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(NOT SO) INNOCENT BYSTANDER: THE EMBODIED VIEWS OF THE BODY CAMERA

by

Kristina Jespersen

Under the Direction of Jennifer Barker, PhD

ABSTRACT

As police brutality cases have become more discussed over the past several years, there have been many debates surrounding the police body camera, but thus far, little research has been done on the body camera's relation to semiotics and phenomenology. Through an analysis of the body camera's indexicality and embodiment, this thesis aims to dismantle the argument often proposed by law enforcement that the body camera is a purely observatory, evidential piece of technology. To best identify the complications that the body camera presents, the thesis compares three different instances where body camera footage was released to the public and how each set of footage functions.

INDEX WORDS: Phenomenology, Semiotics, Body camera, Media studies

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by

Kristina Jespersen

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

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2021

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August 2021

DEDICATION

For Mom, who is always watching over me. I love and miss you.

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1 INTRODUCTION

In the summer of 2020, following the death of George Floyd, there was a noticeable increase in conversations surrounding police brutality and the body camera. As more members of the public educated themselves about police brutality, many began questioning just how helpful the body camera is to preventing police misconduct. Body cameras are often included within discourse surrounding police brutality, but after the events of 2020, many were left wondering just how beneficial body cameras are, especially since the public typically receives news of police brutality cases via other forms of surveillance, usually a bystander's cell phone camera. The police body camera presents an interesting dilemma: it is intended to provide "protection against" cases of police brutality in that it aims to hold officers accountable for their actions, acting as a third eye which is always watching, but since body camera footage is typically only released following an instance of misconduct, the argument for its use appears to be null. Additionally, with the camera—literally a *body* camera—attached to an officer's figure, it feels inane to claim the camera is objective when it provides an embodied view. This predicament lends the questions: How does the embodiment of these cameras affect the viewer's perspective of the events unfolding in real time? And does the embodied perspective prevent the body camera from remaining an "objective third eye?"

In this thesis, I utilize semiotic and phenomenological approaches to answer these questions and to disprove the claim that the camera is an objective piece of technology. Through analysis of the varying embodied perspectives that the body camera provides, it quickly becomes clear that whoever views footage taken from a body camera is unable to view the images they see as purely "objective." If this thesis seems to rely heavily on the experience of the particular—not generic or universal—"we," this is due to time constraints rather than

methodology. Though the project begins with my own perception of body camera footage, by considering my own phenomenological experience of it, I discover aspects of the footage that call for semiotic analysis; this analysis reveals patterns/structures in the footage that others can see, informed by their own lived experience in the world. Through a combination of phenomenological description and semiotic analysis, I seek to emphasize how any approach to these images and the discourse surrounding them always stems from a personal, embodied view of the world. In the instances within this thesis, I include myself in that “we,” and the perspectives considered here are influenced by my own identity and political affiliation [white, female, college-educated, liberal/democratic.]. Through utilizing my personal perspectives and phenomenological experiences with the objects studied here as a starting point, I demonstrate how the phenomenological and the semiotic can be paired together to construct meaning and identify the complexities of body camera images.

This thesis begins with an examination of three recent uses of body camera footage and analyzes the differing ways we approach footage based on the context of the case. The three cases analyzed in the first chapter are the January 2021 Capitol riots, Anjanette Young’s home invasion by Chicago police in 2019, and the documentary, *American Murder: The Family Next Door* (Popplewell, 2020). The use of body camera footage in each of these cases presents contrasting uses of force (passive/aggressive) and a comparison of how officers (and their cameras) move in different spaces and/or situations and how they interact with different subjects. Respectively, the footage from the Capitol riots offers an embodied view of an officer being on the receiving end of aggressive actions, the footage from the unlawful raid of Anjanette Young’s home shows aggressive invasion via the embodied view of multiple perpetrators, and the body camera footage used in *American Murder* offers audiences an embodied view of officers

passively entering a premises and calmly questioning a (white) suspect. The differing embodied views that the observer witnesses in each of these cases provide examples of the thesis' overall questions surrounding the images that the body camera presents and the insights that these embodied views provide to the general public about police officers' presence in different spaces and around different persons.

In the second chapter, I turn to a semiotic approach while still discussing the outlined examples from chapter one. Referring to Pierce, Doane and other scholars who have previously discussed the complications of the semiotic (more specifically, the index of an image), this chapter aims to trace what the index of the body camera's captured image is and how viewers and scholars may approach body camera footage when questioning its objectivity. I also briefly turn to Baudry's writing on psychoanalytic semiotics in order to bridge semiotic questions of identification with the phenomenological approach that is explored in the subsequent chapter.

The third and final chapter examines the embodiment of the body camera and investigates the relationship between the camera and the body of the officer who wears it. This exploration also demonstrates how viewers respond to the embodied footage and refers back to the first chapter's three differing cases as examples of how embodied perspectives shift depending upon context. In this chapter, I refer to Vivian Sobchack's writing on documentary and modern technology as well as Teresa Castro's writing on machinic subjectivity and the invisible (quasi)subject. Through a discussion of camera as embodied subject and as an object which is affected through an operator's own embodiment, the chapter will introduce the different complexities attached to the body camera. The main source of conflict is the body camera's objectivity clashing with the embodied perspective of the police officer/operator's body. Applying the phenomenological method to our analysis of body camera footage and defining the

“work” that the body camera does alongside the actions of its “actor” (the body which wears it) may better exemplify how the body camera cannot be considered a purely objective piece of technology.

Before moving forward with the examples of body camera footage and my application of semiotic phenomenology, I find it beneficial to review the history and technology behind the police body camera. In order to better understand the arguments made throughout the main chapters, it is important to first outline how the body camera came into major use and how the technology behind the device works. In 2014, following the death of Michael Brown in Ferguson, Missouri, the Brown family publicly called for police departments to use body cameras. According to data from Axon—the main provider of body camera technology in the U.S.—there was a significant increase in body camera purchases that year. The largest increase in body camera purchase and use, however, came over one year later when the Obama administration and the Department of Justice created grants which helped law enforcement departments pay for the necessary technology. Axon has been manufacturing and selling body cameras since 2010, but its sales revenue shows that the real increase in body camera purchases by police departments came in 2016, after the Department of Justice grants were put into effect (Miller). Since 2016, it has become common practice for officers to wear a body camera at all times, though the regulations surrounding when and for how long a camera is turned on vary across different police forces.

Much of the recent academic writing surrounding the body camera is found in law studies—in their writing, these scholars consider the stakes involved with using body cameras, question the ethical implications of a “third eye,” and review the statistical benefits and/or disadvantages of body camera usage in the police force. In her analysis of the body camera’s

success/failure in improving American policing, author Connie Felix Chen provides background information on the police body camera, highlighting the large number of police brutality cases that occur each year in the United States, and what the legal costs of these cases typically are. Chen notes that in the year 2010, “the United States government spent over \$346 million on misconduct-related judgment and settlements,” which provides context as to why police forces and the government—always concerned with finances and profit—are willing to have their officers wear surveillance gear (Chen 150). It is important to keep in mind the financial aspects of the body camera and how financial loss affects the use of these devices; it is obvious that the police view the device as a way of protecting themselves from allegations which can lead to severe financial repercussions.

The body camera “consists of a video camera, a microphone, a battery, and onboard data storage system” (155). The camera is lightweight and typically worn on the officer’s chest. This placement allows the camera, unlike CCTV or dash cams, to more closely provide a look at the officer’s perspective of different interactions. The position not being at eye level, however, does provide the third-person point of view which enables the device to be more “objective.” The onboard data storage system sends footage straight to cloud storage and has “built-in security features to protect against tampering,” preventing an officer from being able to edit any footage captured by their camera (156).

Chen also refers to a 2015 study conducted by the Department of Homeland Security which identified the best body camera models and provided police departments across the country with suggestions for which models to purchase for their officers. The guidelines set by this study emphasized the importance of high image quality, audio recording, and the ability to record at least 3 hours’ worth of footage at a given time (158). While this study aimed to set

guidelines for body camera usage, there are still many different issues that have cropped up as more departments have begun using the devices. Chen notes common complaints made about the body camera, both by officers and by civilians. Importantly, she makes note of the on/off button which *can* be manipulated by the officer. Since this article was written, the officer's ability to control when he/she operates the camera has changed, especially in light of the power button surfacing more and more in recent conversations about the body camera, notably after officers either shut their body cameras completely off or taped over the lens at Black Lives Matter protests. Other complaints made about the devices include poor image quality, limited visibility of a location, poor camera angles, and lag in recording. Because of these recurring issues, Chen argues, the body camera cannot be a totalistic "fix" for police misconduct. While the body camera can, in some cases, prevent an officer from abusing their power, its presence does not erase the institutional racism that the police force operates under. And even if abuse of power is caught on camera, how the department responds to that footage is also questionable. Chen wonders what happens to instances of abuse that are seen within the department but never released to the public.

Keeping in mind that wearing a body camera has become common practice within law enforcement, it is important to also remember the flaws that Chen describes. The technical flaws of the device, in combination with the embodied perspective it gives, makes it more complex than regular CCTV or dash cameras. While other security recording devices still have flaws, their static placement allows them to perform more objectively than the body camera. Because the body camera remains a key part of discourse surrounding policing, it is imperative that we grapple with the device's complexities and find ways to approach the footage that it provides. Through identifying the camera's complexities and applying methods for viewing its footage, we

may be better able to understand body cam video. As discourse surrounding the body camera becomes more common, we can question how to view both the images and the embodiment of the body camera in a way that benefits our understanding of the scenarios that are captured by body cameras. Through approaching footage by looking at the stances of passive/aggressive, we can begin to answer these questions.

2 AGGRESSIVE/PASSIVE EMBODIED VIEWS

Before considering the semiotic and phenomenological concerns with the body camera, I want to first discuss three separate cases involving the body camera, its footage, and public reaction to/usage of footage in each separate case. The three objects of study used here are the 2021 Capitol riots, the 2019 home invasion of Ms. Anjanette Young in Chicago, and the documentary film *American Murder: The Family Next Door*. The three differing uses of the body camera in these cases offer a perspective of how the body camera's embodiment functions and how it may affect the viewer's response to the footage which the body camera captures. This analysis considers the cases in terms of their aggressive/passive views as well as the wearers' use of force in each instance. The footage from the Capitol riots and the Young home invasion are both classified as aggressive, but the resulting footage differs in that the body camera is placed as "victim" in the riot footage and as "perpetrator" in the home invasion footage. *American*

Murder's footage is viewed as passive and thus has no victim/perpetrator assigned. Viewing the footage from these three scenarios in these terms allows for a better understanding of just how significant embodied movement and semiotic understanding of the body camera is.

While images captured by police body cameras typically take on the dominant perspective, the body camera footage utilized in the 2021 impeachment trials following the January 6 riots places the viewer in the shoes of the officers who were attacked on that day. The footage analyzed here is from the officer who was beaten with a flagpole on the Capitol steps. In this footage, shown during the impeachment trial, the officer is on the *receiving* end of aggressive behavior. Because of the officer's body placement, the body camera takes on the embodied experience of being attacked rather than being the attacker. In the trial, this footage was used as a means of emphasizing how aggressive the rioters were and how dangerous their attack was on both the property and the people inside the building.

During the impeachment trial, film scholar David Bordwell wrote about the cinematic nature of the trial and of the usage of body camera footage. He notes:

“The direct-cinema quality of the material is amped up by the presentation of body-camera footage from an officer beaten down by the mob. The fallen-camera convention of pseudo-documentary films wouldn't be as powerful if we didn't know that in violent situations like this, cameras-and camera wielders-do drop. In this instance, the approximate optical POV of the stomped officer makes his attackers seem even more brutal.” (Bordwell, “Fast-Paced Trial”)

The officer's shared point of view, via the embodied camera, allows for the viewer to feel the force of the injuries that the officer suffers during the attack (note how the shared perspective functions here versus when an officer is the body performing an attack). In the footage shared

with the court, the viewer sees the crowd attacking the officer from his perspective and can see the number of weapons (flagpoles, pipes, etc.) used in the attack (fig. 1). Eric Swalwell, the Democratic congressman who presented the footage, also includes the moment when the officer falls down and attempts to get the rioters to back off. In this moment (fig. 2), the officer's hands appear briefly and extend away from the body camera; this extension of the officer's hands and arms makes the viewer identify more closely with the embodied perspective.



Figure 1



Figure 2

The decision to utilize body camera footage during this trial and to emphasize the officer's perspective during the attack is an interesting contrast to how body camera footage is typically discussed. When we think of body camera footage, we make an assumption that the officer is in the wrong and that the footage is being used to prove justification for an action. In this instance, however, the body camera footage is used to show use of force *against* an officer and to emphasize the fear that was felt on the day of the attacks. To achieve this, the use of body camera footage here is meant to show a subjective, lived experience. This usage is different from the ways in which we typically approach body camera footage, assuming the officer is the perpetrator, and here we are encouraged to empathize with the officer as a victim of violence. Though the impeachment trial ultimately ended in disappointment with former President Donald Trump not convicted, the footage shown during the trial was widely discussed and demonstrated

the potential for the use of body camera footage in the courtroom (due to its cinematic potential, as Bordwell stated).

An alternate example of aggressive embodiment, and the more common occurrence associated with the police body camera, is the act of forced entry onto private property by an officer. The forced entry considered here is the home invasion of Anjanette Young in Chicago. Anjanette Young's home was wrongly raided by a Chicago police team in February 2019. When Ms. Young called for the body camera footage to be released, the city went to federal court in attempt to block release of the footage. When the video was eventually released, Ms. Young brought the footage to the news in hopes of seeking justice and shedding light on the apparent issues within Chicago Police Department. She told the local CBS station: "I feel like they didn't want us to have this video because they knew how bad it was [...] They knew they had done something wrong. They knew that the way they treated me was not right" (CBS News).

In the released footage, the viewer witnesses an all-male raid team breaking into Ms. Young's home and catching her unaware. The twelve-minute video, composed of images from nine body cameras, follows the officers approaching the complex, breaking down the front door, and immediately handcuffing Ms. Young in the living area and continuously ignoring her pleas that they have the wrong house. The footage alternates between the nine body cameras' points of view. Due to the multiple perspectives captured by the various cameras at the scene, there is a noticeable difference between officers' reactions to what is taking place. Two officers remain near Ms. Young throughout the video, one handcuffing her and the other speaking with her, and the other officers who initially entered the property move away from the living area and reconvene outside the front door. Through the camera's embodied view, the viewer can sense that there is something inherently *off* about the situation due to the officers' uncertain body

movement and consistent shifting. The body cameras capture officers looking at one another with uncertainty and show them either turning away from Ms. Young or leaving the scene altogether (fig. 3).



Figure 3

Through the changing embodied perspectives, the viewer moves throughout Ms. Young’s home and watches as different officers mull around in each room, picking up random items, shuffling objects around, and taking photos in order to make it look like they are in the correct location for their investigation. If an energy can be used to describe the movement throughout the entire video, then “restless” would perhaps be the best descriptor.

If the body camera is employed in order to provide justification for officers’ actions, then this case is interesting in both the footage that we see and in the department’s initial refusal to release the footage to Ms. Young—they even attempted to prevent the news from playing the video on air shortly before Ms. Young’s interview went live. The footage here is damning, and the embodied perspectives that we see make it clear that the officers at the scene knew that they

had made a mistake. The footage shows this as well as the incompetence and disrespect that the officers displayed on the job. As Ms. Young stated, the department knew that this footage, if released, would be bad for their publicity, and therefore attempted to hide it. This attempt makes the claim that the body camera is there to protect seem like a lie—while there were *several* body cameras on the scene, the officers' actions were still deplorable, and the powers that be tried to hide the footage, so how beneficial was the body camera to Ms. Young? While the footage, once released, became useful to her for sharing her story, the presence of the cameras did nothing at the time and in the moment in order to protect her from police harm.



Figure 4



Figure 5

Ultimately, the news investigation—and Ms. Young’s attorney—found that the officers never obtained a proper search warrant for Ms. Young’s home and never confirmed the proper address, getting their information solely from an unnamed informant. Redacted footage that was eventually released along with the original video shows that Ms. Young was never given any form of warrant at the time of the search and that the officers entered the property quickly and without warning. The police department would not comment on this footage, and as of June 2021, Ms. Young and her legal team are still attempting to receive proper settlement for the police department’s wrongdoing. Chicago mayor Lori Lightfoot formerly promised Ms. Young that she would be compensated for her suffering but has since stepped back from that promise.

Ms. Young’s decision to obtain the body camera footage and release it to the public herself raises interesting questions about how useful the body camera is if its footage is never intended to be shared with the public. How does this provide any accountability? If the footage of this case had not been released, and it seems as though the footage would likely never have been made public without Ms. Young’s intervention, then there would not have been public

awareness and cause for the officers' actions to be investigated. Here the common protest sign sentiment "how many aren't filmed?" rings true. The released footage of this injustice begs the question: How many unauthorized and/or incorrect home raids have occurred in this police department and how few of them is the public aware of?

And, as will be discussed in the third chapter, the embodied perspective of the officers presents a complicated dilemma; while we the viewers see that the actions taken by the police force in this case are wrong and immoral, the camera becomes complicit in the actions, forcing the viewer to (physically) take the side of the officer and attempt to see the events unfold through the "actor" that wears the camera. The tie between the viewer and the wearer, made possible by the body camera, complicates our ability to objectively view these images. We *know* the actions are wrong, but we share space *with* the perpetrator. How does this shift our understanding of and reaction to this footage?

The final case examined here is the body camera footage found in the Netflix documentary *American Murder: The Family Next Door*. Unlike the previous two cases, the body camera used throughout this film can be considered passive; there is no forced entry or violence shown, and the officers who wear the body cameras interact peacefully with their suspects. *American Murder* is a close examination of the events leading up to and following the murder of the pregnant Shanann Watts and her two daughters, Bella and Celeste. The documentary uses a combination of social media posts, police footage, news footage, personal videos, and text messages/calls from Shannan's friends and family in order to tell its narrative. Similar to the footage released in Anjanette Young's case, the viewer has access to multiple embodied perspectives via different officers' cameras. However, the difference in terms of passive/aggressive behavior is immediately apparent.

In the former scenarios, the usage of body camera footage makes sense in trying to seek justice for two differing acts of unjust violence. How does body camera footage function in a documentary about a white woman's murder which has already occurred? Before the documentary was released, Shanann's case had been major headlining news across the country. The public became fascinated with Shanann's story because the murderer in this case was not a stranger, but rather her husband, Chris Watts, whose bizarre news appearances led investigators to suspect his involvement in Shanann, Bella, and Celeste's disappearance. In addition to the horrific circumstances of her murder, Shanann's social media presence before her death also played a key part in public interest in her murder. Shanann's popular Facebook video posts about and photos of her 'perfect' marriage and family life became especially haunting in the aftermath of her death.

Because of the popularity of the Watts case and interest in Shanann's marriage, many details of the Watts murder were already well-known by many, it is possible that the film's creators decided to use body camera footage as a means of presenting a "never before seen" view of the events surrounding the aftermath of Shanann's murder. The inclusion of body camera footage here provides viewers with a firsthand view of the day Shanann disappeared and the ability to "witness" Chris Watts' suspicious behavior, giving viewers an opportunity to "participate" in the investigative work leading up to his arrest. The use of body camera footage begins when an officer is called to the Watts house for a welfare check after a friend has reported Shanann as missing. Through the body camera's image, the viewer follows along as the officer and Shanann's friend search the exterior of the house and wait for Chris to arrive. Throughout this sequence, an interesting sense of "otherness" occurs when the officer begins to look into the windows of the Watts home; the camera captures the reflection of the officer in the window, and

then as his body moves closer to take a look inside, the camera also shifts focus and is able to peer into the house, offering viewers a look inside of the empty house (fig. 6 and 7). While the camera is tied to the officer, this provides a brief moment of broken identification. Not only are we, the documentary viewers, spying on this home, we are also gazing at the person who is controlling our movement within this space.



Figure 6



Figure 7

As time passes, Chris eventually arrives at the home and provides consent for the officer to enter the premises (a direct contrast to the forced entry into Anjanette Young's home). Again, the camera operates as an objective observer, moving with the officer's body as he searches the house. While the officer moves quickly through each room, the camera's view lingers a bit longer, likely due to a delay, and the viewer gets sufficient overviews of each room, allowing them to cast their gaze on the scene and "investigate" alongside the officer.

The Watts' next-door neighbor calls Chris and the officer over to his house, where he displays footage from his security camera system. His camera happened to be facing the Watts' driveway and captured footage of Chris Watts' truck backing into the garage earlier that morning. The scene is curious in that as the officer and Chris take in this footage, the body camera is also recording the neighbor's surveillance video as it plays on the television. Here, two different types of surveillance (the body camera and home security) are on full display to the documentary viewer.

After this conversation, two more officers arrive at the Watts house and with their arrival, the documentary audience gains two new perspectives via their body cameras. Now the viewers separate from the initial officer's movements and his camera's perspective, and footage jumps between the three officers' positions as they converse with Chris (figures 8-10).

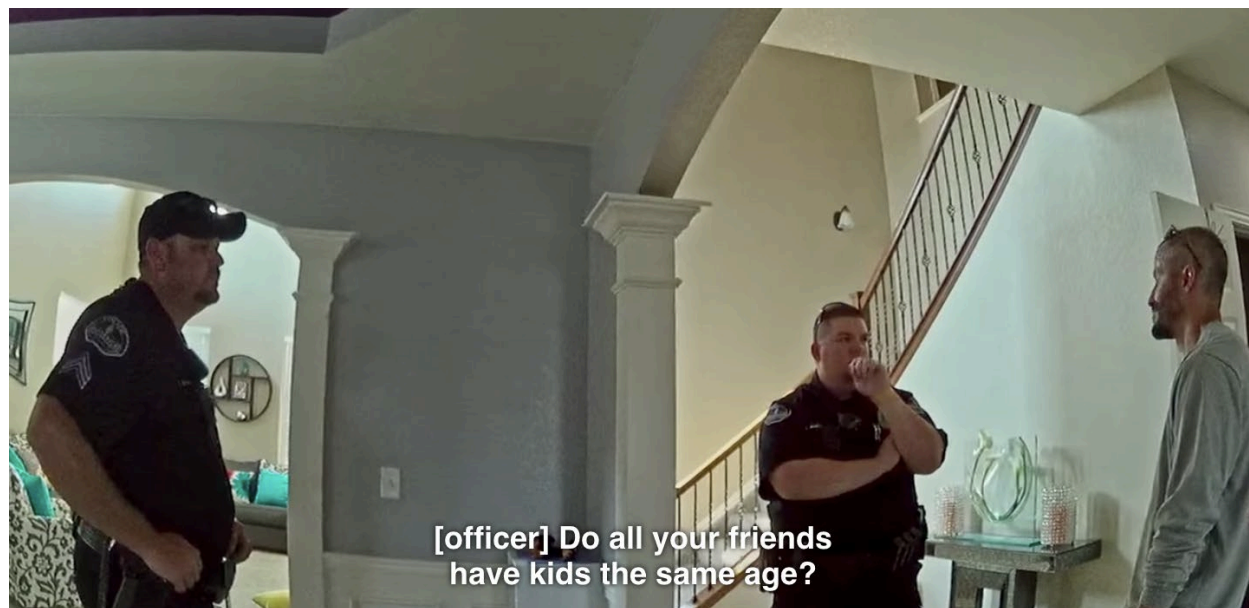


Figure 8

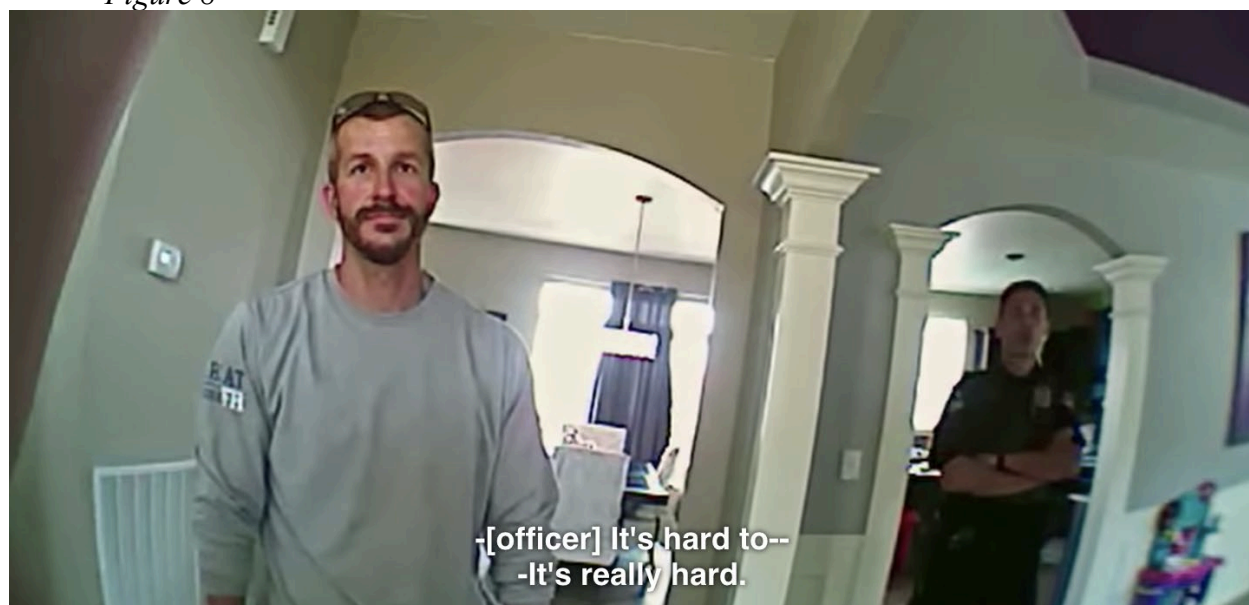


Figure 9



Figure 10

As the conversation in this scene continues on, uninterrupted, the cameras on the officers' bodies watch silently and provide different perspectives of the same "scene" to the documentary viewer. The officers form around Chris in a three-point structure, but there is no sense of aggression or tension which was felt in the Capitol or Young cases.

Through the use of body camera footage in this sequence, the documentary audience is able to more fully immerse themselves within the investigative work that the film is asking them to do. While some viewers may already be aware of the circumstances behind Shanann's disappearance/death, the embodied view provided by the body camera(s) allows them to more fully immerse themselves into the film's investigative work. While the documentary format already asks the viewer to actively participate and question what they see within the film's narrative and structure, *American Murder* takes that participation further through these devices. Rather than providing the audience with definitive answers and directly pointing their attention towards images and other objects, the film, through the use of the body camera, places the

audience within the events taking place, forcing the viewer to actively tie together the information that they have been provided with the events that they are witnessing take place. As the film continues, and as more body camera footage is seen, the audience begins to formulate their own opinions about Chris Watts' role in the death of his wife. It becomes clear, through the combination of images and events that the viewer sees/witnesses, that the person who is responsible for Shanann and her daughters' disappearance is definitively her husband.

While the beneficial uses of the body camera are evident in *American Murder*, where the audience is easily able to formulate their own opinions about Shanann's case through the body camera's footage, it is important to see the difference in how body camera wearers interact with white suspects versus suspects of color. The glaring difference between the three-point structure which surrounds Chris Watts—a murderer—and the structure which surrounded Anjanette Young—and innocent person—is made clear through the contrasting images that the officers' body cameras provide. Would a police department release body camera footage to be used in a purely objective way—as seen in this film—if the narrative were about a black person? About police brutality? It is likely that the answer is no (seen by the refusal to release footage to Ms. Young). This aspect of the body camera, when thinking about its potential for use in documentary, must also be acknowledged.

After looking at these three uses of the body camera, viewers must approach the body camera and its gaze with the same level of consciousness that they approach every other element of media with—what is their knowledge about this device? What are the implications of the body camera? What are the ontological signs placed on this piece of technology? If the viewer is American, then there will likely be a significant amount of pondering the device's status in the film—further complicating the viewer's ethical and moral participation in viewing the footage.

Through this analysis of various cases of the body camera being positioned as passive or aggressive, and how the different embodied views function as a “body of proof” for different reasons, it is hopefully clear to see that the body camera’s embodied perspective is more complex than just working as an objective third eye. In providing the viewer with a clear embodied view of events taking place, the body camera’s footage/gaze allows the viewer to watch persons and events through the camera’s view in combination with their own embodied experience/knowledge of the world. Through this “shared” experience, the act of viewing body camera footage becomes complex and brings up questions of how the images function in conjunction with embodied experience. The following chapters aim to address these complications in combination with further analysis of these three cases.

3 A SEMIOTIC APPROACH

As seen by these examples, while the body camera is meant to serve as a piece of observational, objective technology, it is inherently tied to the body which wears it, complicating its intended neutral gaze and forcing a shared connection with the person who wears it. Thinking of the images the camera captures, how can we approach body camera footage in terms of its semiotic importance? What is the index that the body camera captures, and how does that index evolve into meaning? How do alternate sources of footage—such as a bystander’s cell phone camera—complicate and transform the evidentiary image that the body camera captures? To approach these questions of complication, this chapter will be turning to foundational writings on semiotics as well as pieces which focus on how the index becomes complicated in various circumstances. Through further analysis of the first chapter’s three cases of body camera footage, the chapter utilizes semiotic approaches to understand how the footage seen in these separate cases becomes complicated both through the embodied view of the camera as well as through complications from outside sources (news, alternate footage, etc). Through a study of the indexical and the social/political contexts in which we understand the body camera, this chapter’s goal is to demonstrate how the embodiment of the body camera rejects the claim that it is an observatory device.

Keeping these issues in mind, it is important to consider what role indexicality plays in the body camera’s image and its place within public discourse. Indexicality and semiotics have long been at the forefront of film and media studies, studied alongside the camera and the images it captures. Appropriately, most discussions of the index and other forms of semiotics always refer back to the work of Charles Sanders Peirce, whose writings on index, icon, and symbol have become the standard for semiotic study. Of these three, the index is the most heavily

studied in its relation to photography, film, and the moving image camera. While the index is typically taught through the simplistic concept of “the footprint in the sand,” many scholars have complicated our understanding of just what the index is and how it evolves into meaning. Moving beyond Peirce’s definition of the index is crucial to understanding how an image—especially one captured by a controversial piece of technology—may not ever be truly observational and objective. While Peirce’s definition of the index is the inherent tie between an image and its referent, it is clear that there are many factors which can taint or shift what the index represents. In the case of the body camera, the police officer’s body, as a referent, embodies a very different existence within a particular time and place versus that of someone else’s. The officer’s status in society complicates their indexical status and, in combination with the framing of the image, the image which their body camera produces.

Mary Ann Doane has discussed the complicated nature of Peirce’s index in this context: she questions the idea (circulating in contemporary conversations about the “digital turn”) that the technological changes involved in digital imagery have somehow caused a change in the way the index functions. She argues that, while “the digital offers an ease of manipulation and distance from any referential grounding that seem to threaten the immediacy and certainty of referentiality we have come to associate with photography,” these qualities of digital images merely exacerbate an effect that is true of pre-digital, photochemical cinema and photography as well (Doane, “Introduction,” 1). The relation between image and referent in photography and cinema has always been contingent, unstable, and uncertain. She explains that the image and referent can become removed from one another, complicating the image. While acknowledging that this concept can be confusing, Doane reiterates Peirce’s argument that “the index is defined by a physical, material connection to its object” (2). The index, regardless of the form it takes,

relates a referent to its (former) reality and spatiotemporality. Though she will go on to further define and discuss the index as *deixis* in terms of how it is framed within the cinematic, Doane here notes that “the index as *deixis* implies an emptiness, a hollowness that can only be filled in specific, contingent, always mutating situations. It is this dialectic of the empty and the full that lends the index an eeriness and uncanniness not associated with the realms of the icon or symbol” (2).

Doane, drawing on work by Rosalind Krauss, also questions the relation of realism to the index, noting that the index can never concretely represent the real, it can only *reference* the real. This distinction between representing and referring to the real is key to the idea of the “hollowness” which Doane describes. Because the index is easily malleable, it can never be claimed as a direct representation of reality. It can seek to show what reality *might have been*, but never claim full factuality. It merely points to possibilities. Doane makes sure to clarify, however, that this intricacy between real/not real should not detract scholars from approaching the index’s complexities, rather, they should use the index’s complexities as a means of studying its impact.

Doane further discusses Peirce’s differentiating types of the index and how they might be used together within the cinema as a means of placing meaning onto an image. These two types of index are index as trace and index as *deixis*. Doane notes that “mainstream fiction and documentary film are anchored by the indexical image and both exploit, in different ways, the idea of the image as imprint or trace, hence sustaining a privileged relation to the referent” (Doane, “Concept of Medium Specificity,” 132). The typical exploitation of the “real” that the index relates to is what bothers Doane. As she stated earlier, the index is not a replica of the real, it is merely a reference to it, and the use of the indexical as a claim of realism is unethical. When

pointing to the index, it must be emphasized that the image is not the real thing, but rather proof of its existence in the past (which is now being viewed in the present).

This is further exemplified through both index as trace and as deixis. Index as trace “implies a material connection between sign and object as well as an insistent temporality—the reproducibility of a past moment” (136). This is the most recognizable form of the index; index as proof of something/someone that *once was*, in the past. The image we see produced from a camera (either still or moving image) asserts that something existed in a particular moment in the historical past, allowing for it to be captured in the image. The trace is the assertion of an object’s existence in the past, its anteriority. The index as deixis is more complex in that it is linked to the present—we are viewing “this” image of the past “here” in the present. While the trace is more commonly linked to and discussed within the confines of the cinematic, Doane notes that the deixis is equally important and that, for Peirce, the two go hand-in-hand. The deixis “can only achieve its referent, in relation to a specific and unique situation of discourse, the here and now of speech” (136). Through the framing of the index, the deixis emphasizes the importance of discourse and viewing of a trace. Used together, “the dialectic of the trace (the ‘once’ or pastness) and deixis (the now or presence) produces the conviction of the index” (140). The acknowledgment of a referent’s existence in the past alongside the awareness of our ability to view the person/event in the present is key to our understanding of its evidentiality.

Can this “emptiness” be perpetuated through the digital image? Doane argues yes. When an image is digitized, the index loses its existential bond with the object, and now can move throughout space and time, detached from its referent. “Both the intimacy of [the] relation to a unique and contingent reality and the detachability and circulation of its representation have had enormous cultural consequences” (3). This detachment is certainly applicable to the body camera

and the images it captures. Body camera imagery, through the referent's capture via other camera apparatuses (or rather, different viewpoints of a referent captured by varying image sources), suffers a gap between the referent and the image. Thus, it relies on societal context and discourse to have meaning.

Again, as Doane argued, the index can seek to show what reality *might have been* but can never claim full factuality. This uncertainty of realism applies to the digital image's detachment and is displayed in body camera footage: the body camera's capture of an incident can only reflect what reality may have looked/felt like for the persons involved, its image is not direct evidence of what really happened in reality. Because of its digital aspects (for example, any glitches, time lag, poor lighting, etc.), the camera's image cannot be viewed as direct representation of the real. These complications, along with discussion of the index as trace and index as deixis, are of considerable importance to answering the question of the body camera's indexical image and how it shifts in meaning over time. We can acknowledge that the *trace* of the body camera's image is the officer's (and others' captured in the image) body—proof of their presence in a particular time and place in the past (this time and place given to us via the time stamp included in the camera's image). What is the *deixis*, or the way we view the footage “here and now,” that transforms the body camera's images? How does this frame shift our perceptions of the images we see as captured by the body camera?

The framing of the body camera's image is a bit more complex than the standard photograph or video's, in part because of the way the camera's image is released to the public. Typically, police departments will only release body camera footage when necessary or when requested. Because of this timing, while the body camera is intended to serve as objective proof, by the time the public views its footage, the images and referents attached to it have already

become laden with meaning, tainting the objectivity of the images. The persons and events captured through the body camera come into meaning and into public discourse mostly through outside sources. Most recent cases of police brutality have been captured on (digital) film through a bystander's cell phone camera, which has the ability to automatically upload its footage to social media. Because these cell phone videos spread an image so quickly and because the body camera footage takes a significant amount of time to be shared with the public, public opinion has already turned against the officers' actions, making it impossible for the body camera footage to be seen purely at face value when it is finally viewed.

Because viral sharing of footage and alternate video sources affects our approach to the images that the body camera captures, it is worth asking why these videos of police brutality spread so quickly. In her "Toward a Phenomenology of Nonfictional Film" essay, Vivian Sobchack notes how some images can become "fetish objects," obsessively viewed even if the content is disturbing. This fetishization of the horrific can be seen in the viral sharing of footage online, especially videos/images of wrongful deaths. In the case of George Floyd, the footage of his death spread rapidly throughout social media and almost immediately became a fetish object, as his image became the symbol of much-needed change in the justice system. Because these videos capture proof of wrongdoing, a larger portion of the public who typically may look away from injustice are now forced to see documented proof of police misconduct. The video causes viewers to actively interact with the emotions that they feel when watching. Thinking of viewers' response to videos in this way, the subsequent outpourings of (performative) support and activism can perhaps be seen as a form of absolution for complicity in institutional racism or for watching the video repeatedly.

In cases where alternate footage is made known to the public, the body camera footage of an event must work against public understanding/belief of what took place. Released only after public outcry and unrest, the body camera footage of George Floyd is forever tainted. George Floyd—whose face became a symbol for Black Lives Matter and proof of injustice—appearing in this footage, alive and talking with the officers, is haunting. It serves as the *trace* that he was alive, but the *deixis* reminds the viewer of the circumstances surrounding his death. While in this footage, the viewer sees the officers' perspective as the events take place, the viewer cannot unsee the image that they've already seen of Floyd's death. With that image preceding the release of body camera footage, the recording does not serve as an objective point of view but rather just as a reminder of the horrific incident which occurred, and the shared perspective with the offending officers (a view which we can label as aggressive/perpetrator) adds an additional layer of disgust.

The way the footage of George Floyd gained traction across different forms of media and came into meaning reflects the writing of Frank P. Tomasulo, who writes that “history is defined as the *discourse* around events, rather than those original events that prompted the discourse in the first place” (Tomasulo 69). Tomasulo considers this argument through looking at the case of Rodney King, which first introduced the potential of videographic evidence in the discussion of police brutality. With the claim that history and understanding of a historic moment is heavily influenced by the discourse surrounding that moment, it is also important to note that there can be many differing viewpoints of what constitutes truth and factuality; if many people view an image, there are multiple views of what the “truth” of that image is dependent upon the lived experiences/personal beliefs of each person. This multiplicity of views is only exacerbated by media and the digital. “...our concepts of historical referentiality (what happened), epistemology

(how we know it happened), and historical memory (how we interpret it and what it means to us) are now determined by media imagery” (70). Through the media’s presentation and through public interpretation, an image does not simply serve as proof of evidence, but rather serves as a beginning point for discourse. And through this discourse, the image gains its iconic/symbolic place within a historical moment.

Analyzing the Rodney King videotape captured by George Holliday, Tomasulo notes that Holliday’s “noninterventionist, seemingly straightforward and objective mode of production allowed the videotape to be used as a national Rorschach test of sorts, whereby each citizen reacted to the scene according to his/her own subjectivity and experience (often based on gender, class, and race)” (75). In addition to each viewer approaching the video through their own perspective (mediated through their experience of being-in-the-world), the footage as it was shown on television was often accompanied by a “story” as told by news anchors, experts, etc. Through the combination of personal opinion and public discourse surrounding the tape, the public inevitably formed a cohesive understanding of the narrative attached to the video. Despite the defense attorneys’ efforts to present the evidence in a different way, in fact urging jurors to see the events from the officers’ perspective, the video only served as visual proof of unnecessary use of force and institutional racism—the public’s interpretation of the video. If citizens react to video evidence of a scene with their own subjectivity and lived experience, how does that become complicated when viewing footage which has been captured by the body camera? We may approach the footage with a determination to remain objective and to view it from our own subjective experience, but the camera’s attachment to the officer’s body makes it more complicated than that. As will be discussed in the third chapter, when watching movement, especially embodied movement, we succumb to “double-identification,” and must remain aware

of the fact that we are experiencing intersubjectivity while watching any type of embodied movement, but especially so when watching footage captured from a camera attached to a human form.

Tomasulo also points out that “human beings rarely enter a situation, historical or otherwise, with a fresh, untainted perspective” (82). Our approach to body camera footage is no different. Due to the nature of its footage and the timing of its release, the body camera and the images it captures can almost never be viewed with a fresh perspective. Even if alternate footage is not released before the body camera footage, people will apply their already-formulated opinions on the image through their own lived experiences with police, racism, etc. The image is tainted before it is ever viewed, making it impossible to claim that the body camera is an objective device. While it may aim to be objective, its footage will never be viewed as such.

Through viewing the ways in which indexicality functions within the body camera and the images it captures, as well as the ways in which images of police brutality travel through social media, it is clear to see that the body camera is a problematic device. As will be discussed in the following chapter, the body camera is complicated through its embodied view and the varying ways in which we, the viewers, identify with and respond to the footage that we see. The “work” that is done in order to judge what is seen on tape is affected by this shared embodiment but also by the significations that I have just discussed. Understanding that there is a level of fetishization of the grotesque alongside public discourse and opinions is crucial to approaching released footage. As seen in the examples of the Capitol riots, Anjanette Young, and *American Murder*, body camera footage is more often than not viewed alongside some type of commentary or additional contexts; the Capitol footage was accompanied by Eric Swalwell’s narration, the footage of Anjanette Young’s home accompanied by an interview with Ms. Young and narration

from news reporters, and the body camera footage seen throughout *American Murder* is interwoven with texts and captions. In each case, we not only witness the footage, but we also approach the footage with additional contextual knowledge that is given to us. When body camera footage is released to the public, it is entering a landscape which is already laden with opinions and moral perspectives that may influence how its images are received. This, in combination with the complexities of its embodiment, make the camera more complicated than merely acting as a surveillance device.

Here, I also want to briefly consider the concept of “double-identification” as discussed by Jean Baudry in relation to Lacan’s theorization of the mirror phase. In his “Ideological Effects” essay, Baudry writes about the double-identification that takes place when one is watching a film onscreen. Using the mirror phase as reference, Baudry describes the two forms of identification which take place while watching something transpire onscreen: identification with the image itself which “derives from the character portrayed as a center of secondary identifications, carrying an identity which constantly must be seized and reestablished” and identification of the objects which “permits the appearance of the first [identification] and places it ‘in action’—this is the transcendental subject whose place is taken by the camera which constitutes and rules the ‘objects’ in this world” (Baudry 540). While these two levels of identification are being used by Baudry to describe the identification which takes place while watching a film, they can be additionally attributed to any type of media which allows for a viewer to observe and witness actions and bodies on a screen. I find Baudry’s discussion of these levels pertinent largely because of this additional note:

“[...] the spectator identifies less with what is represented, the spectacle itself, than with what stages the spectacle, makes it seen, obliging him to see what it sees; this is exactly

the function taken over by the camera as a sort of relay. Just as the mirror assembles the fragmented body in a sort of imaginary integration of the self, the transcendental self unites the discontinuous fragments of phenomena, of lived experience, into unifying meaning.” (540)

Again, though Baudry’s analysis is aimed at the motion picture, his commentary of how and with what the viewer identifies is relevant to the following chapter’s discussion of how the body camera’s embodied view shapes the observer’s perspective. If—considering Baudry’s comments here—even just the presence and acknowledgement of a camera in a space, aimed at moving subjects, forces the spectator to more strongly identify with the camera’s perspective rather than the subjects captured in its images, then how does the *embodied* camera affect viewer identification? The following chapter explores this question further, but it is interesting to note the underlying psychoanalytic semiotic theory that can be utilized when looking at body camera footage and how viewers respond to what they see unfold.

4 PHENOMENOLOGY, EMBODIMENT & THE BODY CAMERA

In the first chapter's analysis of the three instances of body camera usage, I noted the various embodied perspectives that the body camera takes as well as how those perspectives were meant to alter the viewer's understanding of the corresponding events and their contexts. In looking at the examples of the Capitol riots, Anjanette Young's home raid, and the documentary, we can see that the embodied perspective of the body camera is something that cannot be detached from the image. Because the embodied view is so attached to the device, it is important to consider how we may approach the body camera phenomenologically. This chapter aims to further explore how embodiment affects the viewer's understanding of footage captured by a body camera as well as how the embodied perspective can be considered within a phenomenological study.

Before delving further into the value of applying the phenomenological method to analysis of body camera footage, it may be useful to answer the previous chapter's question regarding who viewers identify with when watching footage from an *embodied* perspective. A 2018 study completed by researchers interested in the judgment of body camera footage overwhelmingly showed that "observers of body cam footage may be more likely to engage in a process of perspective taking [...] and, thus, adopt the motivational stance of the actor in question" and, through this perspective taking, avoid negative blame in courtroom cases (Turner 1202). The researchers compared observer reactions to body cam footage versus dash cam footage and found that the embodied view of the body camera creates psychological attachments with the "actor," or person wearing the camera, which may create a sense of empathy for the perpetrator of violence. While the viewer has access to context and more information aside from the footage that they see, the embodied perspective that the body camera provides makes it more

difficult to observe the images onscreen in an objective manner. The researchers note that “when police videos depict negative outcomes, the motivation of the wearer may be to avoid blame” (1202). In seeking to avoid blame, the observer may overlook cases of abuse or attempt to justify an action. This complicates the “objectivity” of the body camera’s footage. If a jury is presented with body camera footage in court, who will they side with? The perpetrator or the victim? If thinking of the footage used in the Capitol riot, it is easy to empathize with the officer who wears the camera, which was used effectively. If the footage from Ms. Young’s case were shown, however, how might a jury respond? While easy to notice wrongdoing, the embodied perspective still forces a connection between the wearer and the viewer. The study postulates, and I agree with this claim, that the identification with the wearer is due to the movement that the observer mimics while viewing the footage. The study defines this as “dynamic imagery” and notes that “static information about an actor’s identity [e.g., a face] matters less in this context than does dynamic imagery [e.g., the movement of the actor’s arms], because the latter conveys additional information about how the incident unfolds in real time, including subtle cues as to the actor’s mental state” (1203).

We see this in the three examples discussed in the first chapter, especially in the Anjanette Young footage, where the various embodied views indicate the discomfort and nervousness that the offending officers feel as they realize that they’ve gotten their information wrong. While it is infuriating to see their treatment of Ms. Young, it is also difficult to fully separate identification with the body that the camera is attached to. This identification complicates our relationship with and judgment of the footage, and this study provides evidence of the fact that due to the embodied nature of the footage, the viewer is unable to completely observe what they see taking place onscreen in an objective manner.

The question of identification is important to our understanding of how to view body camera footage, so it is essential to consider the different forms of identification which occur in cinematic movement. Though body camera footage is not definitively a documentary or fiction film, it does function as a form of the cinematic, so it makes sense to apply these theories to the footage which we've discussed here. Sobchack considers this in her own writing, and in her discussion of the complexities that are attached to modern technologies, she writes:

“[...] technology never comes to its particular material specificity and function in a neutral context to neutral effect. Rather, it is historically informed not only by its materiality but also by its political, economic, and social context, and thus it both co-constitutes and expresses not merely technological value but always also cultural values. Correlatively, technology is never merely used, never simply instrumental. It is always also incorporated and lived by the human beings who create and engage it within a structure of meanings and metaphors in which subject-object relations are not only cooperative and co-constitutive but are also dynamic and reversible.” (Sobchack 137)

This assertion is relevant to modern technologies such as the cell phone or computer which are handled by human hands, but if we apply this thinking to the body camera, it is clear that the camera—even if it were *not* attached to a body—would still be laden with the subjectivity that comes from the lived experience of the person who handles the device (which relates back to the questions surrounding the camera's indexical images). Though the body camera is not “handled” by an operator, it is still influenced by the “actor,” whose bodily movement shapes the viewer's understanding of the images they see.

Since Sobchack recurrently refers to Meunier's writing and because identification is such a large aspect of approaching body camera footage, it seems pertinent to look at Meunier's

writing on identification directly, especially his definition of identification and the different forms of movement/identification that he sees within moving images. Meunier describes identification as follows:

“a behavior of private intersubjectivity, [...] a question of the comportment rooted in the terrain of anonymous intersubjectivity – a sort of generic coexistence of subjectivities – but subsequently structuring itself in a personal relationship, that is, in the behavior of private intersubjectivity.” (Meunier 118)

This concept of *intersubjectivity* fits well with the body camera and the dilemma we face as viewers of its footage—we attempt to view the footage objectively as outside observers, but we become tied to the actor’s body, forcing shared subjectivity with the person who wears the device. Meunier also notes:

“In its participatory form, as in all its other forms, identification is in fact motoric and mimetic in nature. And yet, mimicry, we can recall, consists of a postural or psychomuscular attitude that aims to reproduce the behavior of the other person in order to understand it. What the spectator possesses at the end of the film is, therefore, not a conceptual knowledge situated on the level of rational thought, but a knowledge that is somehow ‘bodily’ in nature. In figurative terms, we can say that the spectator remains impregnated by the other person – possessing, that is, in the form of motoric or bodily traces, the behavior of the other person.” (145)

Though Meunier writes this in relation to how spectators respond to fiction or nonfiction films, we can see—in the research done on observers’ reactions to body cam video—that “impregnation” is relevant to the body camera. The adoption of physical movement creates a psychological tie to the actor rather than to the events that the actor witnesses. Because the body

camera is not placed at eye-level, while we do see events take place from the officer's perspective, we more so witness the body's behaviors and responses within different situations. In the examples used in the first chapter, we receive the "bodily" knowledge of what it looks like to be a victim of undue violence (Capitol riots), to be the perpetrator of aggressive invasion (Anjanette Young), and to be a passive observer in a home (*American Murder*). While the footage from these cases aims to show observers the contexts of each event, what we take away after viewing the footage from each case is the embodied subjectivity of the actors. And, as in the above research, we feel fear, guilt, and calm, respectively, in each case.

In that the body camera in the above cases was used as a means of documentary, or proof of an event taking place, it is clear that body camera footage will be received within a nonfictional, evidentiary context, regardless of the forum in which it is used (documentary film, news, courtroom). Since the body camera and its footage is inherently linked to the documentary genre—and its main traits—I believe it necessary to consider how phenomenology and embodied subjectivity functions within the nonfiction genre and how it affects the traditional role of the viewer within documentary. Sobchack has written frequently on the ties between phenomenology and documentary, with a particular focus on the role of audience perception in documentary films. In her "Toward a Phenomenology of Nonfictional Film Experience" essay, Sobchack writes on the different emotional responses that viewers experience watching certain films, noting that for some, a documentary or home movie may be experienced more as a fiction film, or vice versa. This conversation on the embodied experience of a viewer and how they may emotionally react to viewing certain footage is important in the conversation of how the body camera may shift how viewers respond to particular footage. Sobchack refers to Meunier and notes that when we watch a documentary, we are "looking both *at* and *through* the screen,

dependent upon it for knowledge” (246). In the documentary genre, the viewer must take on an active role in identifying important information that pertains to the story that is being told. While the film aims to present this information to the spectator, it is ultimately an act of work which leads the viewer to understanding the purpose and meaning of different images and narratives provided to them. Sobchack refers to Meunier again to emphasize the importance of engagement within documentary films:

“For Meunier, the intentional objective of documentary consciousness is *comprehension*, not evocation. In the documentary experience, the spectator engages in a mode that Meunier calls ‘apprenticeship’ to the film object. That is, identification in the documentary experience involves a *process of learning* that occurs *contemporaneously* with viewing the film.” (249)

Sobchack and Meunier define two differing forms of comprehension/consciousness that happen within the documentary: longitudinal and lateral consciousness. The viewer’s longitudinal consciousness is their awareness of how all the different pieces of a documentary will come together to form a coherent narrative, that there are parts to a whole. Lateral consciousness is the understanding that “past images are accumulated and inform present meanings that intentionally direct consciousness toward the revelation and significance of future outcomes” (250). Or more simply, the documentary viewer is aware of how these elements of the past (evidence, footage, images, narration, etc.) are all in combination in the present, through the film, in order to display a narrative. As these pieces fit together, “lateral consciousness is thus structured as a temporal progression that usually entails causal logic as well as teleological movement” (250). The viewer works alongside the documents/filmmaker/editor in order to make meaning of what they see.

Sobchack also notes that viewer's bodily and perspectival difference from the events/persons onscreen are affected by the investigative work he or she must perform. She writes that "our relation to the filmed person or event remains a relation of otherness and exteriority" and that "the labor involved in the cumulative comprehension of the person in general or the event in general creates a distance between [the viewer] and the image of the person or event" (251). This separation between the viewer and the person/event reaffirms Baudry and Meunier's arguments on double identification, again showing that the viewer, even if viewing non-embodied images, places themselves at a distance from the person(s) they see onscreen. With a normal, static camera, the viewer recognizes this distance and can utilize an observatory view and interact with what they see as a means of forming the longitudinal and lateral consciousness which Meunier described. Sobchack ends the essay stating that "a phenomenological model of cinematic identification restores the 'charge of the real' to the film experience. It affirms what we know in experience: that not all images are taken up as imaginary or phantasmatic and that the spectator is an active agent in constituting what counts as memory, fiction, or document" (253). This affirmation of the documentary spectator as active agent is particularly useful to considering how the body camera can be used within documentary, as it literally provides embodied, teleological movement and positions the spectator as active agent, allowing for them to view events/persons in more detail than a regular camera can provide.

Sobchack further applies phenomenology to documentary film in her book, *Carnal Thoughts*. Throughout her different pieces on documentary, Sobchack consistently notes the role of ethics within the nonfictional genre. In discussing the portrayal of death in documentary films, Sobchack writes that there exist "highly charged ethical stances that existentially (but always also culturally and historically) ground certain codes of documentary vision in its spectacular

engagement with death and dying—also, so visibly charged, also charge the film spectator with ethical responsibility for her or his own acts of viewing.” (Sobchack, “Carnal Thoughts,” 227). This charge is apparent in the aforementioned study in that viewers of body camera footage may attempt to “avoid blame” when viewing violent scenarios. In documentary film, because the viewer takes on such an active role within the consumption of the film, their ethical/moral responses to what they see onscreen become complicated, especially when viewing death or abuse. This ethical dilemma becomes further complicated when viewing body camera footage as a document or as proof of an event which took place. The viewer becomes, through the embodied perspective, actively involved in the events taking place (aggressive/passive), bodily tied to the participants within that space (perpetrator/victim).

What can the viewer do with these images? How do they use them? Sobchack questions how the viewer’s understanding of footage can affect their perception of its meaning and questions the difference between the “irreality” of fiction film and the realism of documentary, wondering how viewers are able to tell the differences between the two. Mirroring her arguments in the previously discussed essay, Sobchack asserts that cinema is less a *phenomenal object* and should be considered more as *phenomenological experience* (260). Again, focusing her attention on the documentary film, Sobchack notes that a viewer’s knowledge and experience of something, in this case the documentary, will always vary. Each spectator will approach a text differently based on his or her own experience in the world and culture which determines the ontological meaning behind the images they see. This reiterates her earlier comments on how one viewer may view a home movie as a fiction film, and another viewer may see it as a documentary. It isn’t possible to concretely say a documentary is more rooted in the real than the fiction film. What marks the difference between the two is our response to their content, how we

determine their relation to reality or “irreality.” The viewer’s own knowledge and experience in the world helps them determine a shift from fiction to documentary. Sobchack explains this further:

“...the charge of the real that moves us from fictional into documentary consciousness is always more than a generalized existential in-formation of the image or the mere ‘response-ability’ of our actual bodies. The charge of the real always is also, if to a varying degree, an *ethical charge*: one that calls forth not only response but also responsibility—not only aesthetic valuation but also ethical judgment. [...] It remands us reflexively to ourselves as embodied, culturally knowledgeable, and socially invested viewers.” (284)

Again, through this statement, Sobchack asserts that the documentary viewer very much has a moral role within the documentary, relying upon their acknowledgment of their own being-in-the-world (including their biases, privileges, etc.) which affects how they view particular footage. The longitudinal and lateral consciousness cannot fully operate without the viewer’s understanding of how their own embodied experience plays a role within their comprehension of a documentary’s message.

How, then, can body camera footage and the movement and perspectives it provides help the documentary viewer in forming their consciousness and actively engaging with a film? To answer this question, we can refer to authorship on the camera and embodied movement. Particularly useful in thinking about the body camera in particular is Teresa Castro’s writing. Castro, in her essay “An Animistic History of the Cinema,” discusses animism and the complexities the camera faces when it is viewed as a “being.” She references earlier writings which grappled with the camera and its duality, being neither human nor inhuman. “[...] the

camera came to evolve in an in-between realm where subjectness and objectness are constantly negotiated, uniting ‘the camera,’ its ‘operators,’ and ‘the spectator’ in an intersensory, lived assemblage” (Castro 250). This description of constant negotiation of autonomy that the camera grapples with is a perfect example of the complexities that are tied to the body camera. Operating on its own, intended to function as a purely objective view, while directly attached to a human body, places the body camera, perhaps more so than other devices, in a strange position. How can the body camera attempt to distinguish itself from the human body which directs it? As part of an assemblage containing the officer’s body, where does the camera assert its own subjectivity? How does the camera’s embodiment affect the persons who watch its footage?

Thinking about how the camera can distinguish itself from the human, Castro focuses on what makes the camera *animate*: camera movement. “An animistic history of the camera should [...] be particularly attentive to those movements that succeed in turning it into a sensible, meaningful ‘other:’ a present and embodied (but invisible) (quasi)subject” (250). This concept of simultaneous presence/invisibility is an accurate descriptor of the body camera; the camera exists on the front of the police officer’s uniform, but the officer has no control over what the camera captures. The officer, through their own movement, directs the camera’s view toward a particular point, but the camera captures images only of what it sees. The camera’s directionality is affected by the body, but its perspective is its own. A shift of fabric, change of lighting, etc. can alter what the camera picks up in its view. While a change of light may not affect the officer’s view, it will affect the camera’s perspective. Thus, while the device is attached to a human form, its view is still inhuman.

In an analysis of *Leviathan* (Castaing-Taylor and Paravel, 2012), Castro further discusses machinic subjectivity, taking particular notice of its *perspectivism* (the multiplication of points of view). Writing on the use of camera movement in this film, Castro writes:

“ [...] the filmic multiplication of points of view manifests only one subject: the camera, gone from ‘technical individual’ to acting agent among other human and non-human agents. [...] What then *animates* the camera here is not its bodily motion, but the fixity of its gaze, its duration in time, its capacity to see differently [...]” (252)

She goes on to liken the camera to an unblinking eye (here we can think back to Dziga Vertov’s *kino-eye* as well). We can further consider the body camera in relation to the eye. Again, while the police officer and the camera share *movement*, do not share the same *views*. Whereas the officer’s human eye may shift attention away from the events taking place in front of them, shifting focus, the camera ‘eye’ does not shift attention away from its subjects, instead capturing a full landscape, unblinking and unphased by its surroundings. Here, the camera does demonstrate its own subjectivity since its focus is its own, but it will ultimately shift perspectives when the human body makes any movement. Again, the constant oscillation between subjectivity/objectivity that the camera deals with complicates the argument that the camera is objective. While the camera, in its ‘unblinking’ and technicality, has the potential to see objectively, it is also consistently obstructed by the movement of the human body which wears it.

While the footage captured by the body camera is not intentionally made as a “documentary film,” the video is received as a document—proof of something that has occurred in the past, made available for us to witness in the present. Considering that this is how we approach body camera footage, the arguments made by Sobchack, Meunier, and Castro, in

combination with the study of reactions to body cam video, show that a phenomenological approach to body camera footage is beneficial to our understanding of its functionality. While most of the writings referenced here were written with documentary film in mind, it is clear that the body camera is something which functions as a documentary film in itself and which can be used within documentary, as is seen in *American Murder*. Thinking of the ways in which body camera footage functions similar to the nonfiction genre, we may be better able to apply the phenomenological method to future studies of the body camera as a device and of the images it captures.

5 CONCLUSION

Through analyzing the various ways in which we experience embodied movement while watching body camera footage and considering semiotic and phenomenological approaches to the body camera and the footage it captures, it is clear that the body camera is more than a mere observatory device. With the body camera becoming more common in police forces, the questions raised here will hopefully be raised in casual discourse as well. As more footage becomes available to the public, it is important that we approach the footage we view with an understanding of how the camera's embodied perspective affects our judgment and understanding of events. And in addition to the embodied perspectives that we adopt through watching these videos, it is paramount that we apply outside knowledge and context to the videos in order to best approach the images that we see.

As in the case of *American Murder* and Sobchack's discussion of nonfiction phenomenology, if videos recorded by a body camera are to be used in a documentary context, be it a nonfiction film or just as a document in court or on the news, then their embodied movement adds another layer to the complexities of identification which we already grapple with within media studies. Theoretical writing on nonfiction heavily relies on the movement of a purposefully manipulated camera, but the body camera is not manipulated but merely pointed. If a viewer watches a documentary such as *American Murder* where body camera footage is interlaced with outside videos, images and contexts, then the viewer is able to "work" to formulate an understanding of the situation at hand and come to a conclusion. If viewed on its own, the body camera footage may solely present the lived experience of the person who wears it; in the case of the Capitol riots, the observers in the court room witnessed only the fear and helplessness that the officer felt as the camera took on the victim point of view as rioters aimed

their weapons. This is contrasted, however, by the videos of the invasion of Anjanette Young's home. If viewing the footage on its own, outside of any news broadcast, the viewer witnesses twelve minutes of different officers' perspectives, mimicking their hesitant movement and behaviors. In watching the video on its own, the viewer can pick up on the fact that a mistake was made but may try to "avoid blame" through the shared connection with the officers who realized their wrongdoing. Watching the footage alongside Ms. Young's interview, however, shifts perspective and highlights the horror that she felt in the moment, and may create further avoidance of blame as the viewer shifts between Ms. Young's testimony and the embodied view of the persons who intruded her home. Outside knowledge of a case's context as well as the editing that accompanies the footage from the case—cuts, zooms, added interviews or narration, selecting a particular time frame—influences viewers' reactions to images just as much as the embodied views themselves. Editing techniques take part in sculpting meaning, pointing the viewer to particular details or omitting others. However, it is ultimately the viewers' own responsibility to determine their interpretation of and reaction to the images that they see, granted that they take into consideration how both editing and context can impact their approach to a particular image.

Looking at the different ways in which we can approach each of these cases hopefully demonstrates that the body camera's perspective is too complex to write off as merely "observatory" video. As discourse surrounding the body camera becomes more common, both academically and socially, our attention should shift away from aiming to view the footage objectively, looking for "proof" within a certain situation, and instead should shift attention to how do we physically respond to the footage we see? How are we meant to respond? How do our bodily reactions to footage inform our understanding of what we have witnessed? Through

approaching footage by looking at the stances of passive/aggressive, we can begin to answer these questions. In cases of aggressive action or treatment, if our initial response is to avoid blame, avert our eyes, or shrink away, then we can ascertain that the embodied view (and its actor) are guilty of wrongdoing. In cases where we do not feel it necessary to avoid blame, it is likely that we are witnessing a passive scenario or a scenario in which no wrongdoing has occurred. If the latter, then it is interesting to question who the actor is interacting with. How do interactions differ when a subject is a person of color (Anjanette Young) versus a white person (Chris Watts)? Viewing footage in terms of aggression and passivity can be our first step, and from determining which type of embodiment we are mimicking, we can then look to other factors within the video to form judgments about what we see.

Of course, as was noted throughout the second chapter, there are external forces that influence our understanding of and interaction with these videos, but if we pair our conceptual knowledge with the embodied experience that we receive through these videos, we can better assess different situations. This strategy works well for our—the public’s—approach to body camera footage, but how can police departments shift their views on the body camera (if they are even willing to)? It is clear that the body camera is too complex to merely observe situations and that its presence at a scene does not necessarily discourage officers from misconduct, but police departments continue to use body camera footage as a means of protecting the officers on their forces. Could dash cameras be more effective in providing a third eye? Surveillance cameras? The question poses a new dilemma because no camera could be as “present” as the body camera, going everywhere with an officer at all times, but the “body” of the camera’s view makes it too difficult to be objective. Are there alternative surveillance methods that could be used? It is not

likely that another device could be as functional as the body camera, so the body cam is here to stay.

If the body camera is what police departments are intent on using to surveil their officers, then it is especially prudent for viewers and scholars to note the issues that the body camera presents and to approach their viewing of body camera footage in a formulated way. Hopefully the approaches and questions introduced throughout this thesis provide a new pathway to body camera discourse. Certainly, as technologies evolve and viewing practices shift, our approach to viewing this footage will have to alter as well. But for the time being, approaching body camera footage at a two-step level can help to better formulate judgments of certain situations and provide a means in which to discuss the footage that we see and how that footage functions in discourse, in court, and in film. It is unfortunate, but we are likely to see more cases where body footage viewing is essential to becoming aware of wrongful situations and having a better process of approaching these videos can only benefit our discourse on the subject.

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