

Contents

<i>List of Figures</i>	<i>page</i> x
<i>List of Tables</i>	xii
<i>Acknowledgments</i>	xiii
Introduction: Dual Revolutions in Recording the Police	1
Life and Death on Body Camera	1
Copwatching, Spontaneous and Organized	5
Toutveillance	8
Changing the Balance of Power over Proof	12
Audiovisual Big Data Analytics for Justice and Harm Prevention	13
Recurrent Challenges and Frameworks for the Future	14
PART I TOUTVEILLANCE POWER AND POLICE CONTROL	25
1 Policing in the Camera Cultural Revolution	27
Peaceful Weapons – and Shields	27
The Radical Cultural Change on Recording the Police	30
A Violent Revolution	35
The Future Will Be Recorded	51
2 Copwatching and the Right to Record	59
Community Countersurveillance	59
The Rise of Copwatching	64
Correcting – or Creating – the Record	66
Arrested for Recording the Police	70
Growing Recognition of the Right to Record the Police	74
The Continued Risk of Retaliation for Recording and Judicial	
Pushback	76
A New Generation of Cops on Camera	78
Going Viral: The Race for Public Perceptions	80

3	Democratizing Proof, Taking the Case to the People	82
	Game-Changing Evidence	82
	The Side of the Story That Traditionally Gets Told	91
	Damaging Credibility Contests, Malleable Memory	94
	Addressing Judicial Blind Spots	98
	Surmounting Barriers to Civil Damages	103
	The Court of Public Opinion and Civil Settlements	105
	PART II AUDIOVISUAL BIG DATA'S GREAT POTENTIAL AND PERILS	113
4	Audiovisual Big Data Analytics and Harm Prevention	115
	Big Data, Better Harm Detection and Prevention	115
	Smarter Early Intervention Systems	121
	Crowdsourcing Accountability	128
	An Independent Repository to Pool Community Member Videos	131
5	Partisan Perceptions: How Audiovisual Evidence and Big Data Can Mislead	135
	The Case of the Amazing Robber Who Grew from 5'6" to 6'3"	139
	The Fantasy of the Camera's Objectivity	144
	The Partisanship of Audience Perceptions	146
	The Legally Relevant Perspectives and Proper Fact-Finders	149
	Subtle Persuasion Effects	151
	Data That Can Lead Us Astray Also Can Lead Advanced Analytics Astray	153
6	Privacy and Public Disclosure	156
	The Privacy Costs of Regulation by Recording	156
	After the Recording Revolution: Public Disclosure and Privacy Dilemmas	161
	Protections for Victims, Witnesses, and Minors	180
	Comparative Perspective: How the United Kingdom Strikes the Balance	186
	PART III FRAMEWORKS FOR MOVING FORWARD	193
7	Controlled Access, Privacy Protection Planning, and Data Retention	195
	The Health Sciences Approach to Protecting Privacy While Advancing Harm Prevention	196

Contents

ix

Epicrim Insights: The Marriage of Epidemiology and Criminology	199
The Architecture of Protection	202
Data Preservation	204
Open Ethical and Policy Frontiers	211
8 Nonrecording and Officer Monitoring and Discipline Dilemmas	215
When Officers Do Not Record	216
The Disciplinary Dilemma	222
The Murk between Legitimate Mistake and Subversion	229
Beyond Individual Blame	234
Automate Everything	244
Conclusion: Beyond Technological Silver Bullets	247
What Are We Buying?	247
Supporting Multiple Visions of the Public Good	250
Transforming Proof	251
Mining for Justice and Accountability	253
<i>Appendix: The Collection and Coding of 213 Body Camera Policies</i>	255
<i>Index</i>	258