

Dear Alders and Committee Members,

I am writing once again, with further information on deficiencies in the BWC Committee report. One of the core tasks of the committee was review of the scientific research on BWCs. I was the only scientist on the committee.

It seems that everyone loves a scientist, until they convey the science and it's something people don't want to hear. Too often, the response is then to attack the scientist.

Here are some of the fundamental types of flaws present in the BWC Committee report.

1. Omissions of key BWC "cons" in the BWC Committee report

For example, the report fails to discuss that BWC video can exacerbate problems caused by dispositional biases. Dispositional biases are those motivated by culture, beliefs, values, and group commitments (conscious or unconscious) of the viewer. Sometimes this problem is also referred to under the term "cognitive illiberalism" (i.e., the unconscious influence of individuals' group commitments on their perceptions of legally consequential facts).

If bodycams are implemented, the conjunction of dispositional biases in perception of video and situational biases in perception specific to bodycam video may well make it **more** difficult to impose accountability on officers. I had submitted potential text about this con to the committee, but it was excluded from the report. As one study concluded,

[our] finding should give pause to advocates who hope that body cameras will make it easier to indict and convict police officers for excessive force. These results suggest that video evidence fails to reduce polarization significantly while simultaneously prompting fact finders who most strongly identify with police to become more unshakable in their judgments....

civil rights advocates embracing body cameras hope that more video footage will hold accountable police officers who use excessive force. This Note's findings raise the possibility that, on the contrary, indictments and convictions of police officers may become harder to obtain in some cases. Even with video evidence, people tend to bring their prior attitudes toward the police to bear on their judgments, and people who strongly identify with police appear especially likely to become resolute in their stances when they feel they have video proof backing them up. It's possible, then, that the Mike Brown Law could actually make it harder to get a majority of grand jurors to vote to indict police officers like Darren Wilson...¹

See [Appendix 1](#) for a longer discussion of BWCs and the impacts of dispositional biases.

2. Misreporting of research concerning BWCs and criminalization of civilians.

¹ Roseanna Sommers. (2016). Will Putting Cameras on Police Reduce Polarization? Yale Law Journal.

The [Stop LAPD Spying Coalition](#) notes:



Implementation of BWCs may lead to an increase in criminalization of misdemeanors (lower level offenses), since BWC surveillance increases evidence available to prosecute such cases. BWCs have been implemented under the rationale that they would provide police accountability, but it appears that BWC footage is predominantly (almost exclusively) being used to prosecute civilians, not police. Madison already has one of the highest racial disparities in rates of arrest and charging, for Black versus white residents, among large U.S. cities, and there's good reason for concern that implementation of BWCs might exacerbate this.

The BWC Committee report fails to discuss much relevant research on this topic and misinterprets other research. The BWC Committee report incorrectly claims that a 2018 study Groff et al (concerning Los Angeles Police Department BWC video) found that if BWC video was viewed by prosecutors before making charging decision, the presence of BWC video would not cause an increase in charging rates. Thus, the BWC Committee report argues that if prosecutors were required to always watch the BWC before charging, the adverse effect of BWC on criminalization would be readily eliminated.

This is inconsistent with the actual statistical findings of the Groff et al (2018) study. For example, the study finds:

In sum, when BWC evidence is associated with a case, the likelihood that the case is filed increases. However, there is no discernable difference in case filing between videos that are not viewed and those that are viewed before the filing decision date.

Basically, the statistical analysis showed that viewing the video does not cause a statistically significant decrease in charging rate, and to the extent that there might be some decrease, its magnitude is insufficient to offset the increase in charging caused by having BWC video available.

The primary author of the BWC Committee report did inquire with Elizabeth Groff about interpretation of the study, but failed to actually ask Groff about his central thesis (i.e., the claim that “the researchers also found that, while prosecution rates went up when BWC footage existed, that BWC footage had that effect only when prosecutors failed to review the footage prior to charging”). And he simply appears to have ignored results in the Groff et al paper that directly contradict his thesis and ignored cautionary language in Groff’s reply: “We cannot say for certain what the findings would show if more attorneys watched the video”. I will add that, under the norms of science, appeal to authority (e.g., the manner of Findley’s attempt to invoke Groff’s response) is recognized as a logical fallacy. The ultimate arbiter of the validity of scientific conclusions is the underlying data, logic, and evidence.

I’ll also note that the Groff et al (2018) paper is not a peer-reviewed study, and there are some deficiencies in the paper, but the results it reports definitely should be considered.

For more details on this overall issue, please see [Appendix 2](#). Importantly, I will note here that I submitted this analysis, along with the Groff et al (2018) study and the BWC Committee report, to statistician/mathematician Professor Brooke Orosz, Ph.D. (Division Chair at Essex County College, Newark, NJ) to perform an independent review. [Dr. Orosz fully corroborated my conclusions](#). Claims made in the BWC Committee report (i.e., substantive claims, upon which its recommendations are based) are clearly incorrect, misinterpreting scientific research findings.

3. Failure to consider alternatives.

For example...

The BWC Committee report notes that much of the evidentiary value of BWCs is because of the audio the BWCs capture, and particularly dialogue.

I sought to add to the report that it is important to note that MPD officers on patrol already wear microphones, and are required to audio record the incidents in which they’re involved. I noted:

Many of the aforementioned argued benefits of BWCs concern verbal interactions (e.g., police interrogations) and other auditory evidence. Insofar as the evidence that matters is auditory (e.g., what police said, what suspects said, what witnesses said, someone’s yell, etc.), it can be captured perfectly well by microphones, without introducing the degree of privacy infringement, perceptual bias, and cost that accompanies BWC recording.

The decision was made not to include the information in that last sentence in the report. Instead, the report states:

However, under current policies, audio recording is not required nearly [sic] extensively as the use of BWCs under this committee’s Model Policy.

So the argument in the report apparently is, because the current policies for microphone use don’t require audio recording under circumstances as extensive as the draft BWC policy would, the city should implement BWCs. That’s a ridiculous argument – failing to consider alternatives such as modifying the

policy on microphone use to record under more circumstances. You don't need to buy expensive new hardware (BWCs) to solve the problem of an inadequate microphone use policy.

4. Wishful thinking.

There are many known harms and costs associated with BWCs. The committee recommended measures intended to prevent or ameliorate these. But those measures are mostly based on fantasies or speculation about what might work - not empirical data and experience. I've spent decades working on creating policies in various contexts, and watching how those play out when implemented. In my experience, untested measures that people come up with, that they think should work in theory, rarely work as expected. Moreover, when the report says that particular specified measures should ameliorate harmful effects, the thinking is often sloppy or unrealistic.

For example, one known risk is that ICE may begin issuing administrative subpoenas, to obtain BWC video from local law enforcement for immigration enforcement. Such ICE subpoenas have been upheld in federal court. This becomes especially likely as facial recognition software continues to rapidly improve. ICE is already making extensive use of facial recognition software and has contracted with facial recognition companies such as Clearview AI. The GOP is now a xenophobic party, with immigration enforcement as one of its priorities. And in many states, the GOP is busy restricting voting rights, while federal passage of a voting rights bill will probably not occur given GOP filibuster in the Senate. It appears that Trump plans to run in 2024. Other likely GOP Presidential candidates, like Ron DeSantis, are Trump-like. In 2020, Trump lost only narrowly in the Electoral College, which is strongly structurally biased in favor of GOP. The odds that the U.S. will again have a virulently anti-immigrant GOP President sometime soon are not low. Political analysts expect that most likely, Democrats will lose the U.S. House and Senate in two years, and we have a very conservative U.S. Supreme Court, inclined to uphold anti-immigrant measures. Given these circumstances, there's a substantial chance that, at some point in the relatively near future, ICE will begin issuing administrative subpoenas for BWC footage, for use with facial recognition software.

The BWC Committee report says that, if this starts happening, the Council should be notified and decide on whether to continue BWC use. But once MPD has invested heavily in BWCs and there are contracts in place with BWC vendors, and BWCs are integrated into all MPD operations (with processes built up that depend on them), do you really think Council will stop BWC use? Really? That's wishful thinking.

As an ancillary point, I'll note that the BWC Committee heard no presentations from Latinx groups or groups representing undocumented residents. Though some groups were invited, there wasn't adequate follow-up to ensure that we'd actually hear from them.

Here's another example of wishful thinking....

Research indicates that BWCs may lead to more assaults by civilians against police officers. It's not definitive that BWC lead to an increase in assaults, but there's substantial evidence that they do. The evidence of this appears strongest (assault rates by civilians appear highest) where officers are not given discretion on BWC use, but must record all interactions with civilians. It's thought that this may be occurring because "self-awareness [of being recorded] can lead to excessive self-inspection that strips

power-holders of their ability to function under extreme situations.”² In other words, because officers are aware they’re being recorded, they may handle situations suboptimally, leading to more assaults.

The BWC Committee report says of this apparent problem “the Committee hopes that the full package of policies and reforms in Madison will ameliorate any such effect.” That statement is not well thought through at all. Indeed, the opposite would be expected. The committee’s draft policies seek to minimize officer discretion on BWC use. And there are many good reasons to minimize such discretion (e.g., to obtain recording that accurately represent events). So the “full package of policies and reforms” that are recommended would be expected to maximize assaults, not “ameliorate any such effect”! Again, what the BWC Committee report states is pure wishful thinking, and not even logical.

A core issue with attempts to ameliorate the problems associated with BWCs is that officer, like all humans, are creative in subverting top-down policies that attempt to control them. That’s been already shown with BWCs in other jurisdictions. The article “The ongoing problem of conveniently malfunctioning police cameras” (by Washington Post reporter Radley Balko) provides a typical example, discussing a case in which, miraculously, all five BWCs at the scene of a fatal shooting “malfunctioned”.³ As Cynthia Lum et al, from the Center for Evidence-Based Crime Policy at George Mason University, noted in a 2019 review of the findings of BWC research:

The inability of BWCs to impact accountability structures may already be seen in findings that cameras are primarily used by the police (and prosecutors) to increase the accountability of citizens, not officers. The unintended consequences frequently seen from technology are often the result of technology being filtered through the existing values, systems, and cultures of the organization, not hoped-for ones.

I thought long and hard about mechanisms that could be created to sufficiently ameliorate the negative effects of BWCs, such that BWCs could be implemented in a manner where benefits outweigh harms/costs. I concluded that, realistically, it’s not possible. The BWC Committee report is relying on hypothetical solutions that have little or no evidence base of working (or where existing evidence suggests that the proposed solutions are likely not to adequately work).

5. Deficient or misleading information on financial cost.

In the report, there was a failure to adequately consider or include most of the financial information the committee had in its hands, particularly data showing high personnel-related costs. And there was a complete failure to estimate the cost of the randomized controlled trial, recommended in the report as a pilot project. Moreover key information that was included appears inaccurate – for example, as I show in my prior letter, a cost estimate from MPD, for full BWC implementation, that was represented as including all the costs of personnel training and data storage, is clearly too low to actually have included

² Ariel et al. (2018). Paradoxical effects of self-awareness of being observed: testing the effect of police body-worn cameras on assaults and aggression against officers. *J Exp Criminol* 14:19–47.

³ Radley Balko. The ongoing problem of conveniently malfunctioning police cameras. *Washington Post*. June 28, 2018.

them. I pointed out to the committee that this estimate was too low to have actually included these, but my comments were dismissed and there was no further inquiry into the matter.

A closing note:

A social scientist, with some awareness of the issues associated with BWCs, wrote me:

Given your work – and true deep understanding – the committee and the council have been ‘strongly cautioned.’ They will likely, I predict, proceed incautiously. Everyone will congratulate themselves on this progressive development until cams collide with reality and they become disillusioned.

Leading me to a second aphorism: “Judgment comes from experience. Experience comes from poor judgment.” Surely the city will experience this. Again.

Your case – and silencing by the committee -reminds me of the situation of Antonio Gramsci – Italian Marxist philosopher – of whom Mussolini said something to the effect of “For 20 years we must stop this brain from functioning.” His Prison Notebooks were composed, obviously, while he was in prison.

Hopefully he’s wrong on what the city will do, in terms of proceeding with BWCs. We’ll see.

Sincerely,

Dr. Gregory Gelembiuk

Appendix 1

BWCs and dispositional biases.

The relevant psychological research of video evidence biases can be roughly divided into two broad categories—situational and dispositional. **Situational biases** result from the interaction between contextual factors and subconscious cognitive processes. **Dispositional biases** are those motivated by culture, beliefs, values, and group commitments (conscious or unconscious) of the viewer. Sometimes the latter is also referred to under the term “**cognitive illiberalism**” (i.e., the unconscious influence of individuals' group commitments on their perceptions of legally consequential facts).

I wrote substantial sections on dispositional biases/cognitive illiberalism. This material was entirely excluded from the report. This major “con” is not discussed at all in the final text of the report.

Defense attorney Syovata Edari is right, in commenting:

I hate to bust folks' bubbles, but body cams clearly don't make a difference. As a defense attorney of 20 years, I've watched my clients get screwed with or without body cam evidence - especially if they're black.... When you got people being shot on camera from multiple angles and no consequences...the problem is much more deep. People can look at the exact same thing and draw opposite conclusions based on who they are and who they are watching.

When people watch video, they basically see what they want to see. Research indicates that video isn't any better than written testimony in reducing polarization in how people perceive events involving police. But at the same time, we tend to think of video as "objective", even though that's not really true (i.e., we're actually constructing our perceptions/interpretations). There's an inability to recognize how cultural background influences one's own (as opposed to others') decision-making. This leads to inappropriate certainty in interpretations, since people tend to subscribe to a naïve realism and believe video "speaks for itself" (that what they see is what everyone else sees, and it's the true poop).

On the consequences, see, for example, the following study:

Roseanna Sommers, Will Putting Cameras on Police Reduce Polarization?, Yale Law Journal. (2016).

Linked here: <https://drive.google.com/file/d/16cQiGvda9vDU-OnZ57TQbTAvT65AOomU/view?usp=sharing>

OnZ57TQbTAvT65AOomU/view?usp=sharing

Excerpt:

[O]ur prior attitudes color our interpretation of events. Identification with police is a statistically significant predictor of objective, factual judgments, subjective judgments, fairness judgments, and global judgments across video and nonvideo evidence....

Participants who saw the encounter with their own eyes [via video] were not significantly less likely to draw on their prior identification with police when making decisions - but they were more certain of their opinions if they had a pre-existing tendency to identify with the police. When we compare the responses of participants given video and nonvideo testimony, we find that those who saw the videos and already identified with the police were more likely to express certitude in their judgment that the officer had acted reasonably or unreasonably. **This finding should give pause to advocates who hope that body cameras will make it easier to indict and convict police officers for excessive force. These results suggest that video evidence fails to reduce polarization significantly while simultaneously prompting fact finders who most strongly identify with police to become more unshakable in their judgments.**

One risk is that ocular proof may lead people to become more convinced that they are right. If the justification for body cameras is that they will handily resolve disputes by providing objective, decisive evidence, then we should worry that the public is overly optimistic about videos' effect on polarization. The results reported here paint the opposite picture: we lack convincing evidence that videos reduce bias in our judgments, and we have evidence that they increase certitude that our judgments are correct. Video evidence, then, may provide a recipe for increased entrenchment and polarization.

Second, civil rights advocates embracing body cameras hope that more video footage will hold accountable police officers who use excessive force. This Note's findings raise the possibility that, on the contrary, indictments and convictions of police officers may become harder to obtain in some cases. Even with video evidence, people tend to bring their prior attitudes

toward the police to bear on their judgments, and people who strongly identify with police appear especially likely to become resolute in their stances when they feel they have video proof backing them up. It's possible, then, that the Mike Brown Law could actually make it harder to get a majority of grand jurors to vote to indict police officers like Darren Wilson....

Police-worn body cameras are broadly popular among the public, and they will likely proliferate in the future. In the wake of public outrage and polarization over police use of force, body cameras seem like a promising solution. But before we embrace the idea of having police officers videotape everything they see, we should demand empirical evidence that cameras represent an improvement over the status quo. We simply do not have evidence to support this assertion, and the data reported here give reason to doubt it.

In summary:

With bodycam video compared to video from dashcams or surveillance cameras, situational biases result in perceptions more favorable to police (and unfavorable to civilians they interact with). And bodycams are uniquely subject to manipulation by police (by turning the cameras on/off at key points, by narrating the video, and in various other ways), which will also tend to produce footage favorable to police. And on top of this, because of dispositional biases, there will be polarization on the conclusions people draw from video, and people most favorable to police will end up more certain of their conclusions than in the absence of the video.

Thus, if bodycams are implemented, the conjunction of general dispositional biases in how video is perceived plus biases in perception specific to bodycam video may well make it **more** difficult to impose accountability on officers.

Moreover, beyond a potential adverse impact on police accountability via the criminal justice system, bodycam video could, given cognitive illiberalism, decrease access to jury trials and increase inappropriate summary judgments in civil cases (following the precedent of the U.S. Supreme Court case *Scott v Harris*).

In general, civil rights suits in which there are factual disputes are supposed to go to jury trials. When police defendants move for summary judgement, courts are generally supposed to view the facts in favor of the non-movant (leaving the ultimate decision up to a jury). However, under *Scott v Harris*, the U.S. Supreme Court carved out a large exception to that. As Howard Wasserman (expert on civil rights and constitutional litigation) explains:

[T]he Supreme Court shows no sign of moving from its view that video can be (and often is) so conclusive and unambiguous that the court can determine its meaning and jury consideration is not required. Paradoxically, body cameras may prove worse for civil rights plaintiffs — more constitutional cases will feature video, offering courts more opportunities to misuse video evidence and more opportunities to keep cases away from civil juries.⁴

⁴ Howard M. Wasserman, Moral Panic and Body Cameras, 92 Wash. U. L. Rev. 831, 844 (2015)

I'll add – people sometimes say “If only we had a bodycam” in the Tony Robinson shooting. But what would have happened if MPD had bodycams at the time? Matt Kenny was supposed to have his microphone on, but didn't, and suffered no punishment from the department for this policy violation (pointing to a lack of enforcement by MPD). It's just as likely he wouldn't have had a bodycam on, even if issued one. And what if there was a bodycam and it was actually turned on? Criminal charges against officers are governed by the *Graham v Connor* standard. Essentially, an officer just has to assert they feared for their life for a shooting to be considered justified. Bodycam video would have shown a looming large Black man, moving rapidly on the stairs, which he might have been falling down, mostly in the dark (low light conditions, illuminated only from the doorway at the top), with jiggling of the camera. The footage would look very jumbled and would be perceived by many as “scary”. The judgement from bodycam footage in that kind of situation (especially from criminal justice institutions, which are very police-identified) would be that the officer legitimately feared for his life, justifying the shooting. I'll add that one of the questions was whether Kenny's head hit the wall, but the bodycam video wouldn't have been of Kenny himself, so it wouldn't directly answer that. In sum, there's a long track record of bodycam video in police shootings not bringing accountability. That's what happens in almost all cases.

If you want to witness the jumbled, confusing nature of BWC video for yourself (and how it causes interactions to appear more intense, with civilians appearing larger and more aggressive than they actually are), you can watch this BWC video, created by Seth Stoughton, a bodycam expert who is a former police officer himself.

Here's the bodycam video. How threatening was the situation the officer faced?

<https://drive.google.com/file/d/1H6rXPWlJJO18icf1zqmBGJqS3O8aWPxc/view?usp=sharing>

Here's a link to video of same interaction, filmed by a fixed camera showing both the officer and the civilian (dancing).

<https://drive.google.com/file/d/1lI3dnYDzLnbn947Oivq00cC1bTFUKo7/view?usp=sharing>

Appendix 2

Summary of the issue.

This statement further analyzes and provides evidence of the errors in Findley's interpretation of a 2018 study by Groff et al, concerning the impact on BWCs on filing of misdemeanor charges. Please see the “[Detailed Analysis](#)” section of this letter for a full analysis. I will add that much of my own professional work involves statistical analysis and modeling (i.e., for me, this is an area of formal academic training and expertise). BWC Committee Chair Keith Findley has no such background.

I have also submitted this analysis, along with the Groff et al (2018) paper and the BWC Committee report, to a statistician/mathematician, Professor Brooke Orosz, Ph.D. (Division Chair at Essex County College, Newark, NJ), to perform an independent review of the question. She fully corroborated my own conclusions ([see her review](#) at the end of this section).

Here, I will restate the key problems in brief.

The Groff et al (2018) study estimated that, after accounting for covariates (factors such as race, etc.), the odds of prosecutors filing a misdemeanor charge were ~2.4 times greater if BWC footage was available relative to not available. Increased overcriminalization of low-level offenses, especially in more heavily policed BIPOC communities, thus becomes a serious concern.

In the BWC Committee report, Findley is basically arguing that the Groff et al (2018) study says that if prosecutors view the BWC video associated with a case, then the problem of increased charging rates goes away (and that DA Ozanne would be willing to arrange for video to be consistently viewed). This would appear to provide a simple solution. Findley states in the report: “Interestingly, the researchers also found that, while prosecution rates went up when BWC footage existed, that BWC footage had that effect only when prosecutors failed to review the footage prior to charging...”

This is incorrect and inconsistent with the actual results of Groff et al (2018), which found that when BWC video was available and viewed by the prosecutor prior to making a filing decision, **prosecutors were 101% more likely to file charges than if there was no BWC video**, and this increase was highly statistically significant ($p < 0.01$).

In the BWC Committee report, Findley also repeatedly states, in a definitive fashion, that Groff et al found that viewing BWC video caused prosecutors to be less likely to file charges. For example he states “The Groff finding that charging rates *declined* when prosecutors actually viewed the footage...” [note – emphasis present in the original text]. This is inconsistent with the study’s actual finding. For misdemeanors as a whole, there was no significant decrease when video was viewed. The study concluded: “In sum, when BWC evidence is associated with a case, the likelihood that the case is filed increases. **However, there is no discernable difference in case filing between videos that are not viewed and those that are viewed before the filing decision date.**”

Findley also argues that the difference in charging rate between cases in which video is available versus not available might just be due to a decrease in charging for cases in which video is not available. Though this is theoretically possible, it appears fairly implausible for the data analyzed by Groff et al, since during the study, video was available for only a very small fraction of cases. Having video available for occasional cases would not be expected to cause prosecutors to largely stop filing charges for all the cases (95.2% of cases) where video was unavailable.

Findley says that Groff affirms his interpretation. But he appears to have never asked Groff about his central claim, that BWC video only causes filing rates to increase in cases in which it is not viewed. Moreover, for additional reasons I explain below, nuances of Groff’s reply to Findley may not have been appreciated and her reply is not dispositive (especially when interpreted as contradicting the actual data and statistical findings reported in the study itself).

Impacts of BWCs on the criminal justice system remain inadequately researched. Given that Madison has some of the highest racial disparities in rates of arrests and charges among large U.S. cities, any increase in criminalization of low level offenses would be of concern.

Detailed Analysis

In earlier correspondence, I noted serious flaws in the report of the Body-Worn Camera Feasibility Review Committee report. When I served on the committee, I submitted edits to correct various errors and omissions, but resigned when I was precluded from completing that process for the full report. In a letter to alders on February 2, I provided two representative examples from the report of inaccurate information about scientific studies.

The primary author of the committee report, Chair Keith Findley, has disputed my statements. He told the PSRC "There are challenges that we have misstated the research of Dr. Groff for example. We communicated directly with Dr. Groff and she explicitly affirmed that our reporting of her study was spot on. These complaints are completely invalid." And he told the EOC "the very language that Greg objects to we sent to Dr. Groff and she affirms that we interpreted it correctly."

Thus, I am writing this current statement, to further explicate and validate the issues in Findley's interpretation of the Groff et al (2018) study.

I will also state here my own credentials. My doctorate is in Integrative Biology and for my doctorate, I minored in Statistics, taking all coursework required for a Masters in Statistics. Much of my professional work over the last two decades has consisted of statistical modeling and critical interpretation of statistical analyses. To the best of my knowledge, Attorney Findley has no such background.

Preface

The study by Groff et al. (2018) examined the impact of BWCs (body worn cameras) on charging decisions by the Los Angeles City Attorney's Office. As a minor point, I'll note that the BWC Committee report's characterization of the study is not quite correct, in stating "In that study, which examined the effects of BWCs in Los Angeles County...". The Los Angeles City Attorney's Office prosecutes all misdemeanors in the City of Los Angeles, while felonies are prosecuted by the Los Angeles County District Attorney. The Groff et al (2018) study concerns only offenses in the *city*, prosecuted by the City Attorney's Office.

In the section "Increased criminalization, particularly affecting minorities", the BWC Committee report mixes different metrics, referring to impacts on arrests, citations, and filing of criminal charges by prosecutors (see first paragraph, page 30). In this letter, I am discussing only prosecutorial charging decisions. Findings on the impact of BWCs on the number of arrests and citations have been more variable. But all studies that I am aware of that have looked at the effect on decisions by prosecutors to file charges have reported an increase in charging rates with BWCs.⁵ I'll also note that most of these

⁵ Los Angeles, CA: Groff, E.R., Ward, J.T., & Wartell, J. (2018). The Role of Body-worn Camera Footage in the Decision to File. Report for the Laura and John Arnold Foundation. Philadelphia, PA: Criminal Justice Department, Temple University.

Phoenix, AZ: Katz, C. M., Choate, D. E., Ready, J. R., & Nuño, L. (2014). Evaluating the impact of officer body worn cameras in the Phoenix police department. Phoenix: Center for Violence Prevention and Community Safety, Arizona State University.

Washington D.C.: Yokum, D., Ravishankar, A., & Coppock, A. (2019). A randomized control trial evaluating the effects of police body-worn cameras. *Proceedings of the National Academy of Sciences of the United States of America*, 116(21), 10329–10332.

Essex, U.K.: Owens, C., Mann, D., & Mckenna, R. (2014). The Essex body worn video trial: The impact of body worn video on criminal justice outcomes of domestic abuse incidents. Ryton-on-Dunsmore, Coventry, England: College

studies are not cited in the report. They include both quasi-experimental studies and randomized controlled trials. The magnitude of the reported increase varies across studies. Though the quality and quantity of data on this questions remains limited, and more research is needed.

All of this is important, since one of the primary concerns with BWC implementation is that, effectively, it constitutes a large increase in surveillance and will lead to further overcriminalization, particularly within more heavily policed BIPOC communities. In contrast to some people's early expectations on how BWC video would be used, a 2016 survey of state prosecutors found "Nearly all prosecutors' offices in jurisdictions with BWCs (92.6%) have used BWC evidence to prosecute private citizens. In comparison, 8.3% of offices located in jurisdictions with BWCs indicated that they have used BWC evidence to prosecute a police officer."⁶

The Groff et al (2018) study examines (among other things) the effect of availability of BWC video and viewing of BWC video (by prosecutors) on filing outcome (i.e., whether or not prosecutors proceed to file charges against individuals who were arrested for misdemeanors). It's a quasi-experimental study using observational data. To test the effects of BWC video availability and viewing, the authors performed multinomial logistic regression. As the authors correctly note, "Estimating causal effects with observational data is complicated by potential confounding. For instance, certain crime types may be more likely to have BWC evidence and be more likely to be filed." Thus, they use nearest neighbor propensity score matching and (alternatively) entropy balancing, to address confounding (accounting for covariates such as demographics and crime type). For multivalued treatment analysis (i.e., to jointly examine the treatment effects of BWC video availability and viewing), they used the marginal mean weights through stratification method.

Discussion of issues in the BWC Committee report

1. In the BWC Committee report, Findley characterizes the findings of the Groff et al (2018) study in these terms:

"Interestingly, the researchers also found that, while prosecution rates went up when BWC footage existed, that BWC footage had that effect only when prosecutors failed to review the footage prior to charging..."

In other words, the BWC Committee report indicates that Groff et al (2018) found that there was no increase in filing rate in cases where video was available relative to cases where it was not available, if the video was viewed before the filing decision (i.e., the increase only occurred if it was not viewed).

of Policing.

Plymouth, U.K.: Goodall, M. (2007). Guidance for the police use of body-worn video devices: Police and Crime Standards Directorate. London: Home Office.

West Midlands, U.K.: Henstock, D. (2020). Testing the effect of BWV in the WMP: An RCT. England: College of Policing.

Victoria, BC: Laur, D., LeBlanc, B., Stephen, T., Lane, P., & Taylor, D. (2010) Proof of concept study: Body worn video and in vehicle video, Victoria, BC: Victoria Police Department.

⁶ Merola, L.M., Lum, C., Koper, C.S., and Scherer, A. (2016). Body Worn Cameras and the Courts: A National Survey of State Prosecutors. Report for the Laura and John Arnold Foundation. Fairfax, VA: Center for Evidence-Based Crime Policy, George Mason University.

The remainder of this section of the BWC Committee report appears to largely be a protracted argument that any increase in criminalization with BWCs can be eliminated by ensuring that prosecutors view BWC video before making charging decisions, and that DA Ozanne might be open to this. This interpretation is important, since it provides a fairly straightforward means to eliminate this potential adverse effect.

However, the above underlined text is not a valid interpretation of the Groff et al (2018) study's findings. In a nutshell, cases in which BWC video was available appeared to be prosecuted at substantially higher rates than cases in which BWC footage was not available, all else equal. In addition, cases in which BWC video was available and viewed by prosecutors were prosecuted at a slightly lower rate than cases in which BWC video was available and not viewed by prosecutors, but the difference (for viewed versus not viewed) was not statistically significant.

Here's a table from Groff et al (2018), showing the difference in charging rates when BWC footage was available versus not available, with its figure legend.

Table 23 contains the results of three alternative multinomial logistic regression models predicting filing outcome, with coefficients exponentiated to represent relative risk ratios. Relative risk ratios greater than 1 indicate positive effects, whereas those less than 1 indicate negative effects. Model 1 is the unadjusted model that does not control for covariates, Model 2 is the entropy weighted model, and Model 3 uses the 1-to-1 propensity score matched sample. Recall, outcomes include misdemeanor file, hearing, other, with misdemeanor reject serving as the reference group.

Table 23. Effects of BWC Video Availability on Filing Outcomes

Outcome	Model 1 Unadjusted	Model 2 Entropy	Model 3 PSM
<i>Misdemeanor File</i>			
Video Available	1.86*** (0.09)	2.42*** (0.13)	2.49*** (0.15)
<i>Hearing</i>			
Video Available	2.54*** (0.21)	1.26** (0.11)	1.22* (0.12)
<i>Other</i>			
Video Available	0.64 (0.16)	0.65 (0.16)	0.59 (0.16)
<i>vs. Misdemeanor Reject</i>			
Loglikelihood	-98141.50	-5050.82	-5096.32
χ^2	201.27***	357.62***	274.32***

Treatment: Video Available.

Control: Video Not Available.

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Exponentiated coefficients (i.e., Relative Risk Ratios) are reported. Standard errors are reported in parentheses.

Entropy=Entropy Weighted Control; PSM=Propensity Score Matched Sample

Estimated parameter values above 1 indicate an increase and values below 1 a decrease. After controlling for covariates, the odds of prosecutors filing a misdemeanor charge appear ~2.4 times greater if BWC footage is available relative to not available (with the propensity score matching model and the entropy balancing model giving congruent estimates). And the difference (a greater charging rate when BWC footage is available) appears highly statistically significant ($p < 0.001$).

The study also examined misdemeanor filing rates when BWC video was available and viewed versus when it was available and not viewed. See tables 24 and 25.

Table 24 contains the results of three alternative models estimating the effects of video viewing on filing outcomes. The unadjusted model suggests that the relative likelihood of a misdemeanor filing outcome is 43 percent lower when a video is viewed before the filing decision as compared to cases where available video was not viewed prior to the filing decision. However, once accounting for demographics, crime type, and other covariates, both the entropy weighted and propensity score matched models do not find that video viewing significantly reduces the likelihood that a case is filed. Compared to misdemeanor case rejection, the relative likelihood for a misdemeanor filing, case hearing, or other outcome are all lower but not significantly so.

Table 24. Treatment Effects Estimates of BWC Video Viewing on Filing Outcomes

Outcome	Model 1 Unadjusted	Model 2 Entropy	Model 3 PSM
<i>Misdemeanor File</i>			
Viewed Before Filing Decision	0.57*** (0.07)	0.75 (0.12)	0.79 (0.14)
<i>Hearing</i>			
Viewed Before Filing Decision	0.42*** (0.11)	0.72 (0.20)	0.69 (0.22)
<i>Other</i>			
Viewed Before Filing Decision	0.53 (0.41)	0.22 (0.17)	0.20 (0.23)
<i>vs. Misdemeanor Reject</i>			
Loglikelihood	-2142.25	-618.49	-545.37
χ^2	21.60***	6.48	3.76

Treatment: Video Viewed Before Filing Decision.

Control: Video Not Viewed.

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Exponentiated coefficients (i.e., Relative Risk Ratios) are reported. Standard errors are reported in parentheses.

Entropy=Entropy Weighted Control; PSM=Propensity Score Matched Sample

The key columns to look at in table 24 are for models 2 and 3. In these, covariates (such as race, age, gender, agency originating the case, etc.) are controlled for. There is no statistically significant differences between cases in which video was viewed versus not viewed, though the filing rate values when video was viewed are nominally lower (risk ratio estimate <1).

Table 25 contains the results of two alternative multinomial logistic regression models, an unadjusted model and a MMWS weighted model that estimate the effect of the multivalued treatment on filing outcomes. Turning attention to the MMWS model that accounts for covariates, results indicate that having a video available but not viewed is associated with a 178 percent greater likelihood of filing a case ($p < 0.001$), whereas viewing an available video increases the likelihood a case will be filed, as compared to rejected, by 101 percent ($p < 0.01$). That is, the relative likelihoods are 2.78 and 2.01 times greater. This finding is not surprising as the relative likelihood for video availability generally (i.e., when these categories were combined) was 2.49 (see Table 23). Post-hoc tests found the coefficients of 'viewed before filing decision' and 'not viewed' to not significantly differ ($p = 0.20$), which confirms findings reported in Table 24.

Table 25. Treatment Effects Estimates of BWC Video Availability and Viewing on Filing Outcomes

<i>Outcome</i>	Model 1 Unadjusted	Model 2 MMWS
<i>Misdemeanor File</i>		
Not Viewed	2.03*** (0.11)	2.78*** (0.22)
Viewed Before Filing Decision	1.16 (0.14)	2.01** (0.48)
<i>Hearing</i>		
Not Viewed	2.87*** (0.25)	1.50*** (0.17)
Viewed Before Filing Decision	1.21 (0.29)	1.79 (0.77)
<i>Other</i>		
Not Viewed	0.70 (0.19)	0.85 (0.26)
Viewed Before Filing Decisions	0.38 (0.27)	0.13** (0.10)
<i>vs. Misdemeanor Reject</i>		
Loglikelihood	-98131.21	-67743.26
χ^2	215.92***	213.25***

Multivalued treatment: 1) Video Not Viewed, 2) Video Viewed Before Filing Decision.

Control: Video Not Available.

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Exponentiated coefficients (i.e., Relative Risk Ratios) are reported. Standard errors are reported in parentheses.

MMWS=Marginal Mean Weighting through Stratification

The column for model 2 is key here – it’s the model accounting for covariates. It shows a large apparent increase in charging rates when BWC video is available, whether or not it is viewed, but when it is viewed before the charging decision, the increase is slightly lower (a 2.01 fold rather than 2.78 fold increase). Both in cases in which video is viewed and cases in which video is not viewed, the model indicates a statistically significant increase in filing rates relative to cases in which no video is available ($p < 0.01$ when video is viewed).

It appears that prosecutors’ knowledge that video evidence exists in itself causes an increase in filing rates (given the perception that this additional evidence would strengthen prosecutors’ cases). From the Groff et al (2018) paper, BWC video was only rarely viewed prior to filing decisions. For the data set Groff et al performed these regression upon, they noted “Prosecutors viewed only 7.6% of cases with BWC video prior to making a filing decision.”

In summary, the statement that I quoted from the BWC Committee report (see underlined statement above) appears incorrect. Given the results from these models, rates of charging for cases in which BWC video is available appear significantly higher than rates for cases in which no BWC is available (all else equal), even if the video is viewed by prosecutors prior to their charging decision. Insofar as Findley's interpretation is incorrect, the BWC Committee is basing its recommendations on a substantive (and important) misunderstanding of the findings of this research.

Here I will add a small ancillary point. Findley told the EOC, "the very language that Greg objects to we sent to Dr. Groff and she affirms that we interpreted it correctly", and he made a similar statement to the PSRC. In my prior letter to alders, with respect to the BWC Committee report and the Groff et al (2018) paper, I specifically cited *only* the underlined sentence above. Up to this point, I have not referenced *any other language* in the BWC Committee report concerning the Groff et al (2018) paper. However, per a footnote in the BWC Committee report, Findley notes that he sent three other paragraphs from the report to Elizabeth Groff, but it appears that he never sent Groff the language I actually brought up. It appears that Findley misinformed both the EOC and PSRC on this point.

2. In the BWC Committee report, Findley writes "The Groff finding that charging rates *declined* when prosecutors actually viewed the footage..." [note – emphasis present in the original text]. He writes here, and elsewhere in the section, of a definitive decrease in charging rates upon viewing BWC video.

However, this does not reflect the study's findings. See tables 24 and 25, and their legends, above. In the multinomial logistic regression, there was no significant difference in filing rates between cases in which BWC video was available and viewed versus available and not viewed.

Thus, the Groff et al (2018) study concludes: "In sum, when BWC evidence is associated with a case, the likelihood that the case is filed increases. However, there is no discernable difference in case filing between videos that are not viewed and those that are viewed before the filing decision date."

The study also sampled a smaller subset of cases with survey data from prosecutors (which they termed "primary data"), and noted that in those cases:

BWC video was viewed by the filing attorney 1.6% (n = 77) of the time and not viewed 98.4% (n = 4756) of the sampled cases matched to CCMS (n =4833) (Table 11). Cases where video was viewed had a lower filing percentage (45.5% versus 51.9%) and a higher rejection rate (45.5% versus 39.0%). If the same proportions occurred in a larger sample, it would suggest that the use of BWC evidence by attorneys reviewing cases reduces the proportion of cases being filed.

So again, there was a slightly lower charging rate in cases in which the video was viewed. However, the sample size for cases in which video was viewed was small, no statistical analysis was done with this data, and no correction was performed for covariates (race, age, etc.).

The authors also subdivided misdemeanors into three broad categories (which they labeled A, B, and C), relating to how much of the offense would be captured on video. In regression modeling of official data, BWC video availability appeared to increase filing probability the least for Category A offenses, and for BWC video viewing of Category A offenses, the authors note a reduction in filing probability and that "The confidence interval does not overlap with zero, suggesting this is a significant finding". For

Category B offenses, the parameter estimate for the effect of viewing BWC video was positive (consistent with an increase in filing upon viewing) but not significantly so, and for Category C offenses, the parameter estimate for the effect of viewing was negative (consistent with a decrease), but not significantly so.

Overall, one can't claim that viewing BWC video causes a definitive decrease in filing rates, as the BWC Committee report states. When considering the effect across all misdemeanors, no significant change was found. Cases in which BWC video is available and viewed might have a slightly lower charging rate than cases in which BWC video is available and not viewed. However, cases in which BWC video is available appear to have a substantially higher charging rate than cases in which BWC footage is not available. If there is a decrease in charging rates upon viewing video, it appears to be swamped by the relatively large apparent increase in charging rates for all cases with BWC video available.

3. As best I can tell from passages that Keith Findley wrote in the BWC Committee report, his understanding may have been that, all else equal, filing rates were lower in cases in which BWC video was available and viewed than in cases in which BWC video was not available.

For example, Findley states: "In the research, charging in cases that had BWC footage was in the aggregate higher than in cases where there was no BWC footage, despite the fact that prosecutors had a lower charging rate when they viewed BWC footage, because prosecutors rarely viewed the footage prior to charging." This appears to be asserting that, if BWC videos were viewed by prosecutors in all cases in which they were available, filing rates would be not be higher than (and would apparently be lower than) cases in which no BWC video was available.

Findley is clearly correct in stating that BWC video was only rarely viewed prior to filing decisions. Groff et al (2018) note that for "primary data" (defined above), "BWC video was viewed by the filing attorney 1.6% (n = 77) of the time and not viewed 98.4% (n = 4756) of the sampled cases matched to CCMS (n = 4833)" and for official data they note "Prosecutors viewed only 7.6% of cases with BWC video prior to making a filing decision."

However, Findley's overall interpretation appears inconsistent with the results of statistical analysis shown in Table 25 of the Groff et al paper. The implication from the results shown in that table, after accounting for covariates, would appear to be that if BWC video were consistently viewed by prosecutors when available, it would potentially lower aggregate filing rates somewhat, but not to or below the rates in cases for which no BWC video was available. I.e., the estimate in that table, after accounting for covariates, was that, when BWC video was available and viewed, the likelihood of filing was 2.01 times greater than if BWC video was not available (as Groff et al state, albeit slightly clumsily, "viewing an available video increases the likelihood a case will be filed, as compared to rejected, by 101 percent ($p < 0.01$)").

4. Findley states in the report: "First, while the data clearly show that cases with BWC footage are charged at a higher rate than cases without BWC footage, that does not necessarily mean that BWC led to an *increase* in charging or criminalization. What it shows rather is that, in the same time period, BWC-footage cases are charged more frequently than nonBWC-footage cases. Theoretically, it could be that

BWCs have actually led to a decrease in charging in cases that lack video footage, rather than any increase in charging or criminalization. The research does not tell us which effect is being observed.”

I agree that it is theoretically possible that the difference in filing probabilities could just be due to a decrease in filing rates for cases without BWC video. However, I think that is fairly implausible for the data the Groff et al study is based on. Groff et al (2018) note: “Across the entire study period, cases where BWC evidence was available represented a very small fraction of all cases”. The study period ran from October 2015 through April 2018. Groff et al note that during the study period, there were 206,288 cases with filing decisions, including 9,944 incidents with associated BWC video. They note that “The cases with BWC evidence (i.e., those cases where BWC was shared with LACA [Los Angeles City Attorney]) constitute 4.82% of cases.”

Having BWC footage available in only a very small fraction of cases would not be expected to cause a large (apparently 2.4 fold) reduction in the likelihood of filing charges in all the cases that lack BWC footage (95.2% of cases), so as to produce the results observed in this study. I do not expect that, if prosecutors received only occasional cases with associated BWC video, they would largely stop filing charges in all other cases.

Groff et al noted that the number of BWC videos available was surging at the end of the study. The Los Angeles Police Department fully implemented BWCs later in 2018. When a point is reached when most cases have BWC video available, one could imagine that prosecutors might become reluctant to charge cases without it. Mike Gennaco noted, when he presented to the BWC Committee in September 2020, that by that point, LA County had become “pretty much saturated with body cameras”, and that the Los Angeles County District Attorney will now “almost never file” if there was no BWC footage to support the arrest. Though again, such circumstances, involving saturation with BWC video (with it only being lacking in a minority of cases) would not have existed in the Los Angeles County City Attorney’s Office during the period when the Groff et al (2018) study was running. As a minor aside, I’ll note that the BWC Committee report is incorrect in stating that “[Gennaco] said that the District Attorney in Los Angeles County has declared that if there is no body camera footage, the DAs will not file”, since Gennaco never said there was such a declaration. And Gennaco then stated, “If there is body camera footage to support the arrest, the information I have received anecdotally, and I don’t have data, and I know how you love data Greg, but I don’t have data here, but anecdotally what I’ve been told by a number of prosecutors is that there will be an inclination to file the case.”

Here, I will also note a somewhat analogous BWC study based on observational data and examining charging rates after arrest, conducted in Plymouth U.K. in 2006-2007.⁷ As with the Groff et al (2018) study, a relatively small percentage of cases had associated BWC video, while the large majority did not. The overall total number of cases is not reported, but the study does specify, for example, 996 violent crime incidents without BWC video and 153 with BWC video. Across all offenses, the study reported a charging rate after arrest of 24.2% when BWC video was available (3.3% of incidents BWC-wearing police responded to resulted in a charge/summons) and a rate of 8.6% when it was not (0.9% of incidents police responded to without BWCs resulted in a charge/summons). The charging rate appeared elevated across all categories of offenses other than drug offenses (i.e., including for theft,

⁷ Goodall, M. (2007). Guidance for the police use of body-worn video devices: Police and Crime Standards Directorate. London: Home Office

violence, criminal damage, burglary, and “other crime”). I’ll note that the study design was weak and no actual statistical analysis was performed. However, as with the Groff et al (2018) study, it seems relatively implausible that the presence of a small proportion of cases with BWC video available would cause a large decrease in rates of charging in the large bulk of cases without BWC video, in a way that could account for the disparity. The more plausible explanation is that the availability of video increased charging rates in absolute terms, and this was indeed one of the primary conclusions of the study author.

5. Per a footnote in the BWC Committee report, in December, Findley e-mailed Groff three paragraphs of text he had written, asking whether he was interpreting the Groff et al (2018) study correctly, to which she replied “Your text does accurately assess the study. I appreciate that you emphasize the cross-sectional nature of the study and the finding of very low rates of watching video prior to filing or rejecting. We cannot say for certain what the findings would show if more attorneys watched the video but they do suggest that fewer cases are charged when video evidence is viewed prior to the charging decision.”

First, I will note that Findley apparently provided Groff only three paragraphs of text (see report pages 32-33). This did not include the assertion that “the researchers also found that, while prosecution rates went up when BWC footage existed, that BWC footage had that effect only when prosecutors failed to review the footage prior to charging....”

I will next note that, regardless of Groff’s reply, certain of Findley’s assertions in the three paragraphs are not supportable (see points 2 and 3 above). I would guess that Groff was being supportive and collegial, and looking at Findley’s text in broad strokes, as opposed to being oriented to pointing out the inaccuracies (but of course, that is only a guess). As Findley noted in the three paragraphs, there was an increase in filing rate when BWC video was available as opposed to unavailable, and (as I discussed in point 4, above) it was theoretically possible that this could have resulted from a decrease in charging of cases without video. And there was a trend toward decrease in filing rate when video was viewed as opposed to being available and not viewed – though as I noted above, this was not statistically significant (so claiming a decrease, in a definitive manner, is not appropriate; the slightly lower value observed in this dataset could just have been a result of chance).

Groff notes the “cross-sectional nature of the study”. A cross-sectional study is a type of observational study that analyzes data from a population at a specific point in time. Conclusions from observational studies are generally less reliable (given potential unaccounted confounding) than those from randomized controlled trials. Though I will note that randomized controlled trials of BWCs have also found increases in charging rates. For example, a randomized controlled trial in Essex, U.K. (randomizing 308 officers) found a significantly higher proportion of cases attended by at least one officer wearing a BWC resulted in a criminal charge, with this effect being strongest for less serious crimes.⁸ I will add that, at this point, as far as I am aware, there are no good longitudinal studies of the effect of BWCs on charging rates.

⁸ Owens, C., Mann, D., & Mckenna, R. (2014). The Essex body worn video trial: The impact of body worn video on criminal justice outcomes of domestic abuse incidents. Ryton-on-Dunsmore, Coventry, England: College of Policing.

As Groff notes, it is striking that prosecutors watched BWC video in only a low proportion of cases prior to making a filing decision. In part, this was a consequence of time constraints (watching video is very time consuming).

Groff's sentence that "We cannot say for certain what the findings would show if more attorneys watched the video" appears to be a cautionary note, and may in part reflect an attempt to make the same point I have been making about a lack of statistical significance of the effect of video viewing on filing rate. Or a possibly a cautionary note with respect to the sentence by Findley that I discussed in point 3 above (which essentially appears to assert that, if BWC videos were viewed by prosecutors in all cases in which they were available, filing rates would be not be higher than cases in which no BWC video was available).

6. A final point I wish to make is that the Groff et al (2018) study, and indeed all studies to date concerning the effect of BWCs on charging rates, have serious limitations. Existing studies on this topic have major methodological weaknesses, and more research is needed. BWC usage and research on BWCs is still in its infancy, and that is especially true of the effect of BWCs on prosecutions.

Groff et al note some of the limitation of their study on pages 80-83 of their paper. For example, there may be serious concerns about sampling bias. All statistical modeling requires assumptions, and it is not entirely clear whether key assumptions are adequately met. The Groff et al study uses observational data, and methods such as propensity score matching to try to account for confounding, but one can't have as much confidence in such conclusions as with a better-designed interventional study.

Regarding limitations in our current knowledge, and some of the research findings that have been emerging on the effects of BWCs in the last few years, Albert Fox Cahn, Esq., executive director of The Surveillance Technology Oversight Project at the Urban Justice Center, notes: "This dynamic is yet another example of a disturbing trend: Technological solutions to human problems often have alarming side effects that aren't fully understood until the technology is in wide use.... Often, the tools that are sold to the public as a mechanism to hold officers accountable are turned against the very communities they are supposed to empower."⁹

Review by an independent statistician/mathematician

I arranged for a professional statistician/mathematician to independently review the Groff et al (2018) study, the Bodycam Committee report, and the statement I had written on this issue. Specifically, freelance writer Kavin Senapathy, who writes on science and related topics, recruited statistician/mathematician Professor Brooke Orosz, Ph.D. (Division Chair at Essex County College, Newark, NJ). I would really like to thank Dr. Orosz for volunteering her time to review this. Dr. Orosz has no prior involvement with debates on bodycams and is not someone I personally know (ensuring fully independent, neutral review).

Here are the conclusions that Dr. Orosz sent me:

⁹ Albert Fox Cahn, How Bodycams Distort Real Life, New York Times, Aug. 8, 2019.

I read the long working paper. What jumps out at me is that prosecutors only viewed the footage before deciding whether or not to file in a small percentage of cases, apparently because it would take too much time and the prosecutor's office doesn't have adequate staffing to support such an increase in workload.

More importantly, nothing here is at all blinded or randomized. According to the focus group work, prosecutors made the decision about whether or not to view the footage themselves, based on whether they thought it was relevant to their decision. This does NOT show that prosecutors reviewing the footage reduces the probability of charges being filed, and overall, filing rates WERE higher among the group of crimes that had footage available.

That, as I interpret the study, is a key thing. There's no evidence that requiring prosecutors to view all footage would work, because nothing like that was tested here. Prosecutors chose not to view most of the time because they thought it was unlikely to change their minds. What if they're right?

Table 23 shows that there is a strong relationship between charges being filed and the availability of the camera footage, and that trying to control for covariates makes it look stronger, not weaker. In fact, in the adjusted model, filing rates were significantly higher even for crimes where the footage was watched.

So yeah, there is definitely evidence that body cameras increase filings. I agree with what you said.