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**Perceptions of the Effectiveness of Video Surveillance in Lancaster,
Pennsylvania**

Conducted for Lancaster Safety Coalition

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Executive Summary

This summary is written by Wes Farmer, the Executive Director of Lancaster Safety Coalition. However, other than providing information to the investigators during the study and the writing of the final response (end) and this summary, Lancaster Safety Coalition (LSC) staff (including Wes Farmer) had no input on the evidence, findings and conclusions of the study. The credit for this remains solely with the authors and Millersville University.

Through a qualitative (n=24) investigation of the video surveillance product produced by the Lancaster Safety Coalition (LSC) the authors conclude that video surveillance is effective in assisting criminal justice system stakeholders in a variety of ways. First, police investigators may use video evidence to help determine the truth of a matter, provide leads, and as a tool to be used during interviews and interrogations. The potential risks and benefits of releasing video to the public and media are explored and discussed.

Second, attorneys for the prosecution and defense demonstrated that video evidence assisted them in the disposition of cases, the negotiation of plea bargains, and in communicating to defendants the risks and benefits of participating in court processes. Additionally, it was found that not only did video evidence assist in convicting defendants in some cases video evidence assisted the defense in gaining an acquittal for their clients.

The study concludes with several recommendations including adding more cameras to LSC's coverage area, changing the nature of the function of the cameras (eliminating "panning") and increasing the length of time data is stored. Additionally, suggestions for future research are provided.

INTRODUCTION

The theory behind the use of video surveillance is one of deterrence – that people are less likely to commit crime if they know they are being watched (La Vigne et al. 2011). Thus, much of the existing literature on the use of video surveillance focuses on its effectiveness in crime reduction, with mixed results. McLean et al. (2013) examined changes in crime rates in the city of Schenectady (NY) in areas where closed-circuit television cameras (CCTV) became operational between October 2003 and January 2007. The results were mixed. Camera areas experienced a significant decrease in total crime and disorder. However, there were no significant reductions in the rate of violent and property crime. In their review and meta-analysis of the effects of CCTV on crime, Welsh and Farrington (2009) take a comparative approach – examining the United Kingdom (36 studies), the United States (5 studies), Sweden (1 study), Norway (1 study), and Canada (1 study). They find that there was a modest but significant reduction in crime rates in areas with CCTV when compared to control areas. However, parsing out the data, they argue that these reductions in crime rates mostly occur in parking areas.

While research continues on how and when CCTV is most effective in crime reduction, there has been little focus on how law enforcement personnel use this form of evidence. In Lancaster City (PA), video surveillance has been in use since 2003. The Lancaster Safety Coalition (LSC), a local non-profit organization, operates a network of 161 CCTV throughout the city. In this report, we examine law enforcement personnel's perceptions of the effectiveness of CCTV in their work in Lancaster City. Specifically, we focus on how law enforcement personnel use surveillance video in the investigation and prosecution processes.

SAMPLE AND RESEARCH DESIGN

We utilized the method of in-depth interviews for this report. A team of nine interviewers – the authors and six Millersville University undergraduate students – conducted the interviews. We interviewed 24 individuals: 11 law enforcement personnel from the Lancaster City Bureau of Police (LBP), five detectives from townships outside of the city, four prosecutors from the District Attorney's office (including the District Attorney), and four defense attorneys (both in private practice and from the Public Defender's office). In terms of law enforcement personnel, we interviewed a captain and a lieutenant, as well as detectives from four different units: (1) property crimes; (2) special investigations; (3) violent crimes; and (4) selective enforcement.

The officers from the LBP did not give us permission to tape record the interviews; however, most of the township detectives and lawyers allowed us to do so. Interviewers worked in pairs – sharing the responsibility of interviewing and note-taking. We took detailed notes to the best of our ability. We conducted the interviews at a time convenient for the respondents, and the interviews took place at the respondent’s workplace. In one instance, we interviewed 2 detectives together. On average, these interviews lasted about 35-45 minutes. A list of interview questions can be found in the Appendix.

FINDINGS

Overall Usage and Utility of Video Evidence

The detectives utilized video surveillance film across a wide range of crimes. Examples of crimes where detectives utilized video surveillance include assaults, robberies, auto theft, insurance fraud, vandalism, shootings, stabbings, and drug dealing. Detectives indicated that overall, video evidence is of great value and of “huge benefit.” One respondent said that he uses video evidence in “almost every case” while another respondent explained that:

The department uses them (video evidence) a lot! The cameras are the first thing they consider when there is a crime. They immediately go to the camera map to see which cameras might have caught the crime. They will ask LSC for their footage, as well as any businesses or privately owned cameras in the map/coverage area.

The defense attorneys also indicated their satisfaction with video evidence. For instance, one respondent stated:

I would say video evidence is incredibly important when you’re trying to figure out whether you’re the police, on who to charge, and what to charge. Whether you’re the prosecutor and trying to figure out who you believe, or whether you are the juror down the road trying to figure out which side I believe. Video evidence is really, really crucial.

It is not often that video surveillance film captures a crime being committed, and where suspects and witnesses are clearly identifiable. There were, however, some instances – specifically with drug dealings where the transactions are recorded.

Video Surveillance and Investigation

Suspects

Detectives indicated that one way they utilize video evidence is to help them piece together the evidence. There are several ways in which detectives do so. First, detectives use the video evidence in their interactions with suspects. Video evidence has helped to identify suspects in some cases. In one case, law enforcement was able to use video evidence to identify a “person who kept masturbating in his car.” In this situation, they were able to “obtain a number of pictures of the vehicle from the footage” and to “elicit a guilty plea.” Another way

in which video evidence can be used to identify suspects is through license plate recognition. One respondent explained that:

The easiest way to catch a suspect is to track the car and obtain a license plate number. This is a source of information that can lead to other types of evidence such as geographical locations and a name in which the car is registered under.

Another respondent recalled a case where they “were able to find a suspect who had groped a 13 year old, after the fact, based upon a distinct walk the suspect had.”

The presence of video surveillance has provided detectives with a superior way to monitor the movements of individuals. This includes tracking an individual’s movements up to, during, and after crime commission. Video surveillance has also allowed detectives to monitor suspects’ cars as they move through the city. One of the detectives noted using surveillance video to identify if a suspect fled a crime scene on foot. Adding to this, one of the detectives noted that not only can they determine the suspects’ method of transportation; they can see the suspects’ direction of travel. In a 2007 murder case, law enforcement was able to use video evidence to “follow (a suspect’s) car and to identify where he went.” Specifically, law enforcement was able to track the suspect who had returned “home to get a gun which he used to kill his victim.”

Yet another respondent stated that video stills are “very crucial to an investigation.” He explained:

(We) can kick the pictures out to other organizations and departments to see if the individuals are recognizable to them. Once they have a still of the suspect, they send it to the Lancaster City Patrol to see if anyone knows the suspect. If not, then they send it to probation, parole, and the prisons to see if someone recognizes the suspect. If no one does, they send it through all county investigators, and then to all of PA if needed.

In other cases, video evidence was utilized to help exclude and exonerate potential suspects. However, it is less clear how often this occurs. One police officer said that he had used video evidence to exonerate suspects in “he said, she said” cases, while another respondent (also a police officer) said that he had “known times when there have been other officers who have used it for that.” Yet, this respondent stated that he personally had not utilized video evidence to exonerate suspects. A third police officer said that suspects are usually “already ruled out” – indicating that he did not utilize video evidence to help exonerate suspects often.

How detectives utilized video evidence is noteworthy as well. Often, detectives indicated that they utilized video evidence as part of a larger **strategy** in their interactions with suspects. Law enforcement personnel are careful in their use of video evidence and in when they show the evidence to suspects (if at all). One respondent stated that he only showed video evidence to suspects during the discovery phase of the investigation because “it can backfire if

shown before.” Video evidence is often utilized as a way to catch the suspect in a lie. As one respondent explains

(W)e will tell them we have the video evidence, so we ask questions we already know the answer to to see if they are lying. We can say “I already know you are lying” to try and get the truth. Sometimes it works and sometimes it doesn’t.

Another respondent concurs in this use of video evidence as part of a strategy in interacting with suspects:

I use “trickery.” I will say that I have video evidence even if I don’t to help get a statement out of the suspect. When I do have video evidence, I can ask a series of questions to catch the suspect in the act. I try to disprove the suspect’s story of where or what they were doing during the crime. People will deny the claims I make and I can use the video evidence as a “great preface in talking to suspects.” It is all about strategy to achieve conviction.

It is clear that video evidence alone is insufficient to obtain a confession. Law enforcement personnel need to be conversant and skilled in how they strategize and interact with suspects. As a respondent points out, “the footage is not always clear,” and hence, it is up to the detectives to figure out how they utilize the evidence strategically. The above respondent explains that he wouldn’t reveal how clear the footage is to a suspect. He would only “tell the suspects the footage exists, so that the suspect then creates their own idea of how clear the footage is or isn’t.” Another respondent also explains how important it is to be strategic in utilizing video evidence in his interactions with suspects:

I remind and advise suspects that there are cameras on the street. I do not say, “I have footage,” unless I actually have it. I would lose my credibility if I said I had footage and could not produce it. Anyone who works with me knows that I will not bluff – if I say I have it, then I have it. It is a fair reminder to the suspect that I suggest that there “may be” footage from the cameras, and that they should think before they speak.

Video surveillance can also be used to corroborate statements. Almost all of the detectives used video surveillance for this purpose. Detectives also reported using video surveillance to help memory recall. For example, one of the detectives used it to refresh a victim’s memory. Other strategic uses of surveillance video included corroborating vehicle and suspect descriptions. Another detective used video to test an assumption of how crimes are being committed and the time they are being committed. Lastly, detectives said that when the identification of a suspect becomes their main priority, and all other methods are exhausted, they will release a captured image to the media.

Witnesses

As with suspects, video evidence has sometimes aided in identifying and placing witnesses on the scene of the crime. As one respondent puts it, “we can verify with the

cameras to see if the witness was actually on the scene when the crime occurred.” Another suspect shared that “when looking at video of a large scale disturbance, we might recognize someone from the crowd, and they are sometimes willing to help.” Some of the detectives said that they try to identify suspects by showing the images to victims and witnesses. Detectives said that showing the images to witnesses led to further identification of other witnesses and suspects

As with suspects, law enforcement personnel also utilize video evidence as part of a larger **strategy** in interacting with witnesses. Having the video evidence in itself is not sufficient – law enforcement personnel must know how to utilize this evidence. Here, the video evidence can aid in convincing witnesses to make statements. As one respondent explains:

Witnesses are very reluctant in the case of shootings. But when we tell them we have video and that they were there, they are more willing to help.

Another respondent specifically referred to a specific stabbing incident in which the witness was very reluctant to assist. However, the video evidence showed that the witness was present and this had the effect of spurring them to make a statement. When the witness continues to remain reluctant to assist, detectives may become more aggressive in their strategy. For instance, one respondent explains:

We use video evidence to confront witnesses who don't want to share (what they know). We threatened to charge him with obstruction, and we got him to share.

Much like with suspects, the video evidence is a very useful tool. However, detectives and law enforcement personnel must be skilled in how they utilize the video evidence in their interactions with witnesses. As several detectives explain, they have to be careful in what they reveal and how they reveal it. Should they make a mistake in their strategy, they risk losing the cooperation of a witness.

Crime Scene Reconstruction/ Timeline

Having video evidence has allowed detectives to create a timeline of a crime. This includes the time of crime commission, as well as before and after. Detectives from outside the city noted that they used the cameras to identify suspects as they come into Lancaster City and when they leave. An example given by a detective was being able to estimate the time it would take for a suspect to get from point A to point B. A specific example of video evidence aiding in the creation of a timeline was when a detective was able to sync a robbery caught on video with video evidence from a pawn shop. In all, the presence of video surveillance allows detectives to piece together the timeline of a crime.

The assistant district attorneys reported that the presence of video surveillance can help to reconstruct a crime scene. One of the recurring themes is that video can help establish a timeline of events leading up to or after a crime. Often included in the reconstruction of a crime

scene, when video is involved, is the identification of individuals who were involved and their movements. For example, one respondent said that video evidence helps to determine “the timeline, how many people are there, what are they dressed like, and what direction did they go.”

Often times, witness accounts are not reliable and make crime scene reconstruction difficult. However, the presence of video can help to eliminate unreliable information. For example, one respondent said:

When it’s on tape that we didn’t have before, and of course from our own point of view, you’re not listening to witness, you’re trying to reconstruct things.

The presence of video footage has allowed for identification of individuals related to or thought to be related to crimes. This also allows respondents to eliminate suspects from an investigation. As one respondent put it, “it has certainly helped us eliminate people as suspects.” This process includes the documentation of distinguishing physical features and creating a suspect description. Video footage can also be used to get a license plate number from a vehicle. In all, as an assistant district attorney said, video evidence allows them to “parse the information and go after the right people.”

Video Surveillance and Prosecution

Use of Video to Seek Quick Resolution of Case

According to the assistant district attorneys, the presence of video evidence has led to a faster resolution of crimes once they have entered the court process. Generally, the respondents agreed that video accelerates the court process. One respondent said that “with video evidence, the crime is shown as it is and it helps expedite the entire hearing.” Another respondent said that “it’s going to push the case to resolution.” The same respondent provided a short explanation by saying that the presence of video “usually resolves the case because again, defense attorneys will not have a lot to argue.”

The availability of surveillance video has provided leverage for the prosecution. This includes prompting conversations with suspects and their attorneys. For example, one detective used video evidence to generate communication between a defense attorney and their client. Having established such communication, detectives have used the evidence to push defense attorneys to waive the preliminary hearing. In other cases handled by the detectives, the video evidence led to defense attorneys negotiating for deals for their clients. Overall, the detectives felt as though video evidence helps to push cases through the court.

The interaction between a defense attorney and their client can be influenced as well. Often the video allows the defense attorney to conduct truthful interactions with their client. One respondent said simply, “it helps the defense deal with their clients.” Another respondent said:

A lot of times, defense attorneys will tell you this, when their clients are caught on tape kinda red handed, it makes their job very easy because they go to their client and say listen, you don't have much of a defense here, you were literally caught on tape.

The most common thread between all the respondents in regards to court expedition was plea bargaining. All of the assistant district attorneys reported that the presence of video often led to a plea bargain. To put this statement in perspective, one respondent said "I would say if we have video and it's good video, those cases – eight times out of 10 – they are going to plead guilty." Another respondent corroborated the impact of video surveillance on expediting the legal process. He said, "I can think of five-10 major cases that have been resolved with guilty pleas, as a result of having video evidence." Often the guilty pleas come as a result of video being used as leverage during negotiations. For example, one respondent said:

Well, you know what, look at the tape because what they've just said is demonstrably false and you need to know that. And we'll use it in negotiations with the defense.

Two defense attorneys illustrated this argument in the following ways:

In a homicide case, if it's a death penalty and you can get it down to murder one and the client is willing to take the plea, then it has value.

They plead guilty to a lesser charge...So I would say that video evidence is...always helpful. Again, I cannot think of a time when it is not. One way or another, if you got me on video, and I did it, I am pleading guilty. [...] I will plead to this for probation instead of jail; I will plead to a summary instead of a misdemeanor. I will plead to a misdemeanor instead of a felony. I will plead for time served, even a felony, hoping I do not go back to jail. So, videos help resolve cases. [...] Normally, we resolve it before trial, because videos do not lie.

The final way that the presence of surveillance video accelerates court proceedings is when the crime scene has to be reconstructed. As noted in earlier discussion on crime scene reconstruction, during the investigation process, video evidence can be used to reconstruct the crime scene. In the courtroom, video surveillance fulfills a similar function, in that it helps to lay out the timeline for the jury. For example, one respondent said "it is just that if you have an incident on tape, you don't have to spend as much time reconstructing the events with the witnesses and the jury".

Courtroom Influence

The assistant district attorneys also indicated that surveillance video has a powerful presence in the courtroom. In other words, when video is presented during a trial, the influence is felt by all parties involved. Juries, for example, were said to be greatly influenced by the presence of video. For example one respondent, when referring to juries and judges, said:

I can't think of another form of evidence that is more powerful or more trusted by juries and judges.

The presence of surveillance video also provides a sense of security in the court room. For example, a respondent said, "[the crime] is captured on tape and everyone is comfortable believing in a camera."

However, two respondents noted that the presence of video evidence is a double edged sword. As the presence of video evidence becomes increasingly common, juries begin to expect it. And in cases where video evidence is not present, it can be more difficult to get a conviction. One respondent said that "it makes it much more difficult without the video evidence to convince the jury." Offering an explanation for this, a respondent said:

Both citizens and juries want video evidence because it is easier to watch a video instead of trusting people's memories.

Considerations in Releasing the Video to the Public

The process for releasing / showing video evidence to the general public is very delicate. Law enforcement personnel undertake careful deliberations before deciding whether to release the evidence. As several detectives explain, the supervisors and district attorney make the determination, and in one detective's assessment, "the interest of public safety comes first, before the integrity of the investigation." A larger consideration about the community is in play here. As the above detective explains:

The supervisor has to balance the safety of the victim and the public. There is a balance of benefit in each case that must be considered, and a discussion with the police officers as to any potential damage.

Another detective also reiterates the importance of considering public safety. When asked when the optimal time is to release video evidence, he explains:

It depends on the case. If it does not put the public in danger, we hold off on releasing it. But, if it is important for the public to know, we put it out right away.

When video evidence is released to the public, it can compromise the investigation or the potential suspect could change the way he will act, knowing others have seen the footage.

A prosecutor states:

So we look at how's this going to affect the case and what's best for public safety. With public safety being the primary factor involved in the decision to release video evidence or not, there are many things to try to balance out.

This prosecutor further says:

Well, if we release the video, we don't have enough to charge the guy, we know he did it. We're going to get enough evidence to do that but now we're going to – he is going to know we have him on video. Guess what's gonna happen? He's going to intimidate witnesses, he might kill somebody else, he's going to take off. He's going to change the way – maybe he's talking to an informant. Now he's not going to talk anymore.

Occasionally, video footage is released to the public in the hopes that it will help with apprehending a suspect or in soliciting more witnesses. One detective explained that they release footage only if days have passed and no suspect has been named. Another detective explained:

If we have identified the suspects and know that they are the correct ones, we will release a still shot to the media to ask if anyone knows who it is.

However, there are concerns here as well. As the above detective explained:

We have used it (video footage) to get information for the Crime Stoppers information hotline. We have to be careful to make sure it is the correct person. We don't want to put an innocent person in the news. We always have to run a decision to release the footage through the supervisors.

Another detective echoed the concern of potentially harming innocent people by releasing video footage to the public. This detective said that he does not show footage to the public because "the evidence is rarely 100% clear." He stated clearly that "they must be certain of the suspect before releasing (the footage)."

In some cases, video footage is not released to the public – the primary reason being the quality of the video footage itself. According to one detective:

We have used the video footage and shown it to the public on isolated occasions. But, often due to the quality of the video and panning, sometimes, we decide not to share it because we often don't want the suspect to be informed of the quality of the video.

It is clear is that in using video footage to engage the general public, law enforcement officials are concerned with a different set of questions and concerns – primarily weighing the concerns of public safety and potentially besmirching someone who is innocent.

When looking at considerations in releasing video evidence from a defense attorney's standpoint, it is important to note that these defense attorneys do not have much of a say in releasing video evidence to the public. While the defense attorneys discuss video evidence with the prosecutor and with their clients, the prosecutors and the LSC are the ones who ultimately make the decision of whether to release video evidence to the public. When asked if video evidence is released to the public, one defense attorney responded with, "we don't do that." When these defense attorneys obtain footage from the LSC, they have to sign off on not

showing this evidence to the public. The same defense attorney also stated that, “we typically try to avoid involving the public at large.” The prosecutors and police are much more involved with this process because they are usually the ones who have a specific suspect in mind.

Prosecutors and defense attorneys have different circumstances to contend with regards to releasing video evidence. There is much more to consider and the pros and cons must be weighed equally. Video evidence can be a great help with narrowing down suspects or witnesses but there can be issues with witnesses coming forward with false statements. One prosecutor stated:

We have released video to the public but you have to consider pros and cons. Pros – you can locate an individual but con – you can worry about putting too much information because it can have a negative impact on the investigation because you want to have faith that what they tell you happened did happen.

Another prosecutor echoes this concern:

When you release everything out to the public, it makes it easy for someone to come up and say, “I saw this,” and they can have details.

Yet, these witness statements might not always be accurate. The prosecutors are aware that this is yet another consideration when deciding whether to release surveillance video to the public.

Suggestions for Improving Surveillance Video

Though the respondents found the video evidence extremely helpful in their respective roles in the criminal justice system, they did provide some suggestions for improvement. Both the attorneys and the detectives desired more cameras, noted advantages and disadvantages to the panning feature of the cameras, and a few (primarily the defense attorneys) expressed concerns about the length of time the footage was stored. From the perspective of the defense attorneys, the camera system tends to benefit the state, not the defendant.

Need for More Cameras

Several of the prosecutors wanted more cameras for “full coverage of the city.” One prosecutor said:

We need to have cameras out a little further in the city. We tend to have them clustered around. We often hear from [the township that borders the city limits] that they wished they had more cameras out in those areas [...] on the perimeters.”

Many of the detectives felt that “the more cameras there are, the better.” One township officer noted:

In the areas around the city where there are higher crime areas, cameras need to be posted. We have had things happen, bad things, with cases that were just outside the city, and there are no cameras.”

One of the defense attorneys also responded:

I wish I had it more often. [...] I want the truth. Video and audio evidence can provide that. [...] The more often I have that video, the more often I have that audio, the better off I'm going to be because I can get to the bottom of something and I don't need to waste court time on a case that's a dead bang loser.

Panning

The panning or touring pattern of the coalition cameras was mentioned by the majority of the assistant district attorneys. For those who mentioned the fact that the cameras are mobile, they suggested that the cameras should be stationary. The concern driving this suggestion is the feeling of uncertainty that could arise when trying to establish that a suspect was at the scene of a crime. This is also the case when the assistant district attorneys are reviewing video of a crime taking place. As one respondent put it blatantly “it doesn't really have much, like you got them talking to each other beforehand, and then the camera jumps away and someone is dead.”

Many of the detectives also noticed that the rotation of the cameras back and forth makes the footage difficult to review. A LBP detective noted it would be better to have “four cameras on every angle of an intersection.” Another LBP officer said that it might be nice to have the cameras fixed instead of panning, but “it's a toss-up.” He conceded that panning sometimes misses capturing crucial events. Another detective conceded “the panning of the cameras helps because [even though] they sometimes only get part of the crime,” and even that little bit helps.

Length of Storage of Video Evidence

One of the prosecutors stated that he would like to have the video storage stored for a longer time. He stated it would be good if we could “increase the capacity of drives to hold on to video footage longer.” The defense attorneys were concerned with the length of time the video is stored as well. As one respondent stated:

As an attorney, as an officer for the court, I want to see as much evidence as possible. I just regret that it's not always available if we need it down the road.

This respondent elaborated:

The problem with the defense perspective is that Joe Average committed a crime the other day and didn't even know about the video. [...] We don't get that case until the public defender's office has made a determination that they cannot represent Joe Average, and then Joe Average has to apply to bail administration, who ultimately

appoints me in about two to three days. Later, I get the case. Well, if we are ten days down the road, there's no video, the video is gone.

Access to the Video Footage

The concerns about accessing video footage were primarily voiced by the defense attorneys, who felt that often times, the video footage did not help their client. For instance, one respondent stated:

The biggest problem I have with the video is that it is available in the here and now when a crime occurs. They [the cameras] simply do a [...] pattern, unless they are manually operated by the control center. They are never going to be operated by the control center for the benefit of our client. It's going to be if the police need it. [...] The reality is that footage is not available for the defense as a tool. It is more as something we react to. And it's very, very effective. It's used very effectively for the Commonwealth, because video doesn't lie. Sadly, it's never really there for our benefit.

The defense attorneys are also concerned with whether the process to get access to the surveillance video is one that is unfair for their client. Currently, the defense attorneys have to get surveillance video through the LPB. Therefore, how soon they are able to access the footage is dependent on the LPB. In particular, one defense attorney argued that their clients are particularly disadvantaged in "less serious cases,"

And my experience has been, very often, the police in a non-homicide case, the police are not always doing these ...they are on it, if someone gets killed, they're looking at everything. In a DUI case, the police is not going to stop and look at the Save-a-Lot video or a hide away video. In an argument with, you know, a street fight...the police are not necessarily, if it is not a serious injury, they are not going to necessarily go get the video.

The LPB, argued this respondent, focus their attention and resources on serious crimes like homicide. If he is defending a client accused of a "less serious crime," there is a good chance that he might be waiting a while to access surveillance video since the LPB's focus is elsewhere. The respondent suggests a possible solution:

My final thought would be there should not be any sort of centralized control. It should continue to be open access to everyone because we have the time and the energy to go get the video before it gets taped over or lost...whereas the police are so busy with more serious things, they do not have the time. You have a fairer or safer system if you allow open access without going through it.

CONCLUSION

Law enforcement personnel are clear in their perceptions that surveillance video is extremely valuable to them in the processes of investigation and prosecution. They are

thoughtful about possible abuse of the footage, and are careful about how best to use this tool. In addition, they are aware of the shortcomings of surveillance video and provide suggestions about how to improve this tool. In particular, they advocate for more cameras, as well as the use of non-panning cameras.

Future research might investigate how suspects and jury members perceive the use and effectiveness of surveillance video. The use of surveillance video is controversial, and some scholars and legal experts have raised questions about its use – weighing public safety against privacy. Addressing this concern is central if we are to have public support for the use of surveillance video.

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APPENDIX

List of Interview Questions for Police Officers

1. Tell us a little bit about yourself and your career as a (fill in the appropriate job description and position). What kinds of cases have you handled?

2. To what degree are you familiar with video evidence produced by LCSC? Have you had occasion to use it in any prosecution of criminal cases?
 - In what types of cases have you used video evidence produced by the LCSC?

3. Please describe the ways in which the presence of video evidence has affected your actions as (fill in the appropriate job description and position).
 - Have you used it to help you identify witnesses?
 - Have you used it to help you exclude potential suspects?
 - Have you used it to help you obtain statements?
 - From victims?
 - From witnesses?
 - From suspects?
 - Have you used it to help you corroborate other evidence?
 - Have you used it to elicit cooperation from a suspect's attorney?
 - Have you used it to elicit cooperation from the public?
 - What determines whether you release video evidence to the public?
 - What determines when is the optimal time to release video evidence?
 - At what point in time in an investigation do you show video evidence to:
 - suspects?
 - victims or witnesses?
 - others?

4. Overall, from your experience, how useful is video evidence in the investigation of a criminal case?
5. Is there anything else about video evidence that you would like to add?

List of Interview Questions for Attorneys

1. Tell us a little bit about yourself and your career as a (fill in the appropriate job description and position). What kinds of cases have you handled?
2. To what degree are you familiar with video evidence produced by LCSC? Have you had occasion to use it in any prosecution of criminal cases?
 - In what types of cases have you used video evidence produced by the LCSC?
3. Please describe the ways in which the presence of video evidence has affected your actions as (fill in the appropriate job description and position).
 - At what point during the process do you review video evidence?
 - At what point during the process do you discuss the presence of video evidence with (the district attorney's office / the defense attorney)?
 - At what point do you review video evidence with (the district attorney's office / the defense attorney)?
 - At what point do you review video evidence with the defendant?
 - To what extent has the presence of video evidence been a factor in resolving a major felony case with a guilty plea?
 - To what extent does the presence of video evidence impact the plea bargaining process?
 - Have you ever used video evidence in the trial of a criminal case?
 - If so, what type of case was it?
 - What was the outcome?
 - Have you ever been involved in a case in which video evidence helped to exonerate a defendant?
 - How is prosecuting a case in which video evidence is available different from prosecuting a case when there is no video evidence?
 - Do you ever release the footage to the public?
 - What goes into making that decision?

4. Overall, from your experience, how useful is video evidence in the investigation of a criminal case?

5. Is there anything else about video evidence that you would like to add?

Response to Study

Wes Farmer, Ph.D.
Executive Director, Lancaster Safety Coalition

I want to thank Dr. Glazier and Dr. Smith for their thorough and methodologically sound approach to the study. I am deeply grateful to them as well as their assistants who conducted the research.

This response is designed to provide context and answer some questions raised by the authors and participants. My desire in writing this is not to imply any measure of defensiveness, but simply to illuminate the issues as well as indicate where LSC may alter or modify policies and practices in light of the findings and conclusions. This response focuses primarily on “Suggestions for Improving Surveillance Video” (pages 11 and following).

- **Need for More Cameras** – I heartily agree! The mission of LSC is to “enhance Lancaster’s community safety.” The logic behind the focus of the study – concentrating interviews on participants in the criminal justice system – implies that “successful” prosecutions of criminals results in a safer community. To the degree that the LSC cameras are effective in gathering evidence that promotes justice (being used for both prosecutions as well as defenses) the addition of cameras would seem to only increase the amount of data available to appropriately resolve criminal matters. In fact, as this is being written (July, 2015), LSC is about to conclude a capital campaign that will add an additional six to ten cameras in new locations within Lancaster. LSC is also in discussions with other entities to broaden our scope either through the addition of cameras or through linking LSC’s system with private systems (excluding any cameras not in a public space).
- **Panning** – At the time of the study, LSC used a programmed “tour” which effectively meant that cameras not being actively monitored were constantly moving. The theory was that even if the camera happened to be pointed in the wrong direction at the moment a crime was being committed, the chances were that the camera would either capture images of a portion of the criminal act or other evidence (such as the suspects path of escape). LSC staff then decided (after this study concluded) to use a different tour schema consisting of discrete snapshots throughout the camera’s field of views – rather than constantly

moving. This new process, known internally as a “prepositioned tour”, has already resulted in better quality data to be delivered to police investigators and prosecutors. Nevertheless, LSC has made the decision to “freeze” selected cameras at the request of the District Attorney and the Lancaster Police Criminal Investigative Division. Eventually those cameras may be replaced with a hybrid camera consisting of 360 degrees coverage (four internal fixed cameras) coupled with a moveable (PTZ) camera.

- Length of Storage of Video Evidence – LSC, as a community-based nonprofit, must be a zealous steward of its public image. LSC depends on the support of donors and there could be those not willing to support the organization if it was perceived that the amount of data retained was inappropriate. However, the current data storage limit (14 days) *is primarily a function of limited resources*. Video data is very large and LSC simply doesn’t have the storage capacity to retain greater amounts at this time. LSC staff are currently working with a vendor to attempt to secure donated equipment to increase data storage.
- Access to the Video Footage – The concerns voiced by the defense attorney regarding a more equal and timely access to video data were communicated to LSC prior to the receipt of the study results. These concerns were investigated. LSC staff discovered that the criminal justice processes of the Commonwealth of Pennsylvania prescribe when evidence is to be released to the defense. Simply, video evidence is available at a preliminary or discovery hearing which often occurs some time after the 14 day period for the retention of video data at LSC. In order to protect privacy and preserve the integrity of the rules of the court, LSC requires any party (outside of the police department or district attorney’s office) to secure a valid subpoena in order to release video data. However, it is worth noting that defense attorneys may request preservation of video by LSC for later retrieval (following a subpoena) as soon as they receive a case – assuming evidence is still available.

Conclusion

The focus of this response has been primarily on how LSC might react to the suggestions delineated in the study. I am familiar with some of the procedural tactics employed by police investigators in interrogations and the use of video evidence. Those tactics, however, are beyond the purview of LSC.

I am encouraged by the findings which, in combination with the quantitative data previously generated by the Public Safety Research Institute (Glazier, et al), conclusively demonstrate that video evidence produced by LSC is effective and has value.

LSC continues to align its core functions and operating policies with its mission in order to demonstrate fidelity to the community, criminal justice system stakeholders, and donors.

A handwritten signature in blue ink, appearing to read 'Wes Farmer', with a long horizontal flourish extending to the right.

Wes Farmer, Ph.D.