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All N.J. prison officers would have to wear body cameras under new bill

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A New Jersey lawmaker has introduced a bill requiring officers in state prisons wear body cameras, in response to sexual abuse within the state's only women's prison and amid calls for increased prison oversight nationwide.

Law enforcement leaders and reformers expressed general support for the proposal (A5039), filed Thursday, but they also said unique privacy and security concerns raised by cameras behind bars still needed to be addressed.

"This bill is designed to provide an unparalleled level of transparency," state Assemblywoman Yvonne Lopez, D-Middlesex, and the bill's sponsor told NJ Advance Media. "A lot of time abuse takes place in blind spots, where footage is not collected."

Two state prisons are in the process of giving officers cameras, and Lopez's bill would expand their use to the other ten.

The absence of video evidence often means an inmate's accusation of abuse is pitted against an officer's denial, according to recent court filings. Not only is the prisoner rarely believed, but they are sometimes blamed for an attack, lawyers said.

"Unlike the growing number of documented and filmed incidents with the police, there is no comparable ability to document what is going on in the state's jails," said Shelley Stangler, a Springfield lawyer who represents several prisoners. "There continue to be gruesome beatings despite complaints and proclaimed interest by jail officials in stopping them."

Video can also clear officers falsely accused.

"Cameras do seem to help more than they hurt," said William Sullivan, the president of NJ PBA Local 105, the state's largest corrections union.

Body cameras are used behind bars in other parts of the country, including Wisconsin and Illinois. In California, a 2018 study concluded the presence of some surveillance cameras may have reduced violence within one state prison. In September, a federal judge ordered guards at another California prison to wear body cameras.

"Inside prison, we need this even more than on the streets," said Gay Grunfeld, a lawyer in San Francisco representing California inmates in that case.

Body camera footage from a beat cop often captures public streets, where the expectation of privacy is low. In contrast, a prison is a prisoner's home. Officers patrol bathrooms and showers. Footage of a facility's layout could be used to plan an escape.

State law already allows the corrections department to deny requests for surveillance video. Even the corrections ombudsman, a state watchdog that investigates complaints, can't always get access to footage under recent reforms.

Lopez's bill will likely be amended, and if it becomes law the video will almost certainly not be public.

Lopez said she hoped the video would be available to the ombudsman's office and to lawyers representing inmates.

The judge in California who ordered guards to use cameras also said video should be used as evidence during internal investigations, which has been an issue in New Jersey.

Supervisors at the Edna Mahan Correctional Facility for Women often ignored a requirement to audit surveillance footage, according to a U.S. Department of Justice report that concluded sexual abuse was an "open secret."

"Lieutenants and other high-level officers indicated a reluctance to review footage for evidence of staff misconduct, which they would then be required to report," federal investigators said. "We were not informed of any adverse consequences for lieutenants and higher-level staff refusing to review camera footage."

The justice department submitted a list of recommended reforms in September, New Jersey's corrections commissioner previously told lawmakers. The prison system denied an NJ Advance Media request to review those recommendations while they are under consideration.

Manning body cameras in prison would not be cheap.

The PBA represents almost 5,500 officers, and that doesn't count more than 1,000 supervisors.

Legislative researchers previously estimated the cost of a single camera can range from about \$120 to almost \$2,000, and storing video can be even more burdensome.

Some of that could be offset by a \$250,000 federal grant New Jersey already has for 125 body cameras at Edna Mahan, in Clinton, and Northern State Prison in Newark. Officials have written much of the policy that will guide their use, according to Sullivan, the union president. He also said lawmakers should consider waiting to see how body cameras affected those facilities before mandating them elsewhere.

It was not immediately clear if any body worn cameras are currently in use. A prison spokeswoman did not immediately respond to questions about the grant or Lopez's bill.

Lopez said she hoped the corrections department could pay for additional cameras using money saved after recent releases. The state recently set more than 2,200 prisoners free ahead of schedule because of the threat of COVID-19 behind bars.

The prison system's current fiscal year budget is more than \$947 million, according to the treasury department.

The bill would not apply to staff at halfway houses, Lopez said. The proposal will need to pass the state Assembly and Senate before it can head to the governor's desk.

The Associated Press contributed to this report.