

*NO. 07-21-OR*

**ORDINANCE**

An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing policy for the County Police and providing for the creation of a working group to assist municipal police departments operating within Allegheny County in the evaluation and potential acquisition of camera devices.

**Whereas**, the use of police body cameras began to be considered widely after several high-profile police shootings, including the 2014 death of Michael Brown in Ferguson, Missouri, and in 2015 the Obama administration handed out more than \$23 million in federal grants to help agencies of all sizes purchase them; and

**Whereas**, Body-worn cameras may result in better transparency and accountability and thus may improve law enforcement legitimacy. In many communities, there is a lack of trust and confidence in law enforcement. This lack of confidence is exacerbated by questions about encounters between officers and community members that often involve the use of deadly or less-lethal force. Video footage captured during these officer-community interactions might provide better documentation to help confirm the nature of events and support accounts articulated by officers and community residents; and

**Whereas**, Body-worn cameras may also result in increased civility as studies have shown higher rates of citizen compliance to officer commands during encounters and fewer complaints lodged against law enforcement. Citizens often change their behavior toward officers when they are informed that the encounter is being recorded. This “civilizing effect” may prevent certain situations from escalating to levels requiring the use of force and improve interactions between officers and citizens; and

**Whereas**, Body-worn cameras may lead to a faster resolution of citizen complaints and lawsuits that allege excessive use of force and other forms of officer misconduct. Investigations of cases that involve inconsistent accounts of the encounter from officers and citizens are often found to be “not sustained” and are subsequently closed when there is no video footage nor independent or corroborating witnesses. This, in turn, can decrease the public’s trust and confidence in law enforcement and increase perceptions that claims of abuse brought against officers will not be properly addressed. Video captured by body-worn cameras may help corroborate the facts of the encounter and result in a quicker resolution; and

**Whereas**, BWC footage captured may also serve as corroborating evidence in arrests or prosecutions. Proponents have suggested that video captured by body-worn cameras may

help document the occurrence and nature of various types of crime, reduce the overall amount of time required for officers to complete paperwork for case files, corroborate evidence presented by prosecutors, and lead to higher numbers of guilty pleas in court proceedings; and

**Whereas**, the use of body-worn cameras also offers potential opportunities to advance policing through training. Law enforcement trainers and executives can assess officer activities and behavior captured by body-worn cameras — either through self-initiated investigations or those that result from calls for service — to advance professionalism among officers and new recruits. Finally, video footage can provide law enforcement executives with opportunities to implement new strategies and assess the extent to which officers carry out their duties in a manner that is consistent with the assigned initiatives; and

**Whereas**, by 2016, nearly half of U.S. law enforcement agencies had body-worn cameras, according to a Bureau of Justice Statistics survey (*Body Worn Cameras in Law Enforcement Agencies, 2016*, Hyland/BJA November 2018), and that same survey noted that about a third of sheriffs' offices and local police departments that didn't have cameras said they were likely to consider acquiring them within the year; and

**Whereas**, as noted by the Pew Charitable Trusts (*Body Cameras May Not Be the Easy Answer Everyone Was Looking For*, Van Ness, January 14, 2020), experts in the field have indicated that the effectiveness of the cameras depends on when officers are required to turn them on, whether they must review the video before they write incident reports, and whether videos are released to people involved in an incident or to the public; and

**Whereas**, camera cost estimates vary significantly, with some published figures indicating that hardware, maintenance, and data storage fees can cost up to \$5,000 per body camera for five years, while gun-mounted cameras (which only operate when an officer draws his or her sidearm) can cost approximately \$800 per camera for five years; and

**Whereas**, a large number of police departments operate within the County's 130 municipalities, and not all municipalities are equally positioned to evaluate the options available and/or to investigate and secure funding for body cameras for its officers; and

**Whereas**, it is also possible that economies of scale may exist for larger, coordinated purchases of camera equipment, rather than conducting individual department-by-department purchases; and

**Whereas**, it is the judgment of Council that the Allegheny County Police should undertake a thorough evaluation of camera technology, costs, and benefits, as well as best practices for their use; and

**Whereas**, it is further the judgment of Council that the results of this evaluation should be shared with all municipal police departments operating within Allegheny County, and that a working group should be established to assist local departments with evaluating camera options, securing funding for and providing other assistance with purchasing cameras, and formulating policies for their use, to the extent that such assistance is desired by the municipal departments;

***The Council of the County of Allegheny hereby enacts as follows:***

***SECTION 1. Incorporation of the Preamble***

The provisions of the preamble to this Ordinance are hereby incorporated in their entirety by reference herein.

***SECTION 2. Allegheny County Police Camera Policy***

The Allegheny County Police shall undertake a thorough evaluation of camera technology, costs, and benefits, as well as best practices for their use, and shall be completed no later than September 1, 2021. The findings of such evaluation shall be shared with any municipal police department operating within Allegheny County, upon request. The Allegheny County Police shall purchase camera technology and equip all uniformed patrol officers with such technology no later than December 31, 2021.

***SECTION 3. Allegheny County Police Camera Working Group***

- A. Allegheny County Council shall, within 90 days of the effective date of this Ordinance, establish a working group to assist local departments with evaluating camera options, seeking and securing funding for and providing other advisory assistance with purchasing cameras, and formulating policies for the use of such cameras. Such working group shall be comprised of no less than nine (9) and no more than fifteen (15) County residents with significant prior experience or training in law enforcement, police camera policy and usage, budgeting, grant writing, and/or other applicable field(s). Working group members shall be designated at the discretion of the Council President with up to 5 appointments and the County Executive with the remainder. Members shall reflect the County's geographic and cultural diversity to the greatest extent practicable, and shall consist of individuals drawn from the ranks of relevant entities including the Pennsylvania Chiefs of Police Association, the Office of the Allegheny County District Attorney, the Municipal Police Officers' Education and Training Commission, the Allegheny County Police, municipal or other police departments operating within Allegheny County, and interested community groups.

- B. Once established, the working group shall, upon request, assist municipal police departments operating within Allegheny County by providing information and advice in the subject areas delineated in Subsection A. The working group shall be purely advisory in nature, and at no time shall the working group be deemed to be vested with any authority to direct any specific action, purchase, or policy to any municipal police department.
- C. Once established, the working group shall be deemed an agency of Council, and shall follow Federal, Commonwealth, and County law and regulation as they apply to such agencies, including but not limited to the Commonwealth's Sunshine Act and Right to Know Law.
- D. The working group shall conclude operations no later than December 31, 2023.

***SECTION 4. Effective Date***

The provisions of this Ordinance shall become effective immediately upon final approval.

***SECTION 5. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.***

***SECTION 6. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.***

***PRIMARY SPONSOR: COUNCIL MEMBER DeMARCO***

***CO-SPONSORS: COUNCIL MEMBERS KIRK, PRIZIO, and FUTULES, VICE PRESIDENT MACEY, and PRESIDENT CATENA***

Enacted in Council, this 11<sup>th</sup> day of May, 2021,

Council Agenda No. 11806-21



**Patrick Catena**  
**President of Council**

Attest: 

**Jared E. Barker, Chief Clerk**  
**Allegheny County Council**

Chief Executive Office May 13<sup>th</sup>, 2021

Approved: 

**Rich Fitzgerald**  
**Chief Executive**

Attest: 

**Jennifer Liptak**  
**Chief of Staff**