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STATEMENT OF
THE SURVEILLANCE TECHNOLOGY OVERSIGHT PROJECT, INC.
BEFORE THE
MADISON PUBLIC SAFETY REVIEW COMMITTEE
FOR A MEETING CONCERNING,
IMPLEMENTATION OF THE BODY-WORN CAMERA PILOT PROGRAM
SUBMITTED
JANUARY 12, 2022

The Surveillance Technology Oversight Project (“S.T.O.P.”) is a community-based civil rights group that advocates and litigates against discriminatory surveillance. Our work highlights the discriminatory impact of surveillance on Muslim Americans, immigrants, the LGBTQ+ community, indigenous peoples, and communities of color, particularly the unique trauma of anti-Black policing.

We oppose the proposed Body-Worn Camera (BWC) Pilot Program as both a threat to public safety and to Madison residents’ civil rights. BWCs systematically fail to promote accountability, being turned not on officers, but on the public they are sworn to serve. BWCs frequently capture a deceptive and incomplete view of police encounters, reinforcing the police narrative. At the same time, BWCs are increasingly a tools for tracking the public, not protecting them.

Officers exercise unchecked discretion over what encounters to record, failing to activate them or deliberately disabling devices prior to violent encounters.¹ Department leaders compound officers’ discretion by limiting public access to footage that captures police misconduct. The New York Civilian Complaint Review Board stated that approximately 40% of requests for BWC footage went unfulfilled by the NYPD.² Alarming, in more than 100 cases, the NYPD falsely claimed there was no video when footage actually existed.³ In Texas, BWC footage of Tony Timpa’s killing by the Dallas Police Department was only released after a three-year legal campaign by Timpa’s family and The Dallas Morning News.⁴ Given that police encounters are particularly more dangerous for BIPOC Americans,⁵ police discretion over BWC footage disparately impacts these communities. Alarming, the primary bright-line protection of the BWC Pilot Program will benefit the Madison Police Department, with insufficient protection of citizens.

While BWCs fail to hold officers accountable, they do succeed at one thing: Surveilling the public. BWCs capture information on hundreds or even thousands of individuals that an officer sees on a given day. Lax departmental policies and excessive officer discretion cause BWCs to become less a tool to keep cops in line, and more a tool to monitor civilians.

To fully protect Madison’s residents, we would hope to prevent the introduction of BWCs completely. BWCs fail in their goal of protecting citizens, and their use highlights the high risk of mass surveillance. The experiences of other cities make clear that surveillance solutions create new problems, while failing to address the problems they are intended to fix. It is incumbent on lawmakers to respond to this data and truly protect the public by resisting the push to implement body-worn cameras.

¹ Doha Madani, *Louisville police chief fired after officer bodycams found to be off during fatal shooting*, NBC News (June 1, 2020), <https://www.nbcnews.com/news/us-news/louisville-police-chief-fired-after-officer-bodycams-found-be-during-n1221351>.

² *Id.*

³ Memorandum from Olas Carayannis, Dir. of Quality Assurance and Improvement, Civilian Complaint Review Bd., to Members of the Civilian Complaint Review Bd. 2 (July 5, 2019), https://brooklyneagle.com/wp-content/uploads/2019/07/20190710_boardmtg_BWC_memo-2-1.pdf.

⁴ Cary Aspinwall and Dave Boucher, *You’re gonna kill me!?: Dallas police body cam footage reveals the final minutes of Tony Timpa’s life*, The Dallas Morning News (July 30, 2019), [aaaaaahttps://www.dallasnews.com/news/investigations/2019/07/31/you-re-gonna-kill-me-dallas-police-body-cam-footage-reveals-the-final-minutes-of-tony-timpa-s-life](https://www.dallasnews.com/news/investigations/2019/07/31/you-re-gonna-kill-me-dallas-police-body-cam-footage-reveals-the-final-minutes-of-tony-timpa-s-life).

⁵ Gabriel L. Schwartz and Jacquelyn L. Jahn, *Mapping fatal police violence across U.S. metropolitan areas: Overall rates and racial/ethnic inequities, 2013-2017*, 15 PLoS ONE (2020).