footage or its capacity to signal onlookers to the alarming sociostructural conditions under which Black Baltimore residents live. Even fewer believed that camera footage would beckon the rallying cry that will bring about structural change initiated by the state. Instead, respondents offered that conversations that cast police accountability as a positive effort might actually divert attention away from questions about why BPD officers need to be watched in the first place. Morris, for example, believed that poor Black residents disproportionately suffered from police brutality and asserted,

[T]he police have a particular function that's only one small dimension. There's still the whole issue, you know, the whole issue of poverty, poor education, you know, all this. That's not going to go away.... This is about police brutality and

that's just one little part of it. It's a symptom. It's like dealing with the symptom of the disease, but it's not curing the cancer. It's just "I'm giving you something to keep you from throwing up," you know? First, the cancer is the problem.

Recording exchanges between Black residents and BPD officers, whether they escalate to the point of physical violence or not, is a moot effort, Morris argued. A more productive conversation might instead emphasize the root causes of the tension, which he offered might be attributed to the material conditions that some think warrant an increased police presence, body-worn cameras included.

As the dispossessive economic context that many Black Baltimore residents face is evidenced by persistent unemployment rates, ineffective schools, and bleak housing stock, respondents across age, race, gender, and socio-economic background perceived Baltimore police to view Black Baltimore citizens as "thuggish," "lazy," inherently criminal, or at least seldom ever up to any good. Furthermore, they believed that perceived contemporary abuses of police power are reflective of a historical state interest in policing these sorts of intractable Black bodies.

Referring to police officers, Abelina noted, "they still think they can do what they want to do like in slave days... they feel that they can steal a dude [remove a man from his home and community with impunity] and they got the opportunity to do it more now because they got guns and they got badges." When asked what advice he would give to Black children faced with a police encounter, Arnold offered, "the same advice they probably get from their parents. Try to avoid interacting with the police, because you're going to lose." When further prompted about what to do if avoidance was impossible, he offered the following:

[Say] "Yes, sir. No, sir." Try to keep that guy as humble as you can or keep yourself as humble as you can because they like to think, they like to feel that empowerment. They like they have power. "Yes, sir" or "no, sir." They like to see power. They want to see you submit to them. They tell you to "get on the ground," then get on the ground before they throw you on the ground because they're not going to make it not hurt. They're going to make it hurt. They're going to put a knee in your face, they're going to put a in knee in your ribs, they're going to give you a couple shots from the jaws. And then you wish you had just got on the ground. Because they're punks—that's what they are—and if you don't listen to them immediately and don't do what they say immediately, they'll make you wish you did.

Albeit regrettably expressed, this call for deference was a constant refrain among respondents in the study, and one that many cited as emblematic of unequal race relations in the United States writ large. Respondents spoke of encounters that harkened back to the days of slave codes, lantern laws, and Jim Crow legislative policy. Specifically, respondents described firsthand encounters with police who stopped them to question their right to pass through certain streets and businesses. As such, thoughts about what BWCs could do to remedy those dynamics were mixed.

Body-worn cameras and their value

Video footage as proof of police capacity for violence

While Freddie Gray's death garnered international attention, not a single respondent interviewed expressed any measure of shock upon learning about the incident. Instead, whether they believed it was warranted or not, everyone asserted that the footage depicting Freddie Gray being detained and dragged into the police vehicle on his knees exemplified the everyday anti-Black state violence deployed by law enforcement in Baltimore City. What was uncommon about Freddie Gray's death was the civil unrest and media attention that followed. Nicole, who had lived in Baltimore City all of her life, offered the following:

I think it's probably more common than what has been made aware before. I feel like these things have probably been happening all the time and now because of cases like Freddie Gray and [Michael] Brown, that people are now standing up to say, "Hey look, here's another incident. It isn't just these two." It's frequent and people are just now getting the courage to say this is happening, even though it's been happening for a long time.

Breann, who was also familiar with police brutality claiming the life of a loved one, expressed her lack of disbelief in learning of Gray's death:

It actually wasn't a surprise. In February, my cousin died in police custody as well.... It actually happens a lot in Baltimore.... I wasn't shocked about the point of this happening. But it is always outrage any time you hear this. Someone who is supposed to protect you, harms you, or doesn't do the proper things. You know? We are all humans so it's like—when I saw the video, I mean at first, I was outraged and upset with the video. But it wasn't surprising that the police did it.

Finally, Kristina shared that bearing witness to Freddie Gray's detention and learning of his death days later was "the last straw" and that neither she nor any child (she would advise if given the opportunity) could trust Baltimore City police officers any longer. When asked about the trust she maintained prior to Freddie Gray's death, she shared that it once existed, but that the camera footage depicting his brutal detention confirmed what she always knew, but had been fighting in the spirit of offering law enforcement the benefit of her doubt:

Kristina: For myself, for children, no trust. No. But, I still say just do what they [police officers] say, whether you trust them or not. But, no trust since the Freddie Gray case. I mean, they [the police] destroyed that. *They* did that.

Interviewer: Do you think it was there before?

Kristina: Yes. It's always been there. But, let's just say this time... you know what the difference is now from a couple years ago? Phones. Camera phones. Videotaping. That's the difference now. They've been doing this stuff for years. But they wasn't able to videotape and now you see it.

It appears that the trust Kristina held for police in prior years has expired since Freddie Gray's death and being exposed to the countless footage clips that she now consumes and regards as undeniably violent. When confronted with the reality of the viral footage and the charge of protecting Black children in her community from a similar fate, Kristina chose not to deny the evidence before her. Instead, she adopted a posture marked by suspicion of police, rather than trust or faith in their legitimacy or their desire to serve Black Baltimore City residents.

Challenging sources of footage and monitoring opportunities for manipulation

While the overwhelming majority of Black respondents advocated for more video footage of police-civilian encounters ($n = 55$), some were suspicious of the credibility of material produced by police. Specifically, there was a fair amount of concern over the amount of control officers had over the BWC device—their ability to turn it off or position a partner to block the viewfinder frame—and the extent to which particularly damning footage would be altered or destroyed by BPD personnel before facing public judgment. Some respondents proposed that the only trustworthy footage of public police conduct must come from the public under their watch. When asked about her thoughts on implementing a BWC program for Baltimore City, Ania expressed some doubt in the program's merit and offered instead that civilian footage would always be necessary to provide a more reliable account of events. Referring to the widespread and visceral impact that the footage of Freddie Gray's detention had on viewers' senses, she said,

So that's probably why that went as viral as it did, because somebody was standing right there actually recording it—the whole thing. From when they grabbed him and had [their] knees in his back. Before the news got hold of any footage that the police got from [their] cameras, it was already footage on TV from cell phones.

She went on to implore citizens to continue to record police-civilian encounters, so that alternate records of these accounts would be available for viewing. Ania was adamant that the public needs to be in control of these narratives if there is to be any chance of holding police officers accountable for unlawful misconduct.

Cynicism and despair: The aftermath of police inaction and impunity

While support for the implementation of BWCs was mixed, even respondents who expressed support for the program were unsure of how officers might respond to the additional surveillance measures, as well as what would be done with officers who were caught on tape abusing their power or breaking the law. Many respondents recalled that in the weeks that followed the death of Freddie Gray, they had noticed a decline in policing response. When asked to explain what she described as a policing decline, Chermaine offered the following rationale:

Chermaine: They're being nice now because those cameras are getting ready to be put on them.

Interviewer: Oh, the body cameras?

Chermaine: Yeah, so I guess they're practicing on being more human to people.

While unhappy with police brutality practices and somewhat hopeful about safety reforms that could result from increased surveillance measures, Cassandra was also dissatisfied by what she believed was a "camera-shy"-related reduction in policing, which she witnessed in the weeks following Freddie Gray's death:

Cassandra: The police for me now, like... they just drive past the blocks. They don't really do anything and then, you know, as soon as someone has a camera out, they're just like they're so innocent. Like they didn't do anything wrong. They just like a whole different personality.

Interviewer: So why do you think that is? Why do you think they're not really policing?

Cassandra: They just don't want to feel as though they did something wrong. Or they just know that we're watching them, even more closer, so they have to do exactly what they're taught to do.

That this reduction in police response also coincided with ongoing lethal violence that held many Baltimore citizens hostage in their own neighborhoods was described as deeply upsetting and did not amount to the desired police reform. When asked for an explanation of why police officers did not respond to the Mondawmin Mall riots to her satisfaction, Charlene offered, "Well, [Baltimore City Mayor] Stephanie Rawlings-Blake must've told them not to kill anybody."¹ Importantly, Charlene's tone was neither snarky nor hyperbolic; she offered that explanation with the utmost sincerity.

Other respondents lamented over the belief that despite the most damning video footage showcasing police brutality, the implementation of BWCs and any incriminating footage produced by the devices would be collected in vain. While the outcomes of the state's response to the six officers' alleged misconduct had not yet been determined at the time of the interview, many Black respondents were certain that no BPD officer would be held accountable for Freddie Gray's lethal injuries. Not only were most doubtful that the officers would face criminal convictions for harms suffered by Freddie Gray, but they believed that the lack of punishment that was bound to come would only embolden police officers in the future to continue to deploy state-sanctioned excessive force tactics against Black civilians, fully armed with the knowledge that no footage could incriminate them for those deeds. Mimicking police officers who do not answer for their brutality, Nicole

opined, “Nothing’s going to happen to me so, might as well...” Kind of like the above the law feeling like, ‘I’m a police officer. I can do this because I’m going to find some way to say that I was right. My actions were right because of such and such.” Nicole went on to assert that no state-based governing body would ever hold the officers accountable for anti-Black lethality, and that every officer knows it.

The cynicism that might animate Black Baltimore residents’ responses to a BWC program does not appear baseless, as many respondents described their heartbreak in detail. Specifically, they described feelings of deep betrayal that despite what they characterized as damning footage, it took far too long for the city to issue a formal disciplinary response for the six BPD officers involved in Freddie Gray’s arrest. For example, Karis expressed how devastated she and others were regarding the time that passed between Freddie Gray’s death and the indictment of the six officers involved:

It was *how* this death happened. It happened from the police. His [Freddie Gray’s] death happened in the police hands. And how they beat him and had him handcuffed and then they choke him out to the cruiser and rode him around and took him out. And, you know, he never made it to the police station? They, you know, saying that they took him there and then one clip said that they had took him here.... It was just a lot of stories and then people wanted the officers immediately fired. That’s what they wanted. They wanted justice right then and there and they wanted the officers fired... and they couldn’t wait. This was too long. They wanted this to happen right then and there—for them to go to court, for the officers go to jail, lose their job, and all of that. But they [the six BPD officers] were still working with pay and all that, still reporting to work. And, you know, that’s what people were so angry about and, you know, you can’t blame them. I felt the same way. Why they [the six BPD officers] still reporting to work, you know? They had the footage, you know? And, even our mayor was slow to respond. I felt like she didn’t react... she representing us, but she didn’t respond the way she should have. It seemed like she was more for the police department. She’s a city official and they’re city officers. It seemed like she was more for the officers.

Karis’s statement underscores just how fed up Baltimore residents were, and how no state representative was willing to stand up for the rights of citizens like Freddie Gray, despite the accumulation of incriminating evidence and public doubt that the six officers had worked to ensure Gray’s well-being.

In addition to feeling doubly victimized (by BPD officers and the government who would not punish them), several respondents warned that this impunity reinforces a dangerous precedent. Emerald very plainly stated, “if cops think that they get away with stuff they’re going to keep on doing it.”

Finally, reflecting on these events and the idea that they will more often be documented via camera footage is a double-edged sword. On the one hand, respondents described hopes for increases in police accountability for documented excessive use of force. However, many feared that a critical mass of indisputable footage would have to emerge, and they were unsure of how

many Freddie Grays they would have to see dragged to their deaths. Upon learning the news of Freddie Gray's death, Helen described the need to distance herself from social media that repeatedly showed the footage of his arrest, in large part because his was one of many similar scenes she had previously witnessed in horror:

Helen: I remember each one. With Freddie Gray, when we heard the news, at first it was kind of, "Oh, this again?" So, it invoked all this other chain of things that happened previously. It almost felt like it was mounting up.

Interviewer: How did you feel about that, like, seeing it for the *N*th time?

Helen: It was, I don't know what the words to use. Should I say it was a little overwhelming? Back in the fall after the Michael Brown incident and Eric Garner incident, I had gotten so overwhelmed by a lot of the stuff that I think by December, I was like, "I need to work. I need to not be too distracted." There was just so much I wanted to do, so much that I was just irritated about. I was reading things and talking to people about that stuff. Then this time around I was like, "Okay, I can't get too overwhelmed by it because it just kept happening." It's like, "Okay, you have to turn it off." I don't know. I tried to do that.

Interviewer: What does "turning off" entail?

Helen: I guess shit like not reading Facebook and not looking at the news, just turning it off.

For many Black respondents, the idea that more footage cycling through media platforms would subject them to bearing witness to the harms suffered by their own people with greater frequency was unthinkable. When asked about whether he had watched a civilian's recent video capturing a police officer's violent response, Junior replied, "No, I did not. I didn't have the stomach to watch it. I deliberately didn't see it."

Conclusion

No one who spoke with us wanted to be reminded of their assumed inhumanity and the recklessness with which they believed the police would readily handle them. In addition, that there are individuals who eagerly consume and profit from the production of these sorts of violent police-civilian encounters, was not at all lost on many of the respondents interviewed. Respondents identified popular crowd-sourced content websites, including WorldStarHipHop and TMZ, that are responsible for curating and disseminating these video clips. Our respondents suspect that one of the principal explanations for why videos like Freddie Gray's reach viral

distribution is because the Web-based fetishization of Black suffering is a marketable commodity that generates formidable revenue margins from Internet users of all types. As such, the BWCs may simply serve as another mechanism memorializing Black victimhood and subordination, and they are consequently hesitant to endorse their use.

Since these data were collected in June 2015, the Baltimore County government has purchased body cameras from Taser International, Inc. The agreement with Taser is an eight-year, \$12.5 million contract, which covers the purchase of the Axon Flex body camera, the cost of device maintenance, unlimited data storage, licenses, and full-time personnel responsible for the BWC program's technical oversight. The city has invested a tremendous amount of money and political capital into lifting this program's promise. Champions of social justice remain vigilant and continue to monitor street-level officers' fidelity to the BWC program aims, as well as assess whether police-civilian relations are at all improved.

The creation, distribution, and interpretation of digitized audio-visual data are all fundamentally social processes that are rapidly developing. Studies that focus on these phenomena sit at the investigative nexus of technology, legal policy, human rights, privacy, and institutional power. We acknowledge that this study is not without its limitations. Despite the richness that qualitative data offer the research community, there is always some degree of expected measurement error when collecting data on stigmatized populations and behavior (Gibbs & Bankhead-Greene, 1997; Hart-Johnson, 2017). For example, the demonstration of desirability bias among respondents asked to disclose their engagement in deviant or illegal behaviors is expected. Also, despite committing every effort to maintain respondents' confidentiality, we suspect that some study participants may have hesitated to fully disclose the details of pending criminal charges and police-civilian encounter complaints that had not yet been resolved. Finally, as is often the case with interviewing vulnerable populations, some respondents refrained from rehashing the specifics of their individual experience that could trigger re-traumatization, and we are committed to honoring that privacy. Still, we believe that this work makes a contribution to the policing, critical race, and social welfare discourses.

These analyses examine how a diverse cross-section of Baltimore City is processing and navigating contemporary policing reform. As an analysis of officer attitudes exceeds the scope of this study, but is critical to advancing the discourse, we hope that future research will explore those perspectives, too. We also urge researchers and clinicians to revisit Baltimore City, and continue to include the perspectives of those most impacted, in our efforts to make social justice a more tangible reality.

Note

1. Following Freddie Gray's funeral on April 27, 2015, police and local residents (many of whom were high school students) began squaring off at 3:00 p.m., at the Mondawmin Mall in Northwest Baltimore. This confrontation sparked much of the widespread rioting, looting, and arson that later took place throughout the city.

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