

In May of 2024, the [Major City Chiefs Association \(MCCA\)](#) issued a recommendation on whether officers should be permitted to review body-worn camera (BWC) footage before providing an official statement. The association's position is that "officers *should* be permitted to review BWC recordings before they are required to give a statement or write an official report about a critical incident in which they were involved [emphasis added]."

In a previous Force Science News article, [Bodycam Videos and Honest Accountability, Von Kliem](#) detailed how bodycam policies should reflect the balance between transparency and honest accountability. In his review, Von detailed the evolution of the [Police Executive Research Forum's \(PERF\)](#) latest position on viewing bodycam video as part of officer-involved shooting investigations. As they adopted what has become known as the hybrid approach (discussed below), PERF aligned themselves with Force Science's approach to these complex issues. In recommending that officers should be permitted to watch BWC videos before giving a statement, the MCCA is proposing an alternative process.

Although the MCCA recommendation has not been universally adopted, it remains consistent with the policies and practices of many police agencies with whom we professionally interact. It is also directionally aligned and not entirely inconsistent with the policy and evidence-based recommendations of Force Science and the Police Executive Research Forum.

Balancing Interests: Memory and Contamination

Multiple factors were listed as contributing to the MCCA recommendations. Chief among them were concerns about the impressionable nature of human memory and the need to capture the largest body of accurate information during the first interview. These concerns were well-founded, as a great deal of research reveals the malleability of human memory and the potential for contamination.¹²

In addition to referencing the PERF report, the MCCA publication considered opposing recommendations by the [American Civil Liberties Union \(ACLU\)](#), arguing that officers should not be allowed to view BWC footage before giving a statement after a use-of-force event. Like the MCCA, the ACLU cited concerns about false memories, explicitly noting that viewing the BWC "enables cross-contamination of evidence and impedes the search for truth." In keeping with its emphasis on police accountability, the ACLU added its concern that viewing BWC footage can enable officers to lie.³

Although stakeholders often have different motivations, there seems to be a consensus that accurate information is critical and that even a perception of officer dishonesty can impact community trust and impede the fullest discovery of officers' perceptions and decision-making during critical incidents.

Video May Not Capture Officers' Perspectives

The concern that viewing BWC footage may affect the accuracy of an officer's statement is not without merit. Consider the 2024 Force Science study in which researchers outfitted participants

with body-worn cameras and eye trackers. As officers responded to a rapidly evolving, simulated deadly force encounter, researchers recorded the information captured from the officers' eye trackers and body cameras.

Among other key data from this study, researchers found that the majority of visual information captured by the eye tracker and used to make critical decisions was not captured by the BWC.⁴ The concern is that much of the information captured and later viewed on the body-camera video was never part of the officer's original perception or memory. It is reasonable to question whether introducing new information can contribute to a "false memory" and how the absence of critical information in BWC footage might influence an officer's memory, confidence, and perceived credibility following a critical incident.

Still More Questions

Conflicting approaches surrounding the proper use of video evidence in investigations highlight the need to answer additional questions. Is it possible or appropriate to have a hard and fast rule about viewing BWC footage before an interview? Is there a way to leverage science-informed, investigative discretion to mitigate the contamination of an officer's memory? Is there a way to balance the preservation of information, document critical perceptions, and still review BWC footage where the goal is to gather the most accurate and robust information while maintaining community trust? For many, the hybrid approach to video review would provide the most balanced approach to these issues.

Comparing the Hybrid Approach

I mentioned earlier that the MCCA recommendation isn't "entirely inconsistent" with Force Science's and PERF's video evidence guidelines. It's close, but there are differences. In PERF's 2023 bodycam report, PERF evolved its recommendation to adopt the "perceptual interview." As part of what has become known as the hybrid approach, PERF recommended that a perceptual interview be conducted before viewing video evidence. The perceptual interview is conducted before the involved officers view video evidence. The interview is intended to document what the officer saw, heard, felt, and believed at the time of the event and before their memory can be influenced by watching BWC footage.⁵ After participating in the perceptual interview, officers can watch the video and participate in a follow-up interview to document any additional memories and begin to explain any inconsistencies where they can.

As a former litigator, Von Kliem, Director of [Consulting](#) at Force Science, does not dismiss the MCCA concerns, "We see inconsistencies between video evidence and witness statements in every case. Usually, that's just the product of attention, perception, and memory issues. The problem is that too many people want to imagine that every inconsistency is evidence that officers are lying. For good or bad, we expect the hybrid approach to video review will result in additional information, corrected information, and inconsistent information. Some agencies and attorneys want to deal with those issues as early as possible in the investigation. Other attorneys want to minimize the number of statements their officer clients give and deal with the inevitable inconsistencies if or when they come up during administrative investigations, hearings, and

trials. We've debated the merits of these approaches for years, and the first issue always seems to come down to who you see as your client, the officer, the agency, or the community. The second issue is whether you can trust the people evaluating the case to understand and fairly consider the human performance and video technology issues involved in these complex cases.”

About Author

[Brian Baxter](#) is a thirty-year veteran of the Texas Department of Public Safety. He retired as the Assistant Chief of the Training Operations Division, where he was the primary author of the Department's Use of Force Policy and the policy creating the Use of Force Review Board, which he also chaired.

A [Force Science certified analyst](#) and [Advanced Specialist](#), Brian is a specialist in use of force and police practices. He is the Founder and President of [Performance-Critical, Inc.](#), a combat infantry veteran of Operation Iraqi Freedom, and holds a Bachelor of Science in Criminal Justice as well as a Master of Science in Applied Psychology.

1. Wixted, J. T., Mickes, L., & Fisher, R. P. (2018). Rethinking the Reliability of Eyewitness Memory. *Perspectives on Psychological Science*, 13(3), 324-335. [[↵](#)]
2. Mojtahedi, D. (2020). Memory conformity during co-witness discussions: Issues and considerations. *Psychreg Journal of Psychology (PJP)*, 4(2), 1-7. <https://doi.org/10.5281/zenodo.3871209> [[↵](#)]
3. Stanley, J. & Bibring, P. (2015). Should officers be permitted to view body camera footage before writing their reports? American Civil Liberties Union. [[↵](#)]
4. Murray, N. P., Lewinski, W., Allen, C., Sandri Heidner, G., Albin, M. W., & Horn, R. (2024). The eyes have it! Functional field of view differences between visual search behavior and body-worn camera during a use of force response in active-duty police officers. *Police Practice and Research*, 25(4), 490–497. <https://doi.org/10.1080/15614263.2024.2328664> [[↵](#)]
5. Police Executive Research Forum (2023) Body-worn cameras a decade later: What we know. [[↵](#)]