

EVALUATION OF MOBILE VIDEOTAPING AS A
DWI COUNTERMEASURE

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DISCLAIMER

The conclusions and opinions expressed in this document are those of the authors, and do not necessarily represent those of the State of Texas, the Texas Department of Transportation (TxDOT) or any political subdivision of the State or Federal government.

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EXECUTIVE SUMMARY

The effectiveness of mobile videotaping as a DWI countermeasure was assessed primarily in terms of adjudication data collected from the court systems in six Texas counties. Disposition data for mobile videotaped DWI offenders was compared to that for all other DWI arrestees to determine if mobile videotaping increased conviction rates and/or shortened the length of time from arrest to final disposition. A significantly higher conviction rate for cases with mobile videotaping was found in only one of the six counties. The data from this same county were also encouraging in suggesting a shorter disposition time for cases with mobile videotaped evidence. However, the evidence from the other five counties fails to support the notion that mobile videotaping expedites the adjudication process.

Follow-up mail surveys of those officers who attended the videotaping training course were used to determine the perceived adequacy and usefulness of the training curriculum. Anecdotal information was also obtained from the officers with regard to any problems and/or innovative uses for the equipment outside the DWI enforcement arena. The responses received were overwhelmingly positive, and continued use of mobile videotaping systems is enthusiastically favored.

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	1
Study Scope and Objectives	4
Status of the Videotaping Programs in the Six Study Sites	5
Brazos County	5
Chambers County	6
El Paso County	6
Lubbock County	7
Nueces County	8
Young County	8
Mobile Videotaping Training for Law Enforcement Officers	9
METHODOLOGY . . . . .	.11
Adjudication Data Collection Procedures . . . . .	.11
Follow-up Mail Surveys . . . . .	.12
Assessment of Videotaped Training Curriculum . . . . .	.13
RESULTS . . . . .	.14
Historical DWI Adjudication Data . . . . .	.14
Adjudication Outcome Analysis . . . . .	.17
Brazos County . . . . .	.18
Chambers County . . . . .	.19
El Paso County . . . . .	.20
Lubbock County . . . . .	.22
Nueces County . . . . .	.23
Young County . . . . .	.23
Adjudication Process Analysis . . . . .	.24
Follow-up Mail Surveys . . . . .	.27
Assessment of Videotaped Training Curriculum . . . . .	.32

TABLE OF CONTENTS CONT.

	<u>Page</u>
CONCLUSIONS AND IMPLICATIONS . . . . .	.33
Summary of Findings . . . . .	.33
Recommendations for Future Study . . . . .	.34
REFERENCES . . . . .	.36
Appendix A: Summary of Follow-up Mail Survey Responses . . .	.37
Appendix B: Elapsed Time from Arrest to Final Disposition for Misdemeanor DWI Cases in the Six Study Sites . . . . .	.48
Appendix C: Follow-up Mail Survey Instrument . . . . .	.60

LIST OF TABLES

<u>Table</u>		<u>Page</u>
1	Misdemeanor DWI Conviction Rates in the Six Study Sites and Statewide . . . . .	.15
2	Misdemeanor DWI Disposition Rates in the Six Study Sites and Statewide . . . . .	.16
3	Disposition Outcomes of Misdemeanor DWI Cases in Brazos County . . . . .	.18
4	Disposition Outcomes of Misdemeanor DWI Cases in Chambers County . . . . .	.20
5	Chi-Square Analysis of DWI Convictions by the Use of Mobile Videotapes in Chambers County . . . . .	.20
6	Disposition Outcomes of Misdemeanor DWI Cases in El Paso County . . . . .	.21
7	Chi-Square Analysis of DWI Convictions by the Use of Mobile Videotapes in El Paso County . . . . .	.21
8	Disposition Outcomes of Misdemeanor DWI Cases in Lubbock County . . . . .	.22
9	Disposition Outcomes of Misdemeanor DWI Cases in Nueces County . . . . .	.23
10	Disposition Outcomes of Misdemeanor DWI Cases in Young County . . . . .	.24
11	Median Days from Arrest to Final Disposition for Misdemeanor DWI Cases . . . . .	.26

Chapter One

INTRODUCTION

Despite significant gains in the fight against drunk driving, alcohol-related crashes remain one of the leading highway safety problems in the country. Nationwide, driving while intoxicated (DWI) was implicated in 19,900 traffic fatalities in 1991 (U.S. DOT, 1992). In Texas, alcohol-related crashes in 1992 showed a modest decline (2 percent) from 1991, but continued to account for approximately 40 percent of the statewide fatal motor vehicle crashes (Texas Department of Transportation, 1993).

In 1983, the year of the nation's most successful DWI enforcement effort, 1.9 million drivers were arrested for DWI. Although this number has decreased slightly since that time, approximately 1 percent of the nation's licensed drivers are arrested for DWI each year (Voas & Lacey, 1990). Yet, a DWI offense has historically been one of the hardest cases to prosecute. The Texas Commission on Alcohol and Drug Abuse (TCADA) estimated that 20 percent of all licensed drivers operate a motor vehicle while legally intoxicated each year, yet only five percent of them are convicted of DWI in their lifetime (Fredlund, 1991).

The DWI conviction rate in Texas reached a high of 76 percent in 1986 and has leveled off at about 70 percent over the past five years. Although the 1980's may be characterized as a decade of "tougher" DWI laws and attempts to correct deficiencies in the processing of DWI offenses, more than 20,000 drivers charged with

driving while intoxicated each year are not convicted of the offense.

In Texas and the majority of other states, the illegal per se law specifies that an individual operating a motor vehicle with a blood alcohol concentration (BAC) greater than or equal to .10 is legally intoxicated. Although this legislation should facilitate the conviction of individuals arrested for driving while intoxicated, increasing numbers of both first and repeat DWI offenders are refusing to submit to breath or blood tests (Fredlund, 1991).

It has also been noted that an increasing number of defendants are refusing to perform videotaped field sobriety tests at a jail or police station following their arrest. Even if consent is given, the elapsed time from the traffic stop to the performance of the requested tasks at the station provides the opportunity for significant changes in the defendant's appearance, demeanor, and ability to successfully execute the tasks.

In an effort to combat these trends, alternative evidence of a defendant's inability to safely operate a motor vehicle has been sought. In-vehicle (mobile) videotaping of DWI suspects by law enforcement officers was initially developed in response to this need. By establishing a visual account of the offender's erratic driving as well as his performance of field sobriety tests conducted at the scene of the traffic stop, in-vehicle videotaping provides evidence that may be used at trial to document the DWI offender's loss of normal physical and mental faculties.

Without mobile videotaping, the case for the prosecution often rests solely upon the arresting officer's word against that of the defendant. However, when in-vehicle videotaped evidence is available, the jury is given the opportunity to view everything that the officer saw and heard from the time the suspect was first observed on the road. In particular, those factors (e.g., erratic driving maneuvers) giving the officer "probable cause" to make the traffic stop may provide the most convincing evidence that the defendant's driving constituted a threat to public safety. Moreover, documenting the defendant's behavior throughout the arrest process eliminates situations where judgment is based exclusively on the officer's oral testimony, and thus enhances the attractiveness of the in-vehicle videotaping system from a law enforcement perspective.

Another advantage of in-vehicle videotaping lies in its potential minimization of the officer downtime usually required for a DWI arrest. Mobile videotaping may eliminate the need to record field sobriety tests at the police station following arrest, thereby allowing the officer to return to duty more quickly. Moreover, without the benefit of videotaping, the often protracted arrest process required of the officer may actually preclude more active DWI enforcement.

The use of in-vehicle videotaping may also reduce the number and duration of court appearances required of arresting officers. Defense attorneys are allowed to view the videotaped evidence through the discovery process and advise clients on how to plead.

County attorneys in several Texas counties have predicted reductions in the number of contested trials, as well as increases in the conviction rates for DWI suspects whose driving behavior, field sobriety test performance, and subsequent arrest were recorded on videotape.

Study Scope and Objectives

In February 1990, the Texas Department of Transportation (TxDOT) contracted with Texas Transportation Institute (TTI) to study the mobile videotaping of DWI suspects. Given that the effectiveness of this countermeasure had not previously been evaluated, the identification of appropriate outcome variables for the analysis was considered a critical step in the evaluation process. Therefore, the scope of the first year's effort was limited to selecting a small number of study sites for the evaluation, documenting the mobile videotaping program in each location, identifying outcome variables, and setting up the necessary data collection mechanisms for future analyses. During the second year of the study, an evaluation of the effectiveness of in-vehicle videotaping was conducted in the four original study sites as well as two additional counties. Recommendations were made for activities to be included in future phases of the evaluation.

This final phase of the study represents a continuation of the effectiveness evaluation of mobile DWI videotaping programs in six Texas counties: Brazos, Chambers, Lubbock, Nueces, El Paso, and

Young. The evaluation provides a comparison of the dispositions for individuals whose driving behavior and field sobriety test were videotaped at the scene versus those whose sobriety task performance was taped at the jail, or for whom no videotape was made. In addition, the elapsed time from arrest to final disposition for the two groups of arrested drivers is compared to determine if mobile videotaped evidence of DWI offenders expedites the adjudication process.

Status of the Videotaping Programs in the Six Study Sites

During the specified study period, minor changes in the videotaping programs within the six study sites have occurred. Overall, the scope of the program has expanded, either through the purchase of additional equipment by agencies already using videotaping systems, or by initial acquisitions by other enforcement agencies in the respective counties. The current status of each videotaping program is briefly described in the paragraphs to follow.

Brazos County. Mobile videotaping was first incorporated into DWI enforcement activities in Brazos County in 1987, when the Bryan Police Department acquired a video system from the New Car Dealers Association at the encouragement of the Brazos County Attorney. The Bryan Police Department has a total of four camera-equipped patrol vehicles, and the College Station Police Department has two mobile videotaping systems currently in operation. The Department

of Public Safety (DPS) Highway Patrol has five patrol cars operating in the County that are equipped with mobile video systems, and the Texas A&M University Police Department has three mobile video systems for use in campus patrol activities. Finally, two Sheriff's Department patrol vehicles are now equipped with mobile videotaping systems.

Chambers County. The first mobile video equipment in Chambers County was purchased in April, 1990. Since that time, all seven DPS vehicles in the county have had video systems installed. According to the Chambers County Attorney, the DPS is responsible for virtually all DWI enforcement activities in the area. The Sheriff's Department has four vehicles equipped with mobile video systems, but these officers do not handle DWI cases. Since the Sheriff's Department does not have BAC testing equipment, they request assistance from DPS officers for DWI arrests. The video systems in the Sheriff's Department are used for other purposes, such as filming crash scenes and other traffic stops. Lastly, two Narcotics Task Force vehicles have also been furnished with mobile video systems.

El Paso County. The first video systems used in El Paso County were donated by AETNA Life and Casualty and the El Paso Chapter of MADD through the national "Eye on DUI" program. These mobile video systems were incorporated into DWI activities beginning in May 1991. As of March 1992, the El Paso Police

Department had installed video systems in nine patrol vehicles, while the DPS had another nine video-equipped vehicles in operation in El Paso County.

One distinctive aspect of DWI adjudication in El Paso County is a pre-trial diversion (PTD) program available to some first time offenders. Once a DWI case has been filed by the County Attorney's Office, the offender is screened by the Probation Department to determine if he/she is eligible to participate in the program. An offender must be referred to the PTD program by the County Attorney, and a fee of \$575 is assessed. The program is designed to supervise an individual charged with a misdemeanor offense for a period of up to one year. During the period of supervision, the individual is required to abide by certain conditions set by the Probation Department. Upon successful completion of the program, a recommendation for dismissal of charges is sent back to the County Attorney's Office. Of all DWI offenders arrested in 1991, approximately 30 percent were referred to the PTD program (data provided by the DWI Coordinator, El Paso County Attorney's Office).

Lubbock County. Mobile video systems were first incorporated into DWI enforcement activities in Lubbock County in February, 1990. The Lubbock Police Department currently maintains 11 mobile video systems: two were purchased with drug forfeiture money, two were donated by MADD, and six were purchased by the Department. The DPS in Lubbock County has acquired six mobile video systems: one was purchased with drug forfeiture money, two were donated by

MADD, and the State purchased three systems. Slaton Police Department currently maintains four video systems: one was purchased with drug forfeiture money, one was purchased by the officers with a Christmas fund (i.e., donations from area businessmen for the purchase of law enforcement equipment), and two were donated by an anonymous benefactor. Finally, the Texas Tech University Police Department implemented their first mobile video system, purchased with University funds, in October 1991 and presently has two systems in operation.

Nueces County. The mobile videotaping program in Nueces County began in December, 1990. The following law enforcement agencies currently have mobile videotaping systems in use: Corpus Christi Police Department (8 vehicles), Nueces County Sheriff's Department (16 vehicles), and Precinct 8 Constable's Office (3 vehicles). In addition, every DPS unit in Nueces County (5 vehicles) is equipped with a mobile video system.

Young County. The first mobile videotaping system in Young County was implemented by the DPS in December 1990. Since that time, two additional DPS patrol vehicles have been equipped with video systems. These three units represent all DPS vehicles in operation in the county. In addition, two Sheriff's Department vehicles have had mobile video systems installed, and the Olney Police Department has recently equipped one patrol vehicle with a mobile videotaping system.

Mobile Videotaping Training for Law Enforcement Officers

In fiscal years 1991 and 1992, TxDOT contracted with the Law Enforcement and Security Training Division, Texas Engineering Extension Service (TEEX), Texas A&M University System to conduct training courses in the use of mobile videotaping systems. The course curriculum was developed by Mr. James Kuboviak, the Brazos County Attorney. For simplicity, this training will be referred to as the TEEX course throughout the remainder of the report.

Over the past two years, approximately 140 officers from over 60 different enforcement agencies in Texas have attended the training course conducted at Texas A&M University. Additionally, comparable training sessions have been provided in a number of other Texas locations, as well as in several other states (e.g., Wisconsin, New Mexico, South Carolina, and Mississippi).

As part of this evaluation, follow-up mail surveys were sent to those officers who attended the TEEX training course at Texas A&M University. These surveys were designed to obtain feedback regarding the training curriculum as well as the officers' experiences with mobile videotaping systems since attending the class.

Unfortunately, officer availability and budget constraints limited the number of TEEX training courses that could be offered at Texas A&M. Thus, in an effort to provide the training to as many law enforcement personnel as possible, a videotaped version of the in-vehicle video training course was distributed to several law enforcement agencies across Texas. The tapes were developed to

provide supplemental information that could be used to enhance the training of officers in the field. During this final phase of the evaluation, telephone surveys were conducted to obtain feedback from the individual agencies regarding the use of the videotaped version of the curriculum.

Chapter Two

METHODOLOGY

Adjudication Data Collection Procedures

In each study site, the following three data elements were collected for each individual arrested for DWI: arrest date, disposition date, and final disposition. In addition, it was necessary to identify in each case whether or not a mobile videotape was made of the arrest. The period of analysis varied across counties due to differences in program implementation dates. However, an attempt was made to collect data on every misdemeanor DWI arrest that occurred in each county, beginning with the first month the mobile videotaping program was instituted and ending on December 31, 1992, as a minimum. The time frame for which data were available in each county is shown below:

Brazos County:	January 1988 - December 1992
Chambers County:	April 1990 - March 1993
El Paso County:	May 1991 - December 1992
Lubbock County:	February 1990 - December 1992
Nueces County:	December 1990 - December 1992
Young County:	January 1991 - March 1993

It has been suggested that mobile videotapes may serve as an initial screening tool for the prosecution. Unfortunately, data on cases that were not filed (i.e., refused for prosecution) were not routinely recorded and, therefore, could not be included in the analysis.

Historical DWI adjudication data for the six study counties, as well as statewide, were obtained from reports published annually by the Texas Judicial Council (Texas Judicial System Annual Reports: 1980-1992). These data provide important baseline information supplementing the adjudication data collected from the respective county courts.

Follow-up Mail Surveys

The follow-up mail surveys were designed to collect more general information regarding the training curriculum as well as the officers' experiences with mobile videotaping systems in the field. For example, the officers were asked to rank the relative usefulness of the training course components. Recommendations regarding proposed additions or deletions to the curriculum were solicited as well. Anecdotal information regarding any operational problems encountered with the videotaping systems was requested, along with examples of how the videotaping equipment is being used in activities other than DWI enforcement.

A copy of the mail survey instrument is provided in Appendix C. The survey was mailed to more than 250 officers who completed mobile videotaping training at Texas A&M University during 1991 and 1992. Names and addresses of the course attendees were provided by the TEEEX course administrator, Mr. Bobby Westmoreland. One hundred and fifty (150) surveys were completed and returned for a response rate of approximately 60 percent. The anonymity of the respondents was maintained to encourage their frank discussion of any problems

they had encountered or suggestions they might have for improving the training curriculum.

Assessment of Videotaped Training Curriculum

Given the problems in accommodating large numbers of officers in the weekend TEEEX training courses, a videotaped version of mobile video training for law enforcement officers at the sites of their jurisdiction was developed. An assessment of the effectiveness of this training program was conducted during the final phase of this evaluation. Although the tapes alone are not intended to serve as a substitute for personalized instruction, they do offer a means of providing more officers with instruction in the use of the videotaping systems. Additional training and practical exercises, as well as hands-on experience in using the videotaping systems, were offered to supplement the taped classroom curriculum. The effectiveness of this in-house training was evaluated via verbal feedback from those agencies using this supplemental aid.

Chapter Three

RESULTS

Historical DWI Adjudication Data

The historical DWI adjudication data (1980-1992) for each of the six counties in the study sample, as well as for the state as a whole, were used to calculate the proportion of disposed cases that resulted in convictions, as well as the proportion of total cases on the docket that were disposed of during each 12-month reporting period (Tables 1 and 2, respectively). This latter measure was used in lieu of an average time from arrest to final disposition, since that information was not included in the reports published by the Texas Judicial Council. Similarly, although the total number of dismissals was reported annually, no data were available on the number of DWI cases that were refused for prosecution.

Conviction rates varied across the six counties in the study sample, and increases in the proportion of DWI convictions have been noted in three of the study sites since 1980 (Table 1). By FY92, convictions ranged from a low of 58.5 percent in El Paso County to a high of 83.9 percent in Brazos County. Conviction rates in all but one of the study sites were higher than the FY92 statewide figure of 69.2 percent, and only three study sites had disposition rates substantially lower than the FY92 figure for the state as a whole (52 percent).

Table 1. Misdemeanor DWI Conviction Rates* in the Six Study Sites and Statewide

<u>Year</u>	<u>Brazos County</u>	<u>Chambers County</u>	<u>El Paso County</u>	<u>Lubbock County</u>	<u>Nueces County</u>	<u>Young County</u>	<u>Texas</u>
1980	68.2	50.8	32.1	40.1	65.8	63.7	64.1
1981	64.7	37.7	35.7	30.0	75.1	46.8	50.0
1982	67.3	42.7	47.2	44.3	75.0	50.0	53.9
FY84**	74.5	57.8	41.7	69.9	88.8	48.5	67.2
FY85	67.4	60.7	43.2	63.8	88.4	66.3	74.4
FY86	82.1	70.4	55.5	68.7	77.7	72.8	76.1
FY87	85.6	58.3	43.1	51.2	76.4	30.0	72.1
FY88	82.5	70.8	58.1	56.6	68.0	73.9	69.0
FY89	84.0	83.1	50.5	62.7	62.2	70.0	68.6
FY90	85.2	87.2	52.9	61.1	74.7	71.2	69.7
FY91	87.6	84.6	53.8	64.1	82.6	77.5	67.2
FY92	83.9	76.8	58.5	72.4	76.3	80.3	69.2

*Conviction rate = total convictions/total dispositions

**Beginning with 1983, the reporting period changed from a calendar year to a State fiscal year basis

Source: Texas Judicial System Annual Reports: 1980-1990, Austin, Texas: Texas Judicial Council, Office of Court Administration.

15

Table 2. Misdemeanor DWI Disposition Rates* in the Six Study Sites and Statewide

<u>Year</u>	<u>Brazos County</u>	<u>Chambers County</u>	<u>El Paso County</u>	<u>Lubbock County</u>	<u>Nueces County</u>	<u>Young County</u>	<u>Texas</u>
1980	42.6	44.6	45.0	27.0	70.0	44.7	40.8
1981	39.2	41.6	32.4	24.7	57.6	55.8	38.1
1982	48.8	29.6	27.0	31.2	63.5	43.7	46.5
FY84**	42.5	25.3	32.7	34.5	71.5	35.6	56.7
FY85	49.4	34.4	51.7	32.2	72.8	32.6	58.1
FY86	32.9	84.6	40.8	28.0	74.1	25.0	56.5
FY87	40.7	91.7	37.7	37.2	69.0	56.8	54.6
FY88	36.8	66.7	37.3	41.0	65.2	65.7	52.7
FY89	36.3	43.3	24.4	45.8	74.1	60.4	51.7
FY90	26.4	76.1	29.2	49.1	72.5	67.5	51.3
FY91	31.2	70.6	34.4	44.0	70.8	63.9	53.9
FY92	33.1	51.9	35.1	45.0	65.7	52.2	52.3

*Disposition rate = total dispositions/total cases on docket

**Beginning with 1983, the reporting period changed from a calendar year to a State fiscal year basis

Source: Texas Judicial System Annual Reports: 1980-1990, Austin, Texas: Texas Judicial Council, Office of Court Administration.

Given the comparatively short time the mobile videotaping programs in the six study sites have been in place, it is unlikely that dramatic changes would be evident to date in either the countywide disposition or conviction rate. Furthermore, the proportion of cases with mobile videotaped evidence that were filed within the designated study period is still relatively small in some locations. The number and proportion of misdemeanor cases for which mobile videotaped evidence was available in each county are shown below. However, with the exception of El Paso County, these figures represent only those defendants who were arrested after mobile videotaping was introduced in each location and for whom a final disposition was reported. As explained previously, the El Paso County data reflect cases disposed within the specified time period.

<u>County</u>	<u>Misdemeanor DWI Cases with Mobile Videotapes (%)</u>
Brazos	137 (5.58)
Chambers	340 (80.57)
El Paso	323 (5.86)
Lubbock	316 (11.71)
Nueces	829 (29.15)
Young	96 (39.34)

Adjudication Outcome Analysis

This aspect of the evaluation compared the final disposition (i.e. dismissals, convictions, and acquittals) of DWI cases with and without mobile videotaped evidence. Data for each county were analyzed individually due to variations across counties that could not be controlled for statistically. Furthermore, only those

arrests made after mobile videotaping was implemented in each of the counties were included in the analysis. This approach was taken in order to preclude bias due to changes in court procedures or personnel that may have occurred prior to the initiation of the videotaping program. Changes since that time are assumed to have affected both groups equally. Unless otherwise specified, results are reported for the cumulative data set in each county (i.e. for the duration of the specified study period) and not simply the cases that were added in this final year of the study.

Brazos County. In Brazos County, cases with mobile videotaped evidence represented only a small proportion (5.6 percent) of all misdemeanor DWI cases adjudicated during the designated time frame. During the specified study period, an overall conviction rate of 96.0 percent was calculated from the data provided by the County Attorney's office (Table 3). When the data were analyzed for cases

Table 3. Disposition Outcomes of Misdemeanor DWI Cases in Brazos County

Final Disposition	Mobile Videotaped Evidence			
	Yes		No	
	Frequency	Percent	Frequency	Percent
Dismissed	5	3.65	69	2.98
Convicted	131	95.62	2,215	95.47
Acquitted	1	0.73	36	1.55
Total	137		2,320	

with and without mobile videotapes, conviction rates of 95.6 percent and 95.5 percent, respectively, were obtained for the specified evaluation period. The addition of the FY92 data resulted in a slight rise in the cumulative conviction rate for cases with videotaped evidence and a slight drop in the conviction rate for those cases failing to provide videotaped evidence.

The dismissal rates for cases with and without mobile videotaped evidence were virtually indistinguishable (3.7 percent versus 3.0 percent, respectively), and the number of dismissed videotaped cases over the five-year period was extremely small (n=5). In contrast, the observed proportion of acquittals in non-videotaped cases was greater than that in which mobile videotaped evidence was presented (1.6 percent vs. 0.7 percent, respectively), with only one case out of 137 disposed mobile video cases resulting in an acquittal during the evaluation period.

Chambers County. The observed conviction rate for mobile videotaped DWI cases in Chambers county was notably higher (93.5 percent) than for cases without mobile videotaped evidence (89.0 percent; Table 4), but not significantly so (Table 5). Moreover, the dismissal rate for the videotaped DWI cases was only 6.2 percent, compared with 11.0 percent for the cases in which no videotaped evidence was available. There was only one acquittal out of 340 disposed mobile video cases adjudicated during the study period in Chambers County.

**Table 4. Disposition Outcomes of Misdemeanor
DWI Cases in Chambers County**

Final Disposition	Mobile Videotaped Evidence			
	Yes		No	
	Frequency	Percent	Frequency	Percent
Dismissed	21	6.18	9	10.98
Convicted	318	93.53	73	89.02
Acquitted	1	0.29	0	0.00
Total	340		82	

**Table 5. Chi-Square Analysis of DWI Convictions by the Use
of Mobile Videotapes in Chambers County**

	<u>Likelihood Ratio Chi-Square</u>	<u>Degrees of Freedom</u>	<u>Probability</u>
Convictions by use of mobile videos	1.791	1	0.181
Collapsing across non- conviction outcomes	<u>0.699</u>	<u>1</u>	0.403
Total	2.490	2	0.288

El Paso County. In El Paso County, the conviction rate for DWI cases with mobile videotapes was 87 percent, compared to 62 percent for cases without mobile videotaped evidence (Table 6). As presented in Table 7, a Chi-Square test determined that this difference was highly significant ($G^2=94.514$, $p<.001$). The statistical test determined that it was appropriate to collapse dispositions other than convictions (i.e., dismissals and

acquittals) for purposes of comparison. That is, differences in dismissals and acquittals across groups were insignificant.

Table 6. Disposition Outcomes of Misdemeanor DWI Cases in El Paso County

Final Disposition	Mobile Videotaped Evidence			
	Yes		No	
	Frequency	Percent	Frequency	Percent
Dismissed - PTD	17	5.26	1155	20.95
Dismissed - no PTD	24	7.43	917	16.64
Convicted	281	87.00	3,426	62.16
Acquitted	1	0.31	14	0.25
Total	323		5,512	

Table 7. Chi-Square Analysis of DWI Convictions by the Use of Mobile Videotapes in El Paso County

	<u>Likelihood Ratio</u> <u>Chi-Square</u>	<u>Degrees of</u> <u>Freedom</u>	<u>Probability</u>
Convictions by use of mobile videos	94.514	1	0.000
Collapsing across non- conviction outcomes	<u>4.368</u>	<u>2</u>	0.113
Total	98.882	3	0.000

Dismissals in El Paso were broken down into two categories: those cases which were referred for the pre-trial diversion (PTD) program, and those cases dismissed for other reasons. Despite the fact that the proportion of dismissals in each category varied

between the mobile video group and the other group, these differences were not statistically significant. The small number of mobile video cases that were dismissed (n=41) undoubtedly affected the ability to detect significant differences across groups. Similarly, there were no significant differences in the number or proportion of acquittals between cases with and without mobile videotaped evidence.

Lubbock County. The disposition outcomes for cases with and without mobile videotapes in Lubbock County were highly comparable (Table 8), with conviction rates for the two groups calculated to be 87 and 88 percent, respectively. Similarly, dismissals represented approximately 12 percent each of the mobile videotaped and non-videotaped cases during the study period. In contrast, however, only 2 cases presenting mobile videotaped evidence resulted in acquittals, while 10 of the cases without videotaped evidence were acquitted.

**Table 8. Disposition Outcomes of Misdemeanor
DWI Cases in Lubbock County**

Final Disposition	Mobile Videotaped Evidence			
	Yes		No	
	Frequency	Percent	Frequency	Percent
Dismissed	39	12.34	278	11.67
Convicted	275	87.03	2,094	87.91
Acquitted	2	0.63	10	0.42
Total	316		2,382	

Nueces County. The problems inherent in the data collection procedures in Nueces County that were described in the previous report (Mounce & Schrank, 1992) have been resolved. The current figures and percentages are based on data provided by the Nueces County Data Processing Department for the entire designated study period, and any potential biases or threats to the validity of the analysis are believed to have been eliminated. As presented in Table 9, conviction rates of 91.7 percent versus 93.5 percent were calculated for cases with and without mobile videotapes, respectively, and the proportions of dismissals for the two groups were also highly comparable.

**Table 9. Disposition Outcomes of Misdemeanor
DWI Cases in Nueces County**

Final Disposition	Mobile Videotaped Evidence			
	Yes		No	
	Frequency	Percent	Frequency	Percent
Dismissed	58	6.99	110	5.46
Convicted	760	91.68	1884	93.50
Acquitted	11	1.33	21	1.04
Total	829		2015	

Young County. The number of cases available for analysis in Young County continues to be relatively small compared to the other five counties, and the limited size of the data set must be considered when interpreting any apparent differences across

groups. However, the findings have been consistent with those of the other study sites in that conviction rates for the two groups were remarkably similar (Table 10).

Almost all of the mobile video cases in Young County resulted in convictions (approximately 99 percent), compared to 96 percent of those without mobile videotapes. Moreover, a somewhat higher proportion of non-mobile video cases ended in acquittals (4 percent) compared with only one percent of those in which videotaped evidence was available. It is interesting that no DWI cases were dismissed in Young County during the designated study period.

Table 10. Disposition Outcomes of Misdemeanor DWI Cases in Young County

Final Disposition	Mobile Videotaped Evidence			
	Yes		No	
	Frequency	Percent	Frequency	Percent
Dismissed	0	0.00	0	0.00
Convicted	95	98.96	138	95.83
Acquitted	1	1.04	6	4.17
Total	96		144	

Adjudication Process Analysis

The second aspect of the analysis examined the elapsed time from arrest to final disposition to determine if mobile videotaped evidence expedited the adjudication process. Graphs depicting the length of time required to dispose of misdemeanor cases with and

without mobile videotaped evidence in each county are provided in Appendix B (Figures B-1 through B-11). Again, only those arrests made after mobile videotaping was implemented in each county were included in the analysis.

Although the graphic depiction of case dispositions in Figures B-1, B-3, and B-10 might at first glance give the impression that mobile videotaped evidence expedited the adjudication process in these counties, the small number of cases involved in each of these instances necessarily precludes this inference. Support for this conclusion is apparent upon inspection of Figures B-2, B-4, and B-11, reflecting those cases adjudicated in each of the counties for the duration of the respective study periods. The larger (and, hence, more representative) numbers of cases presented in each of these graphs fail to indicate any discernable differences in the adjudication time required for cases with and without mobile videotaped evidence.

In contrast, the data presented for El Paso County (Figures B-5 and B-6) suggest significant differences in the length of time necessary to process DWI cases with mobile videotaped evidence versus cases in which the videotape was made at the police station. Although the operation of extraneous factors cannot be ruled out, the steep rise in the cumulative percent of mobile video cases disposed within about 60 days of arrest suggests that mobile videotaped evidence serves to expedite case disposition in this county.

Table 11 presents the median number of days from arrest to

disposition of the misdemeanor DWI cases for both groups of defendants. It should be noted that comparisons across counties are not appropriate, given that the length of time each mobile videotaping program has been in place varies considerably across study sites. Counties with recently implemented mobile video programs will appear to require less time to dispose of their misdemeanor DWI cases because the maximum time frame within which cases could be adjudicated is shorter. For instance, the Brazos County mobile videotaping program has been in operation since January 1988, and the disposition data were available through December 1992. Thus, cases initiated and disposed within this 60-month period were available for analysis. By comparison, data from Nueces County covered only a 24-month arrest and adjudication period. Therefore, it would not be appropriate to compare these two counties since the lengths of the data collection periods vary so dramatically.

Table 11. Median Days from Arrest to Final Disposition for Misdemeanor DWI Cases

County	Mobile Videotape Evidence	
	Yes	No
Brazos	165 (n=137)	158 (n=2322)
Chambers	102 (n=338)	101 (n=81)
El Paso	118 (n=324)	237 (n=634)
Lubbock	250 (n=316)	260 (n=2379)
Nueces	52 (n=829)	58 (n=2009)
Young	51 (n=95)	45 (n=139)

The comparisons of interest in Table 11 are those across groups (i.e., cases with and without mobile videos) within each respective county. Only minor variations were noted between the mobile video group and the other group for all counties except El Paso, which showed a difference in the median number of days from arrest to disposition of 119 days.

Follow-up Mail Surveys

Appendix A provides a summary of the responses obtained from the follow-up mail survey, including examples of anecdotal information regarding the TEEEX training curriculum and the officers' practical experiences with mobile videotaping systems. As with the adjudication analysis, results are reported for the cumulative study sample unless otherwise noted. That is, the sample includes officers who were surveyed during both the 1992 and 1993 study periods.

Eighty-seven percent of the 150 officers who responded to the mail survey work in agencies that currently use mobile videotaping equipment in their DWI enforcement activities. Only 11 percent of the officers indicated they had not had an opportunity to use a video system since completion of the TEEEX training course.

Of those officers who reported using mobile videos in their patrol duties, 90 percent indicated that the equipment purchased by their departments was comparable to the equipment used in the training course demonstrations. Even though alternate types of

video systems were often used by the officers in the field, they felt that the hands-on training they received in the class was helpful, and no one reported that the training exercises hindered their ability to operate their department's particular video equipment.

Originally, the TEEEX course was designed not only to train the officers in attendance, but also to teach these officers to train others in their respective jurisdictions. To determine the extent to which subsequent in-house training was conducted, officers were asked in the follow-up mail survey whether they subsequently provided training to their fellow officers and, if so, in what manner the training was conducted (i.e., formally or informally). Sixty-five percent of the officers indicated they had been asked to instruct fellow officers in the use of mobile videotaping. When asked to describe the type of instruction they provided, 30 percent of those for whom the question was applicable said a structured classroom setting was used, while 57 percent said informal training sessions were offered. The remaining 13 percent reportedly used both types of training procedures. Together, the 98 respondents who served as instructors estimated they had trained more than 1,400 fellow officers. The vast majority (85 percent) of the instructors taught no more than 20 students each, although 5 officers reported having trained at least 100 individuals each. Seventy-six percent of the officers who had provided instruction in the past indicated that they anticipate serving as instructors in the future also.

The officers were also asked to rank order the relative effectiveness of six training course components, given their practical experiences with mobile videotaping since completion of the training course. Figure A-1 graphically depicts the mean rankings calculated from the mail survey responses, and gives the officers' overall impressions of the usefulness of certain aspects of the course. The training in proper videotaping techniques was seen as the most valuable aspect of the course, followed by the review of the legal aspects of DWI prosecution and mobile videotaping. Instruction in the proper operation of the videotaping equipment and "trouble-shooting" were also regarded as highly useful.

The remaining questions on the mail survey solicited open-ended responses regarding the training course curriculum and practical experiences with mobile video systems. In terms of the training curriculum, officer opinion of the course was overwhelmingly positive. When asked what they would recommend adding to the existing curriculum, 35 of the 104 officers who provided a response (34 percent) indicated they would not make any changes. Specific components that other officers felt should be lengthened included: legal aspects (6 percent), instruction in videotaping techniques/assembly and installation of equipment (9 percent), equipment operation/troubleshooting (14 percent), practical exercises/mock arrests (18 percent), and evaluation exercises/review of videotapes (2 percent). A number of the officers (6 percent) felt that information regarding other uses for

the video systems (e.g., documentation of crash or crime scenes, witness interviews, or high speed pursuits) should be presented in the training curriculum. Another two percent felt that information about other types of video systems and component parts (including prices, manufacturers' specifications, and upgrade potential) should be included in the discussions.

A similar question solicited officer opinion regarding aspects of the course that should be omitted. Of the 97 officers who responded to this question, 93 percent felt the curriculum was fine, as written. The seven officers who provided suggestions felt the time devoted to case law, evaluation exercises, and mock arrests could be reduced or eliminated.

Appendix A contains nearly all of the comments received in response to requests for anecdotal information regarding the officers' hands-on experiences with the video equipment. The following paragraphs provide a brief summary of the major points raised by officers who responded to the open-ended questions.

When asked about ways in which the mobile video systems are being used other than during DWI arrests, the most common responses included the following: traffic accident scenes, crime/homicide scene documentation, high speed pursuits, routine traffic stops, resisting arrest, assaults on officers, and drug interdiction. Several officers indicated that the videotaping was useful in interviews with suspects or witnesses. The wireless microphones have proven useful in documenting cases of domestic violence, and a number of officers cited the usefulness of the videotapes for

preparing offense reports and as a defense against complaints of officer misconduct. The tapes have also been used to train new recruits and to provide feedback for improving officer demeanor. In general, the officers expressed an overwhelming enthusiasm for the training course and the use of the videotapes in many areas of police enforcement. However, at least one officer complained that the District Attorney does not have time to review the tapes.

The second topic for which comments were solicited involved individual equipment problems encountered in the field, as well as modifications to alleviate these problems. A wide variety of mobile video system components are currently in use across the various jurisdictions, and the officers' comments should be received with the potential limitations of individual systems in mind. A number of officers mentioned road vibration and heat as sources of camera damage, and suggested ways in which the mounting system could be changed. The overall bulk of the equipment was cited as a hindrance by a number of the officers, and several officers complained that it was difficult to push all of the necessary buttons on the unit. In terms of specific video system components, the most frequently cited problems were related to the wireless microphone (e.g., background noise and problems with the cord on the microphone).

The third set of open-ended responses dealt with suggestions regarding the training curriculum. The officers felt that more training should be provided in the use of the mobile videotaping equipment and its practical applications. Many officers felt that

a follow-up course or "refresher" courses should be offered, while others felt that more detailed training and practice in each aspect of the course would be helpful.

Assessment of Videotaped Training Curriculum

An informal assessment of the effectiveness of videotaped mobile video training for law enforcement officers was also conducted during the final phase of the study. Several of the enforcement agencies using the training tapes reported training ten or more officers with the videotaped curriculum. The reaction to the training tapes was very positive, and all officers contacted reported an intention to continue using the videotapes as a training device. Moreover, two of the enforcement agencies contacted have taken the initiative of using the training tapes to train officers in nearby jurisdictions as well.

The officers also reported positive responses from county attorneys regarding the quality of the training tapes, particularly with regard to the legal aspects of DWI prosecution and mobile videotaping. An overwhelmingly positive attitude toward the DWI videotaping program, in general, was cited.

Chapter Four

CONCLUSIONS AND IMPLICATIONS

Summary of Findings

The intent of this evaluation as originally proposed was to determine whether mobile videotaped evidence increased the DWI conviction rate in the counties selected for study. A significant difference in the conviction rate for cases with and without mobile videotaping was found only in El Paso County (87 percent versus 62 percent, respectively). However, the 62 percent conviction rate for cases without mobile videotapes in this county was substantially lower than in any of the other study sites. Interestingly, the dismissal rate for cases without mobile videotaped evidence in this county was considerably higher than in any of the other counties.

The conviction rates for the mobile video cases across the six study sites were fairly consistent, ranging from a low of 87 percent in two of the counties to a high of 99 percent in Young County. In contrast, the conviction rates for cases without videotaped evidence ranged from a low of 62 percent to a high of 96 percent. However, the larger amount of variability reflected in the latter comparison could be due to a number of factors at play within the adjudication process. Moreover, the small percentage of cases for which mobile videotaped evidence was available during this study should be considered when drawing any inferences from these data.

With regard to the elapsed time from arrest to final disposition of DWI cases, the evidence from five of the study sites fails to support the notion that mobile videotaping expedites the adjudication process. However, keeping in mind the limited amount of available information, the data from El Paso County are encouraging in suggesting a considerably shorter disposition time for cases with mobile videotaped evidence.

The officers' responses to the mail survey concerning the training curriculum and post-class experiences with in-vehicle videotaping were overwhelmingly positive. Continued use of the mobile videotaping systems in DWI-related activities is enthusiastically favored. Moreover, the officers were able to cite a variety of other ways in which the program has enhanced their law enforcement capabilities and assisted them in the performance of their duties.

Recommendations for Future Study

Continued monitoring of DWI adjudications in the six study sites identified for the present evaluation would yield a more realistic picture of the effect of mobile videotaped evidence on case disposition. Ideally, expanding the evaluation to include more study sites would produce a more representative sample of the counties in Texas presently using mobile videotaping, thereby reducing the error associated with the procedural differences inherent to each of the counties.

An additional approach to "decontaminate" the variable chosen for study (i.e. median days from arrest to final disposition) might be to use matched samples of cases with and without mobile videotaping for comparison. That is, matching cases with comparable arrest dates (say, within one week of one another), and comparing the length of time to dispose each type of case, would provide at least some degree of control over the extraneous factors operating during adjudication.

The results of the present analysis attest to the difficulty of obtaining objective measures of the effectiveness of mobile videotaping programs. However, the subjective assessments by the officers of the use of mobile videotaping in DWI activities as well as other areas of law enforcement provide a strong endorsement for the program. Future surveys might include estimates by the officers as to the amount of time they spent in court before and after initiation of mobile videotaping. A similar survey to obtain feedback from county or district court representatives involved in the adjudication of DWI cases might provide additional information regarding the perceived advantages of mobile videotaping from a prosecutorial perspective.

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APPENDIX A

Summary of Follow-up Mail Survey Responses

CUMULATIVE SUMMARY OF FOLLOW-UP MAIL SURVEY RESPONSES

QUESTION 1: IS YOUR LOCAL LAW ENFORCEMENT AGENCY CURRENTLY USING MOBILE VIDEOTAPING EQUIPMENT?

130 Yes (87%)
19 No (13%)

QUESTION 2: SINCE YOU ATTENDED THE IVVT TRAINING COURSE, HAVE YOU USED MOBILE VIDEOTAPING EQUIPMENT IN THE COURSE OF YOUR PATROL DUTIES?

133 Yes (89%)
17 No (11%)

QUESTION 3: THE EQUIPMENT BEING USED BY YOUR DEPARTMENT COMPARABLE TO THAT USED IN THE IVVT TRAINING COURSE?

132 Yes (90%)
14 No (9%)
1 Not applicable (1%)

QUESTION 4: IF NO, DID YOUR TRAINING IN ANY WAY HELP OR HINDER YOUR ABILITY TO USE THE EQUIPMENT PURCHASED BY YOUR DEPARTMENT?

12 Helped (8%)
0 Hindered (0%)
137 Not applicable (92%)

QUESTION 5: SINCE YOUR TRAINING, HAVE YOU BEEN ASKED TO PROVIDE INSTRUCTION IN THE USE OF MOBILE VIDEOTAPING SYSTEMS TO OTHER OFFICERS?

98 Yes (65%)
52 No (35%)

QUESTION 6: IF YES, WAS THE TRAINING YOU PROVIDED DONE ...

30 Formally (in a structured classroom setting) (20%)
56 Informally (37%)
12 Both (8%)
52 Not applicable (35%)

QUESTION 7: APPROXIMATELY HOW MANY OTHER OFFICERS HAVE YOU TRAINED?

32	No officers	(26%)	4	12 officers	(3%)
2	1 officer	(2%)	4	15 officers	(3%)
9	2 officers	(7%)	1	16 officers	(1%)
13	3 officers	(11%)	5	20 officers	(4%)
8	4 officers	(7%)	1	24 officers	(1%)
10	5 officers	(8%)	2	25 officers	(2%)
2	6 officers	(2%)	2	30 officers	(2%)
2	7 officers	(2%)	3	45 officers	(2%)
5	8 officers	(4%)	1	55 officers	(1%)
1	9 officers	(1%)	1	63 officers	(1%)
9	10 officers	(7%)	5	99 officers	(4%)
2	11 officers	(2%)			

QUESTION 8: DO YOU ANTICIPATE PROVIDING MORE TRAINING IN THE FUTURE?

87 Yes (76%)
 27 No (24%)
 0 On an "as needed" basis
 0 Don't know

QUESTION 9: IF YES, IN WHAT MANNER WILL THE TRAINING BE CONDUCTED?

48 Formally (61%)
 30 Informally (38%)
 1 Don't know (1%)

QUESTION 10: LEGAL ASPECTS OF DWI PROSECUTION AND MOBILE VIDEOTAPING

1	2	3	4	5	6	Rankings
29	54	22	23	7	10	Responses
20	37	15	16	5	7	Percentages

QUESTION 11: INSTRUCTION IN PROPER MOBILE VIDEOTAPING TECHNIQUES

1	2	3	4	5	6	Rankings
98	25	10	7	3	2	Responses
68	17	7	5	2	1	Percentages

QUESTION 12: ASSEMBLY AND INSTALLATION OF MOBILE VIDEOTAPING EQUIPMENT

1	2	3	4	5	6	Rankings
9	15	25	24	32	40	Responses
6	10	17	17	22	28	Percentages

QUESTION 13: OPERATION OF VIDEOTAPING EQUIPMENT (TROUBLESHOOTING)

1	2	3	4	5	6	Rankings
9	31	42	25	27	11	Responses
6	21	29	17	19	8	Percentages

QUESTION 14: PRACTICAL EXERCISES (MOCK ARRESTS)

1	2	3	4	5	6	Rankings
8	22	39	23	40	13	Responses
5	15	27	16	28	9	Percentages

QUESTION 15: MOBILE VIDEOTAPE EVALUATION EXERCISES

1	2	3	4	5	6	Rankings
3	5	7	36	30	64	Responses
2	3	5	25	21	44	Percentages

QUESTION 16: GIVEN YOUR SUBSEQUENT EXPERIENCE WITH MOBILE VIDEOTAPING SYSTEMS, WHAT WOULD YOU RECOMMEND ADDING TO THE EXISTING TRAINING CURRICULUM?

- 35 (34%) **Nothing - the curriculum is fine as written**
- 9 (9%) **Increase length of course, in general**
- 6 (6%) **Increase legal aspects**
- 10 (9%) **Increase instruction in videotaping techniques/Assembly and installation of equipment**
- 15 (14%) **Increase troubleshooting (equipment operation)**
- 19 (18%) **Increase practical exercises (mock arrests)**
- 2 (2%) **Increase evaluation exercises (review of tapes)**
- 6 (6%) **Add other uses for video systems (e.g., crash scenes, crime scenes, high speed pursuits, witness interviews, preparing reports, etc.)**
- 2 (2%) **Add information about other systems/components (e.g., pros & cons, specifications, prices, upgrade potential)**

QUESTION 17: WHAT, IF ANYTHING, WOULD YOU DELETE FROM THE EXISTING TRAINING CURRICULUM?

- 90 (93%) **Nothing - the curriculum is fine as written**
- 2 (2%) **Reduce time spent/eliminate case law**
- 2 (2%) **Reduce time spent/eliminate evaluation exercises**
- 3 (3%) **Reduce time spent/eliminate mock arrests**

RELATIVE USEFULNESS OF SIX COURSE SUBJECTS
(Lower Mean Rankings Represent More Useful Subjects)

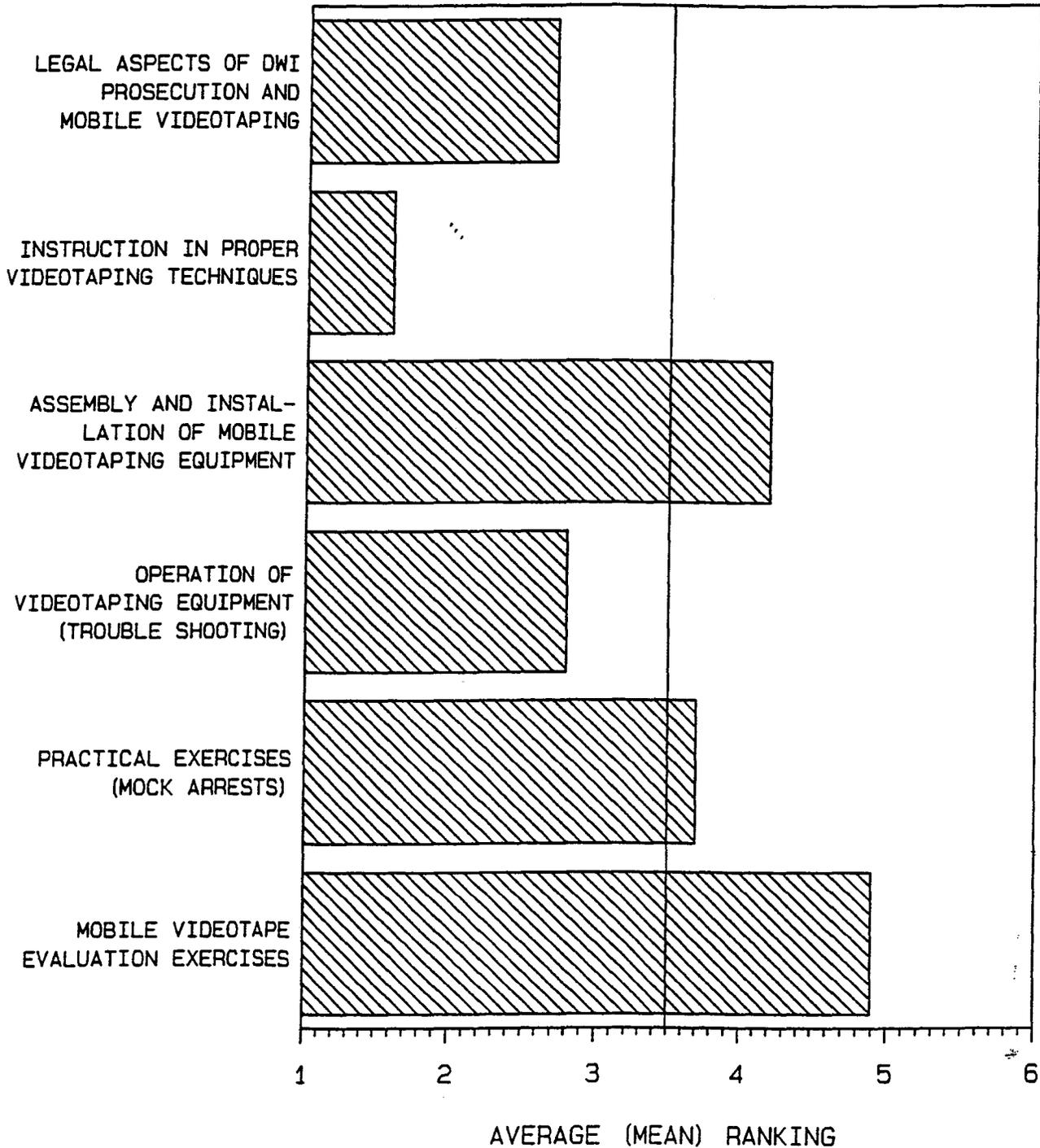


Figure A-1: Mail Survey Respondents' Assessments of the Relative Usefulness of Six Course Components

EXAMPLES OF ANECDOTAL INFORMATION

We are very anxious to know about ways in which you have been able to use the mobile videotaping system outside of, or in addition to, DWI enforcement activities. In particular, anecdotal information about unusual events or circumstances in which mobile videotaping equipment was used will help us to more adequately document the effectiveness of the system. Please provide as much detail as you can in describing these events.

- Although our DA's office has not accepted in-service videos (for DWI), only intoxilizer videos, it has been used effectively in pursuits, resisting arrests, and complaints against the troopers. Our DA says they are "overburdened with DWI cases and don't have time to review the tapes".
- (1) Used in pursuits and high speed chases.
(2) Used in criminal arrest stops.
- I have taken the initiative to meet with groups within the city to establish a program to utilize the equipment with a DWI task force. The citizens are helpful but the city shows accidents and traffic enforcement as a low priority in the city. I am working to change the city's view but like most big tasks a single officer can't do it all. Your ideas and support are needed.
- The other night I assisted in a chase. I recorded the last part due to the fact that when I joined in it was ending. The picture was good. You could see when the vehicle ran stop signs or red lights. I did not save this tape since it was too short. Also, the video camera was removed from my unit and I filmed a fatality. This was useful because I have seen the tape and it has answered some questions I had about the position of the car and occupants.
- One officer filmed a homicide scene shortly after it occurred. The video camera has been used on several disturbance calls. After H.C. Organized Crime Unit Narcotics Task Force will go make buys of drugs then a IVVT unit will go by and film all people in the area along with specifics on people that did the selling. Then the tape is viewed by the undercover. Will then I.D. the suspect.
- Drug seizures - verbal consent on video/audio. Accident scenes.
- Working traffic fatalities and scenes of suicides and drug raids. This is helpful when you can take the camera and battery out.

- I am on IH-40; I use the video as a primary tool in drug interdiction. The times are all on the tape. The rights advisement, the signature of the consent to search or when they give verbal consent but refuse to sign. Makes case easier for DA or co-attorney. My partner has used it for accident investigation involving several vehicles in case of law suit. Covered me twice in a possible complaint.
- To interview suspects involved in criminal offenses and to help with the filming of crime scenes.
- In addition to DWI arrests and accident investigation, the tapes have helped to alter officers demeanor (especially those who are filmed unknowingly). We even discovered who damaged a vehicle and failed to report it because the camera was recording and not erased.
- I have used the video to tape and track several tornadoes in the Borger area. Also have used the video in Class C minor in possession cases.
- In Dec. 1991 my first videotape was of a agg. poss. of controlled substance arrest. I have had several irate violators taped which kept me from receiving a complaint.
- We have used mobile videotape to help train new recruits in traffic enforcement and vehicle stops.
- We have used the MVT to document accident scenes involving DWI drivers. The MVT is removed from the vehicle, the vehicles and victims involved are video taped. It has proven to be a very effective tool in subsequent prosecutions.
- We have found these most useful at accident scenes, especially fatal accidents where we tend to use them the most. Five minutes of video is better than 100 still photos of a scene. As far as unusual, one of the troopers was searching a car for suspected drugs. The driver was cuffed in the patrol car with the video and microphone on. The search was fruitless. The trooper went back and reviewed the tape and the arrested subject (on audio) stated "He didn't find the drugs in my coat". The trooper returned to the impound, re-searched the jacket and came up with about 15 rocks of crack. The trooper wouldn't have found the dope without the camera.
- On one occasion I received a written complaint from a traffic contact. The complaint was based on poor ethics on my part. The videotape disproved all allegations.
- Used in the taping of fatal accidents. Gives a much better representation of the accident and scene than stills.

- The IVVT is an excellent school focusing strongly on safety to the officer and producing good videos in DWI's. The school has already proven useful to me in report writing, accident investigation and to preserve tapes dealing with class "C" traffic stops that may be contested in JP courts.
- Besides DWI enforcement, we save all traffic stops that the officer feels will go to trial. Also they have been used to counteract complaints against the officers. On Nov. 21 & 22, 1992, the IVVT's were used in a traffic stop survival class. They aided in the critiques of the scenarios.
- There have been some assaults on officers that were documented by the video.
- Frequently make video tapes of accident scenes and narcotic arrests.
- Because of the wireless/remote microphones, they have become an improved method by which family and domestic disturbances can be recorded via audiotaping, thus eliminating the officers word of what transpired opposed to what the fighting husband and wife may say happened the next day after "they" have kissed and mended their differences, to which, of course, today they have none! (Yesterday, ah but true, was a different story!!!)
- On several occasions I have responded to officer's calls for assistance in which assaults on officers have been recorded. I have on occasion used only the audio portion to make at least one felony case since the school. It is also very useful to help with evidence such as possession of alcohol and drugs and so forth. Very useful tool! We have one park here where we are always having drug problems, riots, shootings, etc. that I have recorded some incidents there also. In regard to the audio portion I responded to a call for help from an officer inside of a house, the audio portion recorded threats from the suspects toward officers. Very helpful with retaliation case in this instance.
- Both myself and my partner have been accused of making sexual advances toward female traffic violators. The in-vehicle video system was instrumental in proving our innocence.
- Use video system to record a suspect's statements at arrest in reference to attempted murder of 4 subjects. The audio portion of take - I was inside a house - picked up communication between myself and other parties present in reference to locating the weapon.

We would like to get feedback from you about specific problems you may have encountered with the mobile videotaping equipment in the field. If you have suggestions as to ways in which the system might be modified to increase its usefulness or alleviate some specific problem, please describe your ideas below.

- Pushing all the buttons and the "bulk" of the equipment are a hindrance. Hopefully we will receive a system with a small remote camera head and the VCR will be placed in the trunk.
- In my particular area we work one-man units. We have six troopers and only five units to work out of. In my case, I am the extra man and have to switch units back and forth. The problem is - all units have different audio frequencies on video. All need to be on same frequency. I cannot keep up with mics.
- The record button is small. Sometimes when you reach over and press it thinking its recording when its not if the monitor could have "rec" shown on the screen or the counter. Other than this low light and picture clearness are great.
- The cameras are not made to take the road punishment.
- When not using the battery for the camera for a long period of time, I have noticed that the battery loses its charge in the mobile unit and also in the desk charger.
- The wireless mike cord should be thicker on the body mike to help alleviate the small fibers from separating.
- Heat! Brackets! Heat is the big killer. Hardware needs to be designed for the intense heat.
- The wireless microphone is the only problem. The cord on body mike has a history of breaking and has to be repaired.
- The most prominent problem is that the cameras were not designed for use in cars. In six months, 3 of 4 cameras have literally fallen apart due to the rough riding police cars.
- Monitor too big.
- Main power supply cord that plugs into camera (NADI system) is a complete joke. It has never worked consistently. Need a more reliable system. We spend too much time trying to get the NADI system to work. This causes us to let our guard down.
- The primary problem is with the focusing at night. The built in light sensor in the lens is too sensitive to moving lights

on the road.

- The small TV screens that were used were bulky. A small color LCD monitor works better and takes up less room. Officer Cooper told me that the LCD monitors would not work well because of the heat in the summer. Last summer the LCD's worked without any problems and also during last winter they worked the same.
- Local prosecutors are being spoiled with video and I would expect them to want video on every traffic arrest in the near future or case dismissed.
- In talking with other officers I have found that many of them fear that an in-vehicle video taping system would show them doing something wrong. My answer to that is that you shouldn't be doing anything wrong and I am a strong advocate of in-vehicle videotaping despite my dept. not using them.
- The use of lighting accessories, tripod, etc. would be beneficial to learn in the IVVT course.
- (1) For officers to be aware of background noises/training and review
- (2) Unfortunate shortage of funds for:
 - a. Additional video units
 - b. Necessary supply of VCR tapes to create the library storage/supply awaiting prosecution!
- We only have problems with the fact that they have to be taken in and out of the car each shift, but that is not big issue.
- I would like to see a better wireless microphone system. The equipment we have has spent more time in the repair shop than in the patrol unit. Also the units we are using have a very bad picture quality due to static or car noise.
- I don't know how it could be done, but it would be to our advantage to save recording over a longer period of time. Example recording a whole shift of duty.
- Difficult to turn camera on - size of camera in smaller cars.
- Tapes are too short. Too many buttons to operate in a hurry - camera is not secure if subject takes you out. With all the publicity actors are checking car for camera. Camera in Camaro obscures vision (dash mounted).
- I have had trouble with the auto focus at night time.
- Camera continues to return to auto focus. Date and time stamp continues to go to 0. Camera's auto shut off.

Are there any other aspects of the curriculum or method of instruction that you would like to see modified?

- A follow-up course.
- More stress on the fact that it is a tool and not a partner. Some people have gotten careless because the camera is there.
- Maybe for instructing the instructors - explain what items they should really stress.
- Possibly show other types of video equipment on the market.
- All items that were conducted in the class were great.
- More courses available!
- Take each aspect of the course and go into more detailed training but over a week (40 hr. course).
- Techniques, practice, practice, and practice.
- Instructors need to be more professional. Both instructors openly smoked in classroom despite posted law notices and joked about it. Instructors were often lewd and profane, luckily no females were present. One instructor was criticizing my DWI detection techniques and he had not had any HGN or field sobriety training.
- As IVVT completely changes violator contact, more time should be allotted to practical exercises, without all the unusual condition-using perfect suspect in order to reorganize the violator contact.
- Short (4-hour) refresher courses would never hurt in addition to our on-the-job training and "constructive" critiques of actual performances.
- Some daylight practical exercises.

APPENDIX B

**Elapsed Time from Arrest to Final Disposition for
Misdemeanor DWI Cases in the Six Study Sites**

DWI ARREST DATA FROM BRAZOS COUNTY, TEXAS

49

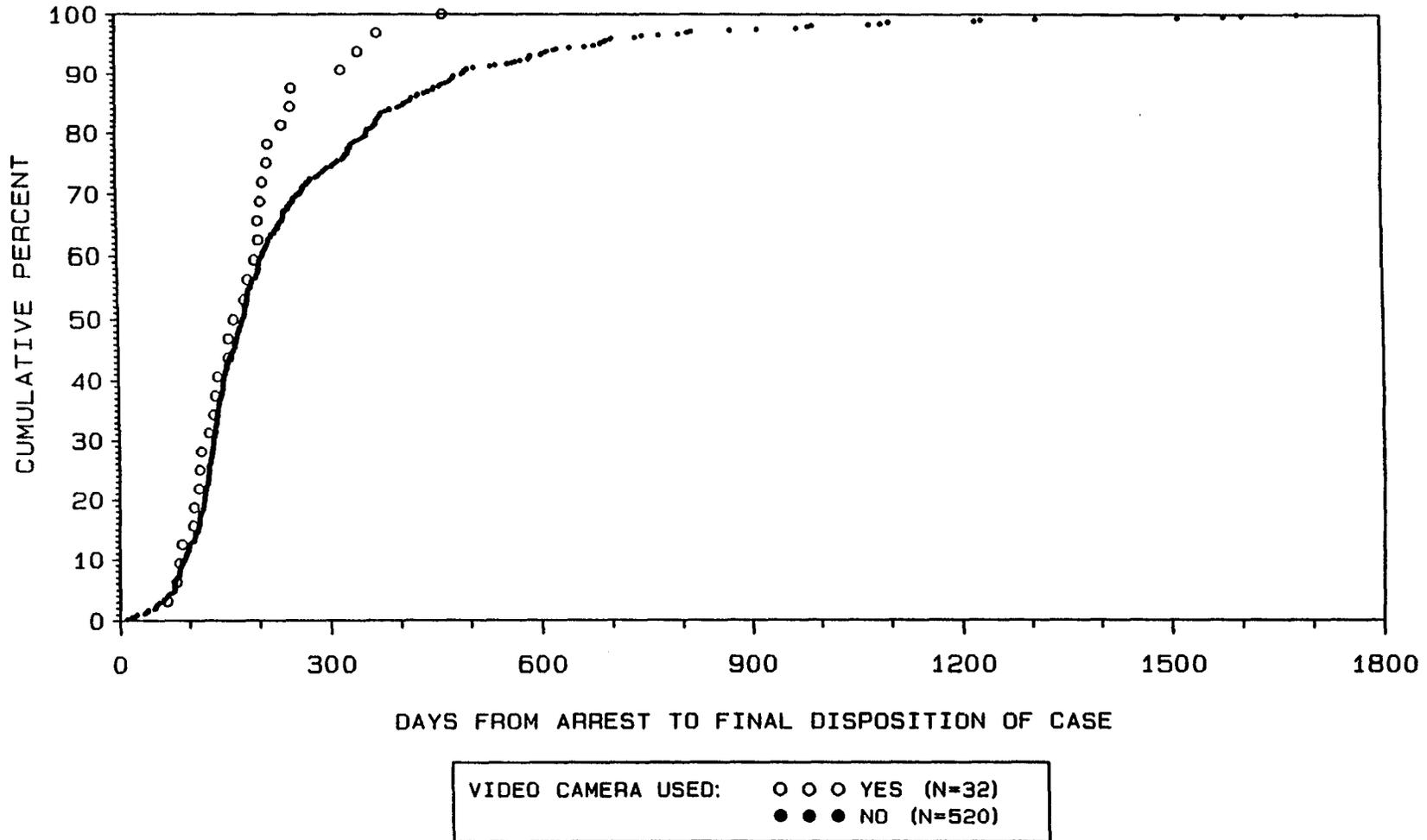


Figure B-1: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER JANUARY 1, 1988)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 1-1-92 through 12-31-92)

DWI ARREST DATA FROM BRAZOS COUNTY, TEXAS

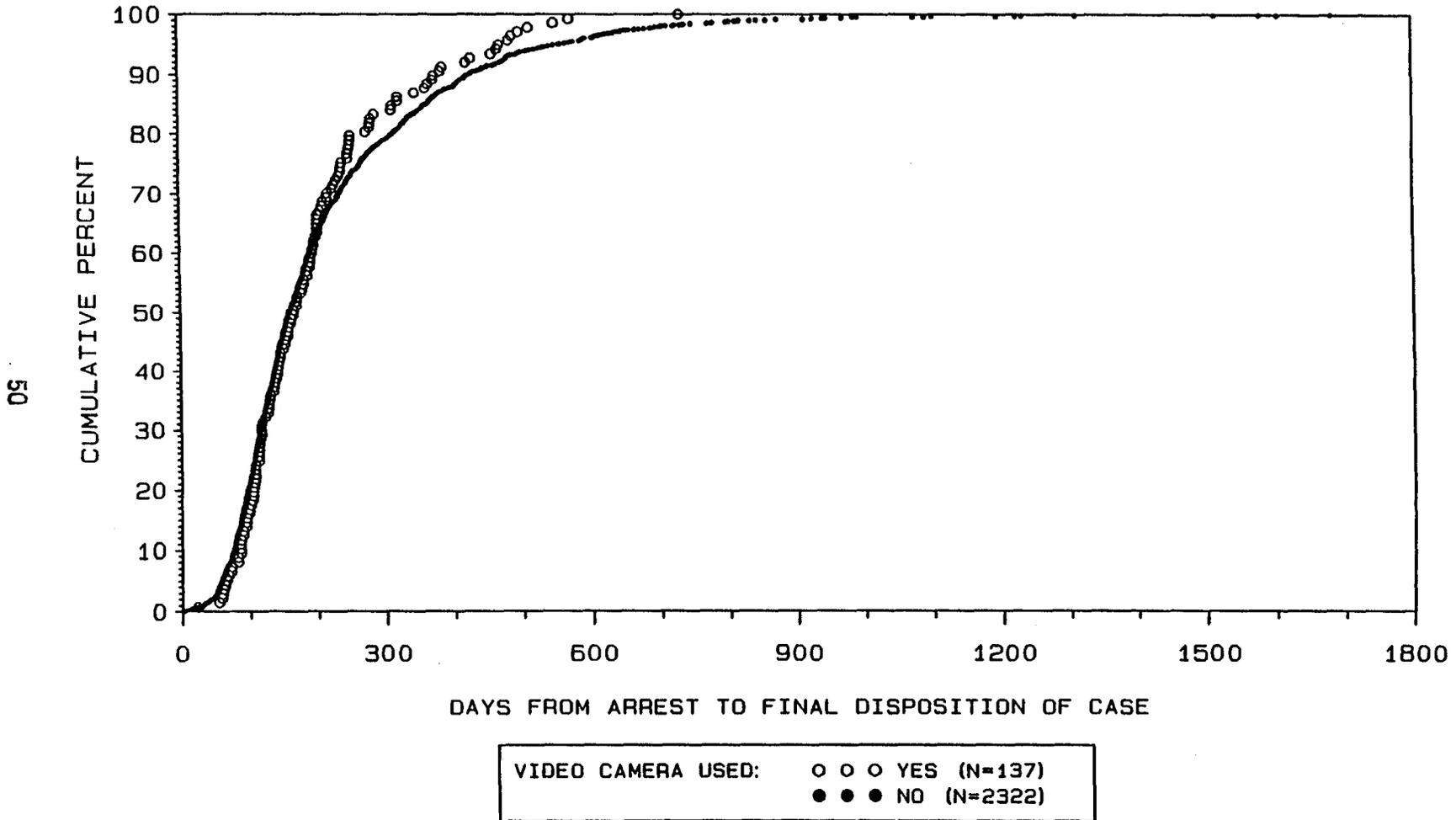


Figure B-2: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER JANUARY 1, 1988)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 1-1-88 through 12-31-92)

DWI ARREST DATA FROM CHAMBERS COUNTY, TEXAS

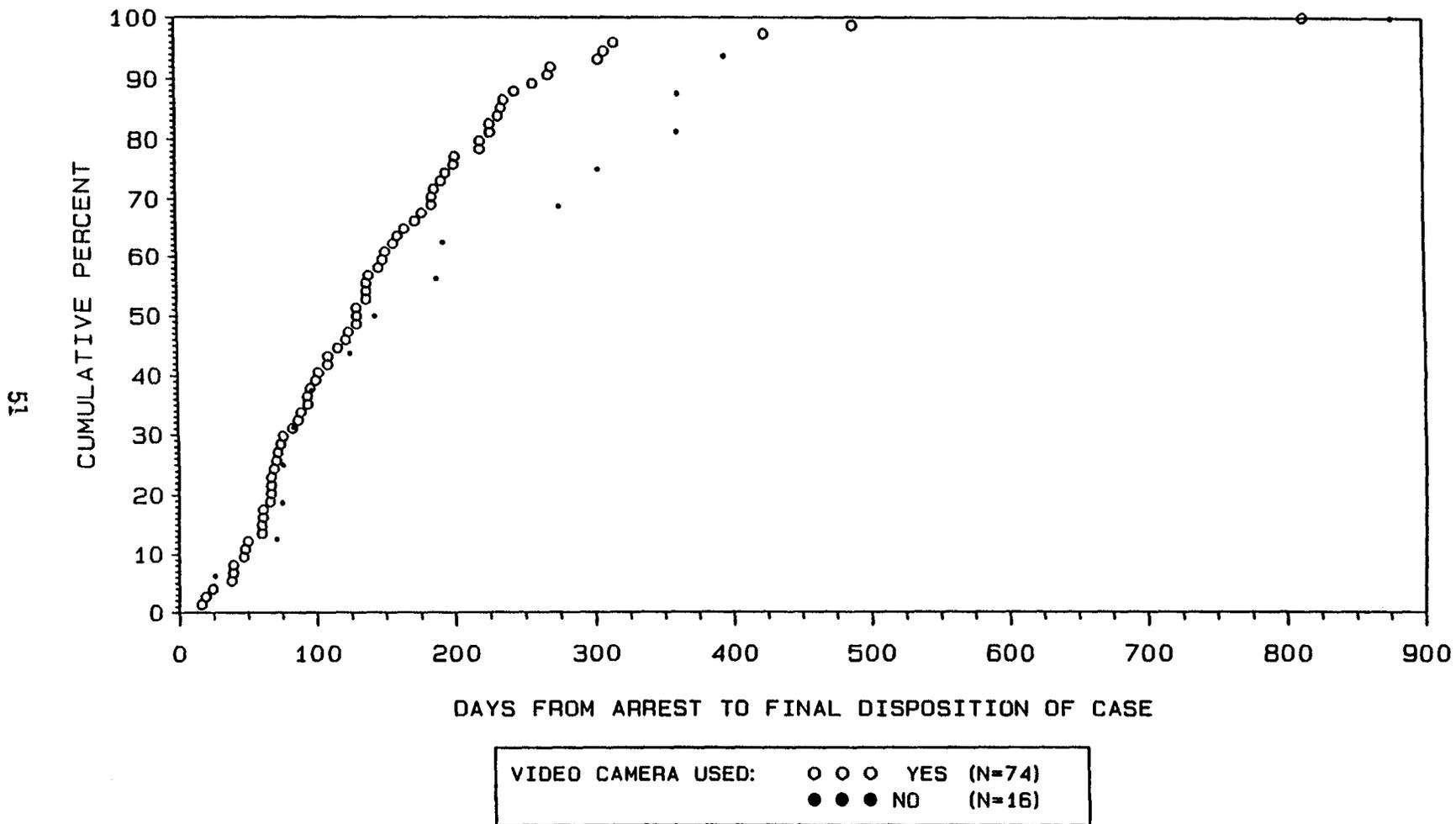


Figure B-3: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER APRIL 1, 1990) BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE (Cases Adjudicated from 5-1-92 through 4-30-93)

DWI ARREST DATA FROM CHAMBERS COUNTY, TEXAS

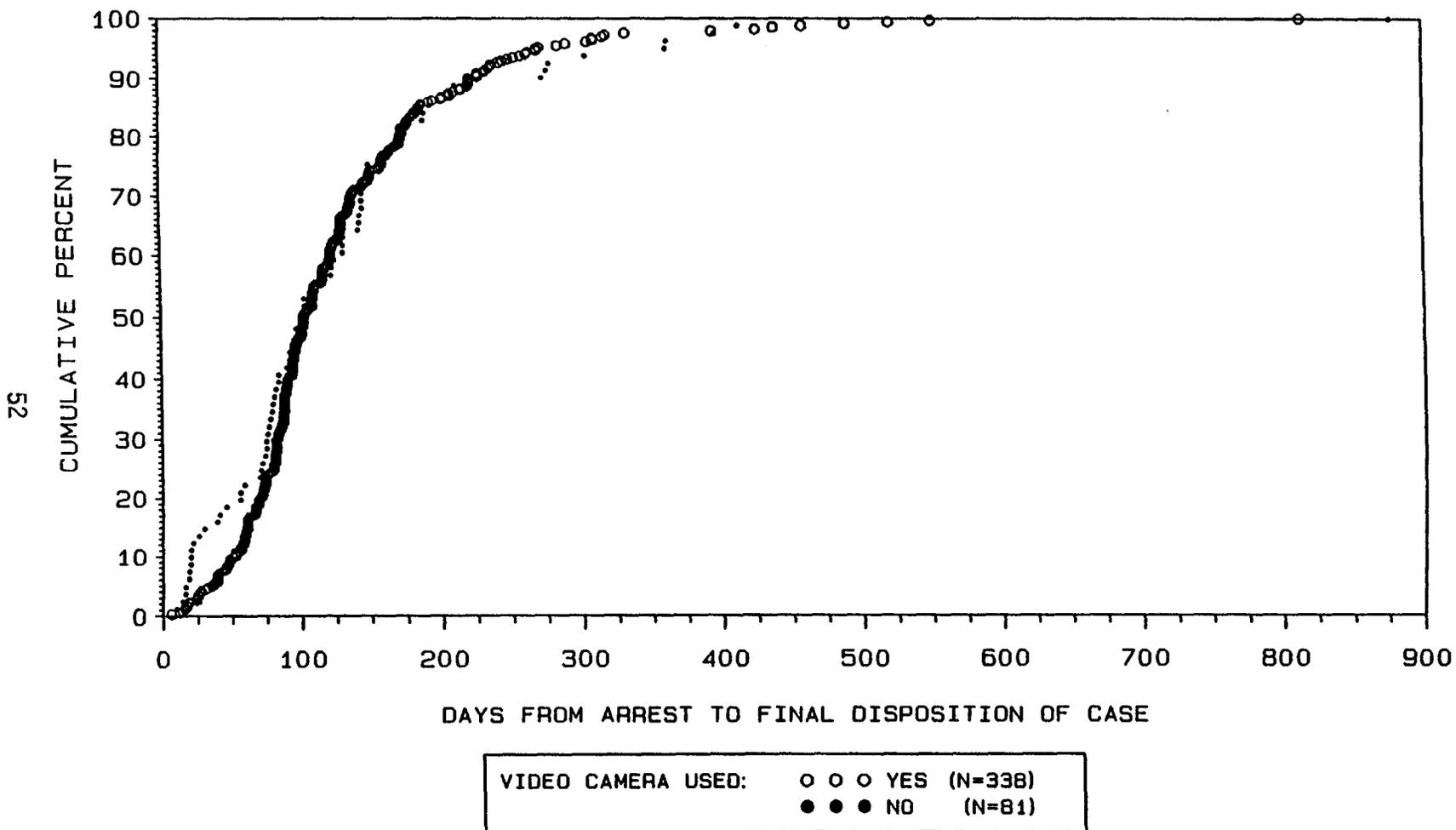


Figure B-4: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER APRIL 1, 1990)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 4-1-90 through 4-30-93)

DWI ARREST DATA FROM EL PASO COUNTY TEXAS

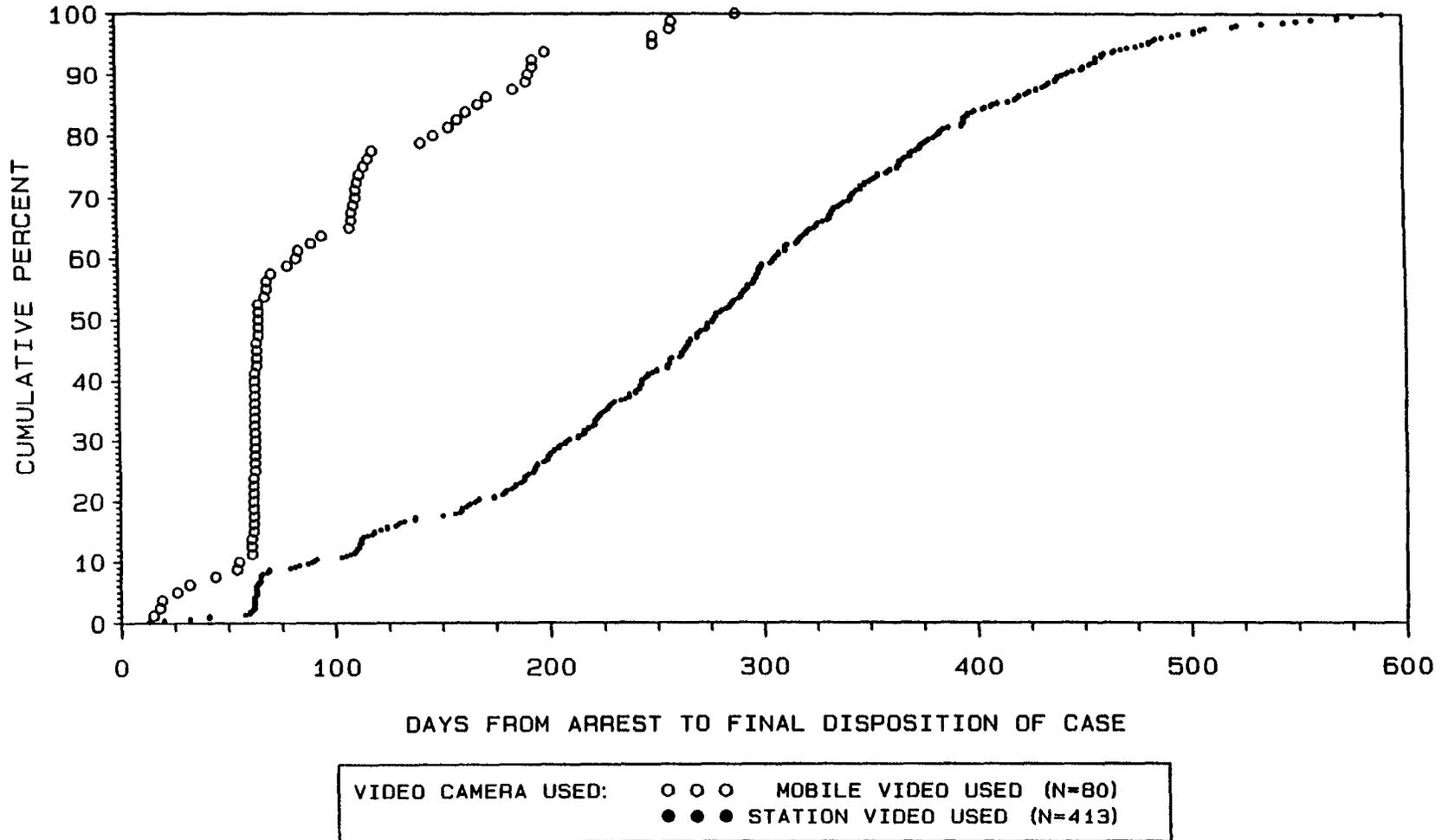


Figure B-5: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER MAY 1, 1991)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 6-1-92 through 12-31-92)

DWI ARREST DATA FROM EL PASO COUNTY TEXAS

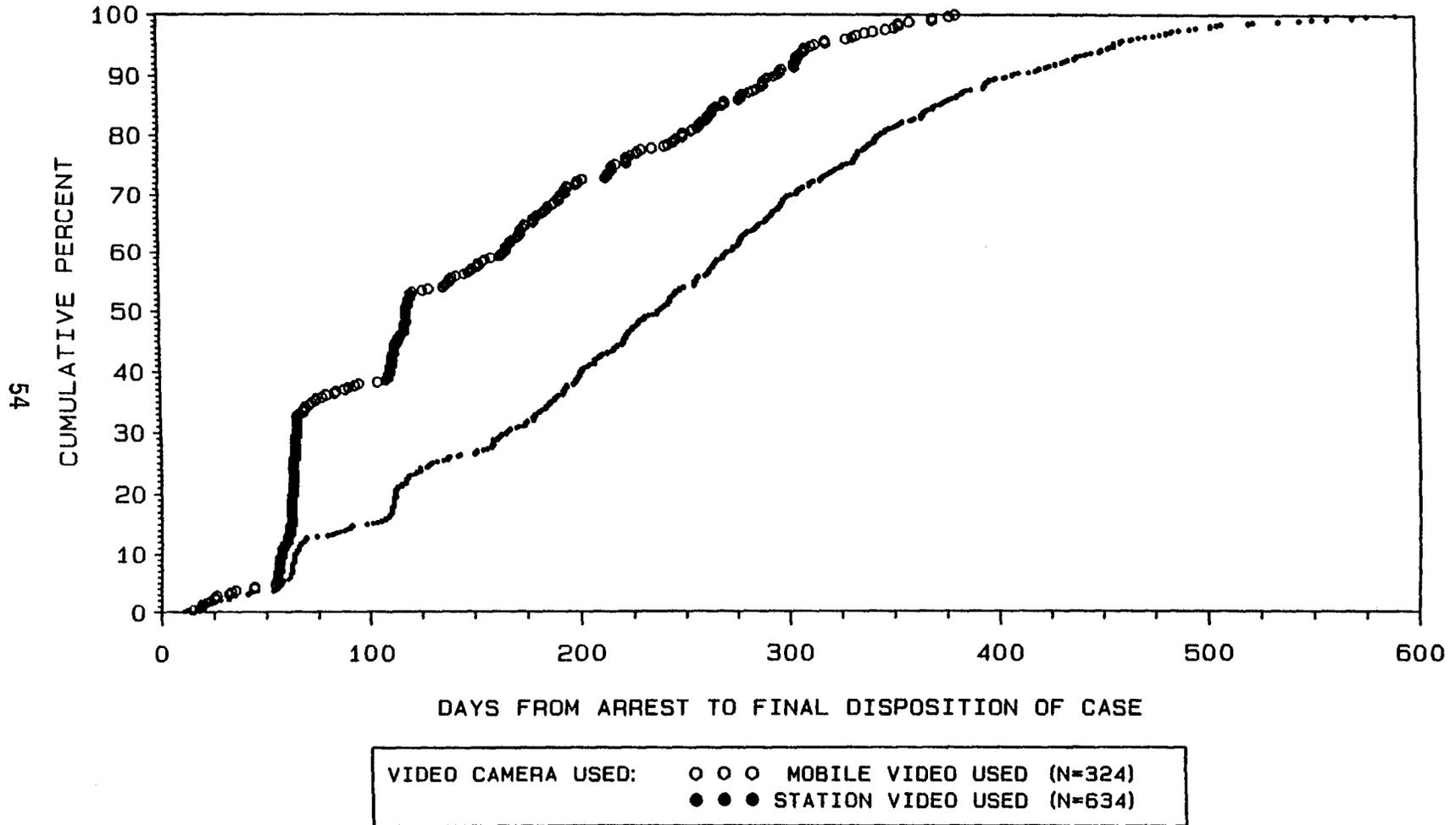


Figure B-6: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER MAY 1, 1991)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 5-1-91 through 12-31-92)

DWI ARREST DATA (MISDEMEANORS) FROM LUBBOCK COUNTY, TEXAS

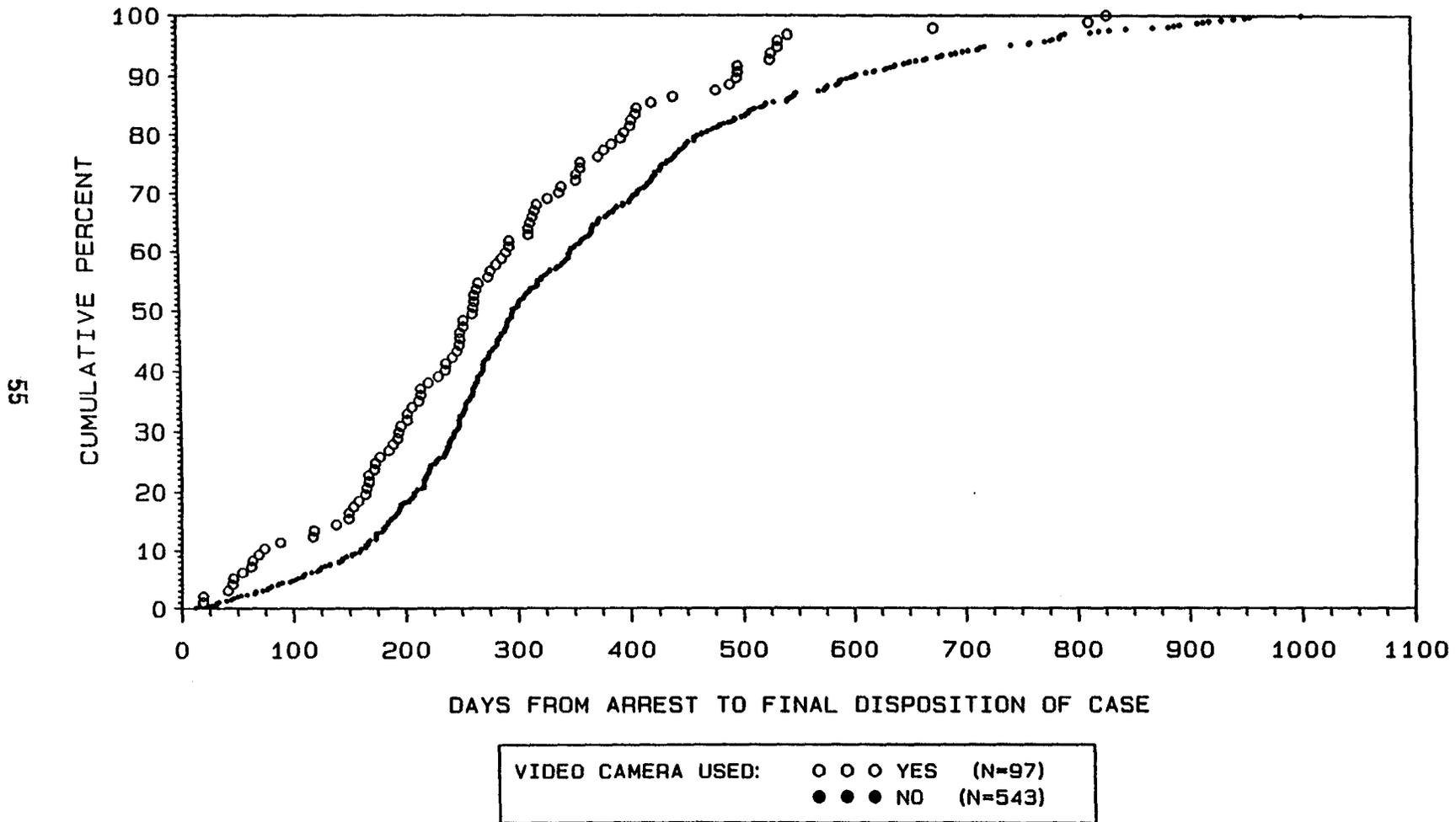


Figure B-7: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER FEBRUARY 1, 1990)
 BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
 (Cases Adjudicated from 6-1-92 through 12-31-92)

DWI ARREST DATA (MISDEMEANORS) FROM LUBBOCK COUNTY, TEXAS

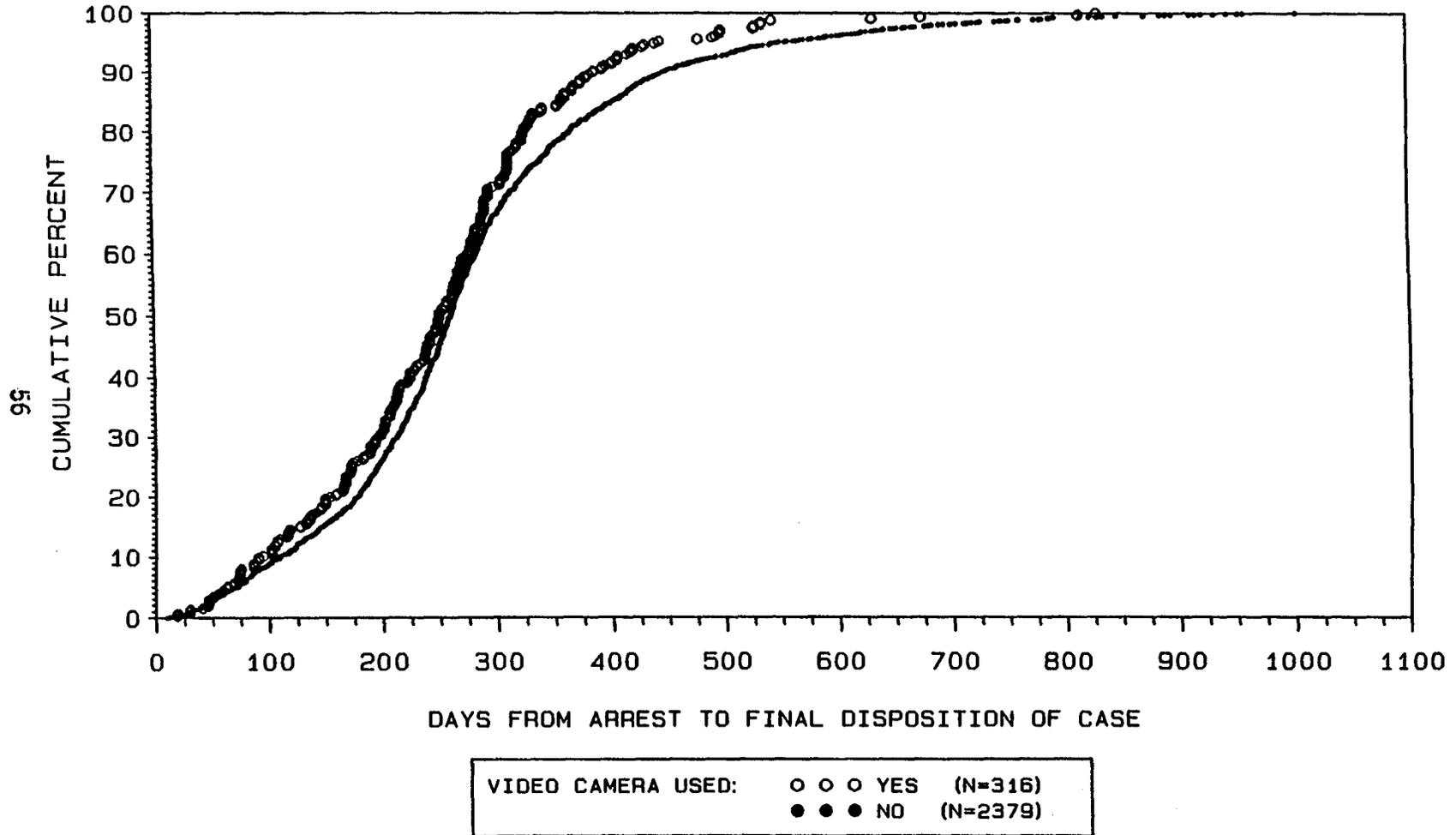


Figure B-8: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER FEBRUARY 1, 1990)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 2-1-90 through 12-31-92)

DWI ARREST DATA FROM NUECES COUNTY, TEXAS

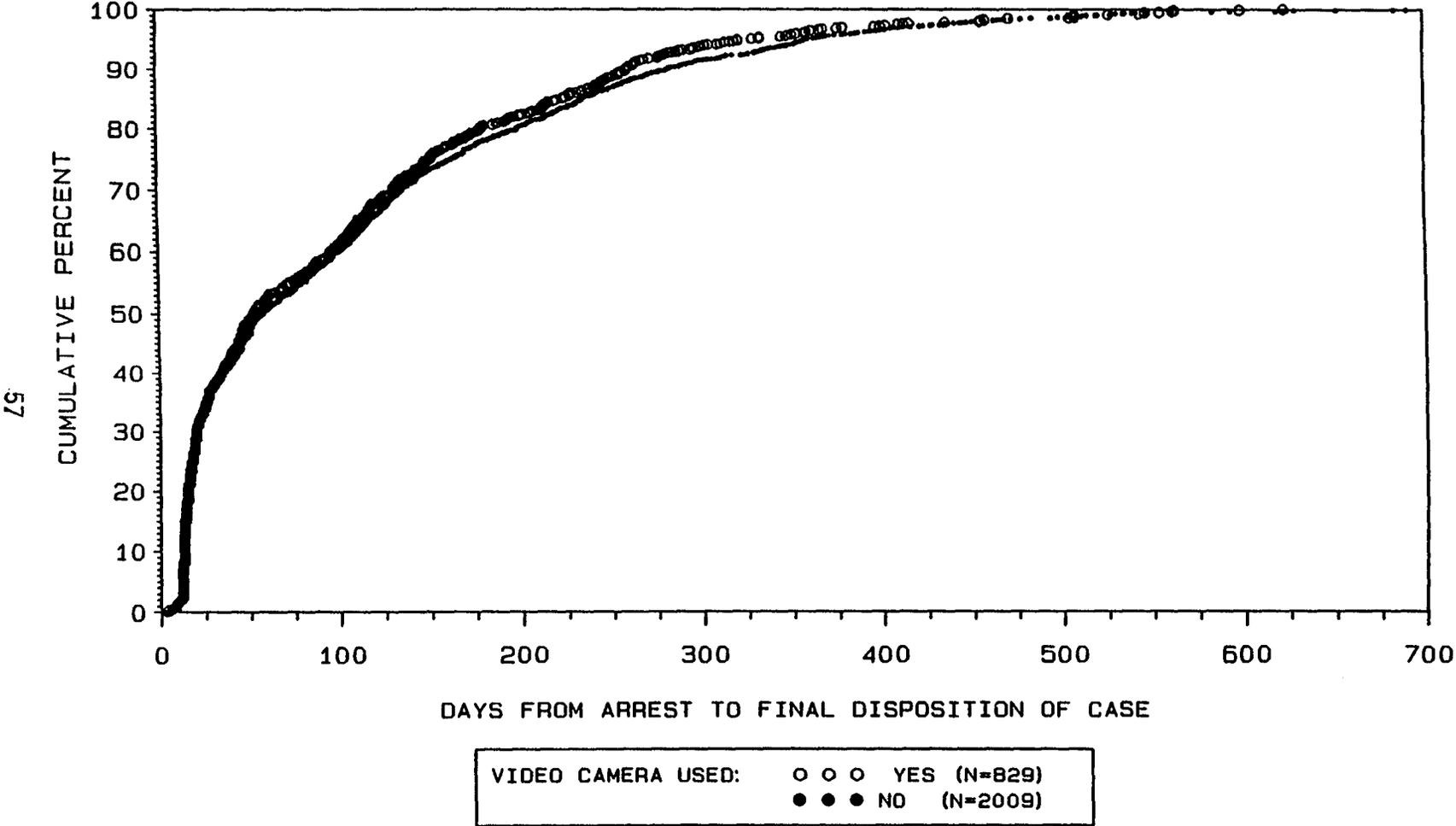


Figure B-9: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER DECEMBER 1, 1990) BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE (Cases Adjudicated from 12-1-90 through 12-31-92)

DWI ARREST DATA FROM YOUNG COUNTY, TEXAS

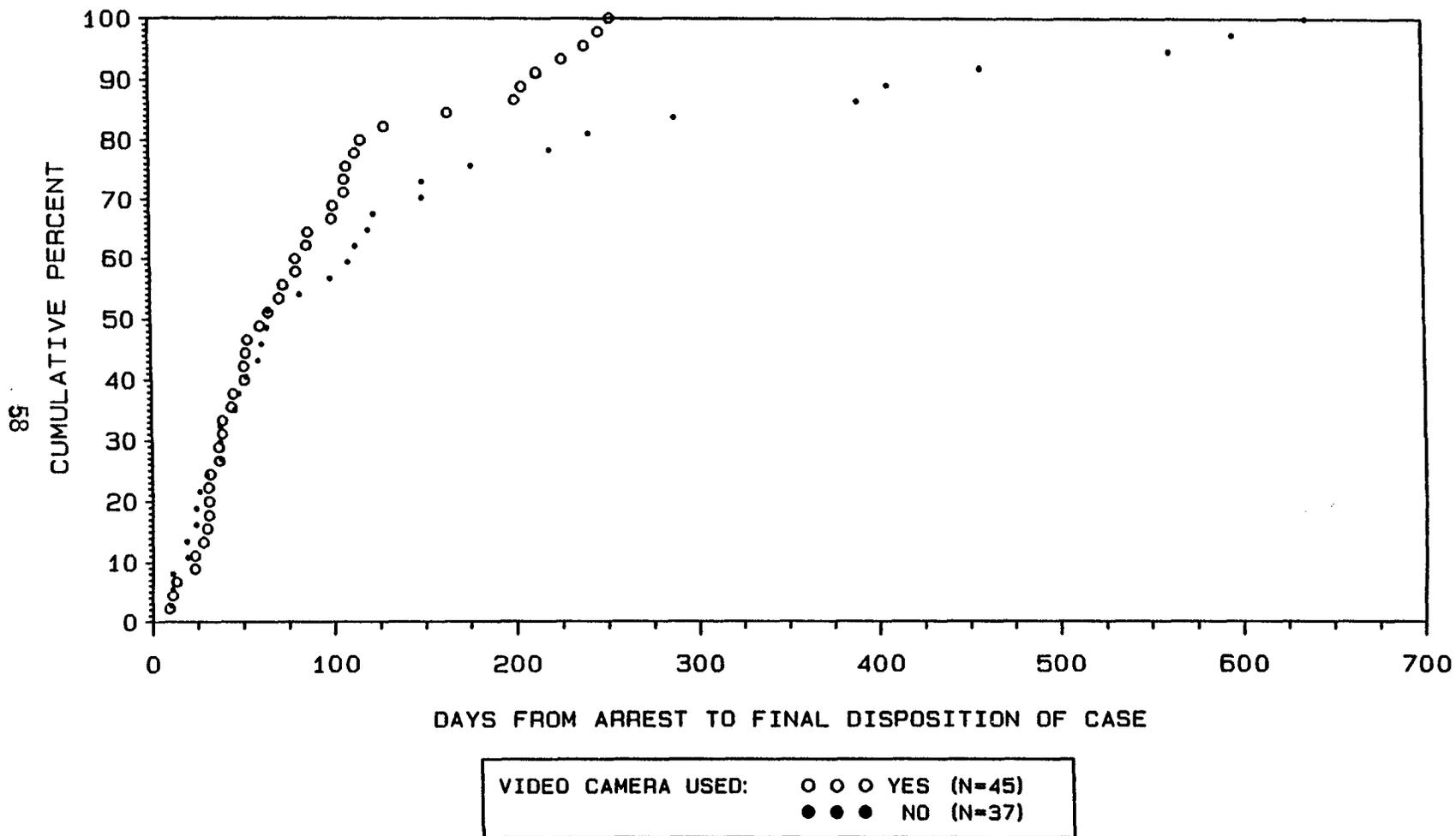


Figure B-10: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER JANUARY 1, 1991)
 BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
 (Cases Adjudicated from 8-1-92 through 3-31-93)

DWI ARREST DATA FROM YOUNG COUNTY, TEXAS

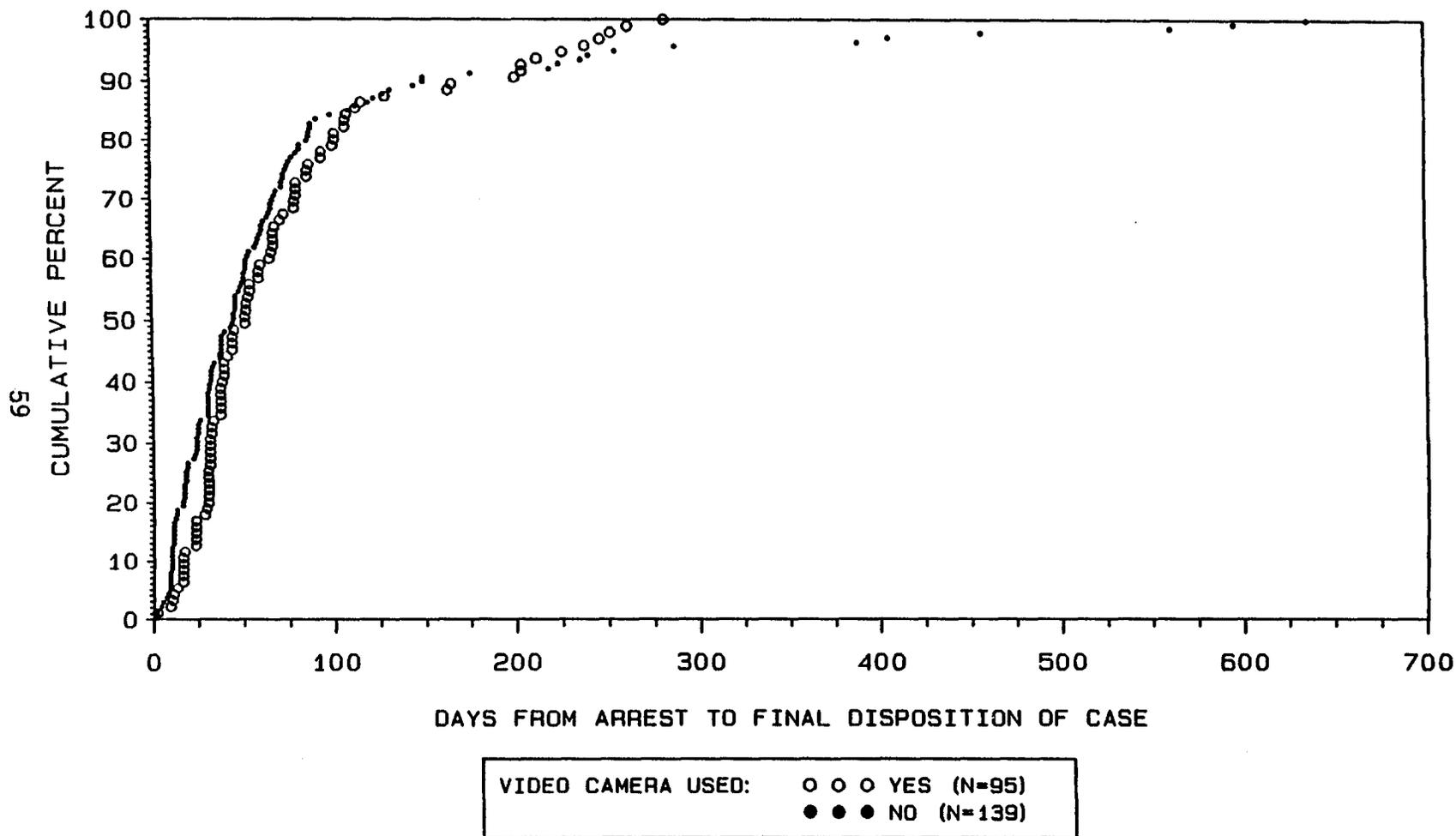


Figure B-11: CUMULATIVE PERCENT OF DWI ARRESTS (AFTER JANUARY 1, 1991)
BY DAYS FROM ARREST TO FINAL DISPOSITION OF CASE
(Cases Adjudicated from 1-1-92 through 3-31-93)

APPENDIX C

Follow-up Mail Survey Instrument

IN-VEHICLE VIDEOTAPING TRAINING COURSE EVALUATION

This questionnaire is being sent to all officers who attended the In-Vehicle Videotaping (IVVT) training course conducted at Texas A&M University. Your responses will provide valuable feedback that will be used to modify the curriculum to enhance future training sessions. We are sincerely interested in your comments and assure you that your responses will be kept strictly confidential. Please return the completed questionnaire in the enclosed self-addressed envelope or FAX to 409/845-6107. Thank you for your cooperation.

Is your local law enforcement agency currently using mobile videotaping equipment?

Yes No

Since you attended the IVVT training course, have you used mobile videotaping equipment in the course of your patrol duties?

Yes No

Is the equipment being used by your department comparable to that used in the IVVT training course?

Yes No

If no, did your training in any way help or hinder your ability to use the equipment purchased by your department? Please explain.

Since your training, have you been asked to provide instruction in the use of mobile videotaping systems to other officers?

Yes No

If yes, was the training you provided done

Formally (in a structured classroom setting)
 Informally

Approximately how many other officers have you trained?

Do you anticipate providing more training in the future?

Yes No

If yes, in what manner will the training be conducted?

Based on your experience with IVVT in the field, please rank order the following training course components in terms of their relative usefulness. (In other words, please place a 1 beside the most useful component, a 2 beside the next most useful component, and so on...placing a 6 next to the least useful aspect of the course.)

- ___ Legal Aspects of DWI Prosecution and Mobile Videotaping
- ___ Instruction in Proper Mobile Videotaping Techniques (e.g., articulation of probable cause and indicators of intoxication, arena of performance, and field sobriety tasks)
- ___ Assembly and Installation of Mobile Videotaping Equipment
- ___ Operation of Videotaping Equipment (Troubleshooting)
- ___ Practical Exercises (Mock Arrests)
- ___ Mobile Videotape Evaluation Exercises

Given your subsequent experience with mobile videotaping systems, what would you recommend **ADDING** to the existing training curriculum? Please be specific. _____

What, if anything, would you **DELETE** from the existing training curriculum? _____

Are there any other aspects of the curriculum or method of instruction that you would like to see modified? Again, please be specific. _____

