

Call for Papers (abstracts due August 10, 2016)

Visual Data as Accountability, Resistance, and Surveillance

For a special issue of *Law & Social Inquiry*

(Journal links: [Wiley](#) / [American Bar Foundation](#))

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Overview

The capture, analysis, and dissemination of visual data—including video (with or without audio), photographs, and other visual recordings—has become ubiquitous. Facilitated by digitization, globalization, and the proliferation of mobile media, visual data is transforming the documentation of activities in a wide range of contexts, including policing, legal adjudication, war, human rights struggles, and civic action. Visual data is being collected by state actors and individual citizens, each often documenting the actions of the other. The use of this data as *evidence* (both inside and outside formal legal proceedings) raises significant issues related to privacy and ethics, authentication and credibility, interpretation, inequality, power, and legibility. Law is implicated at both the point of recording (or documentation) and during downstream activities, such as when recordings are shared or posted online, publicly disclosed under freedom of information laws, or introduced into evidence during legal proceedings.

Different technologies afford different viewpoints. Visual data constitutes a unique form of information that presents emergent legal and policy questions because of its technical form and social effects. The mobilization of visual data can shape and reshape public opinion, representation, suppression, visibility, inequality, and admissibility of evidence; it can serve to incriminate or exonerate. Visual evidence can legitimize certain accounts of events while calling others into question. And, thanks to the proliferation of mobile devices, more people can capture video and photographs than ever before, at a moment's notice, simply by pulling out their phones—and can distribute them instantaneously, creating visual records of all types of behaviors and conflicts, from confrontations between citizens and police to political gaffes, from sex tapes to dashboard camera footage of traffic-related events. The recent adoption of police body cameras and the use of video by bystanders as a tool for inverse surveillance demonstrate our increasing reliance on video as a check on power, as well as a source of ostensible authority when accounts about “what really happened” are in conflict. At the same time, the crucial role of interpretation suggests video is not as much of an “objective observer” or independent witness as it is sometimes claimed to be, and visual evidence may have unforeseen implications for weighing evidence in civil or criminal cases—or in the court of public opinion.

Permissive freedom of information laws in some jurisdictions have also led to recordings made by the police ending up on websites like YouTube—alongside myriad channels of police misconduct videos filmed by citizens. All of this footage increases the secondary visibility of those captured in recordings, and the video itself can also be analyzed as (potentially) a new form of big data.

Audio and video streams contain biometric information that can be detected, analyzed, and compared against existing databases—while also adding new data to these databases in the process.

The creation, dissemination, mediation, interpretation, and quantification of visual data are all fundamentally social processes. From citizen video of police (mis)conduct to the visual documentation of human rights abuses, the process of transforming material experience into digital evidence can facilitate accountability or resistance. These citizen-led forms of surveillance also function as forms of resistance to more panoptic forms of state-sponsored video collection and surveillance (e.g. camera-enabled drones, CCTV cameras). On the other hand, police-worn body cameras also act as an accountability mechanism, even though they face away from officers and collect evidence about—and document the conduct of—civilians. These forms of mobile, user-controlled cameras significantly alter earlier reliance on more static and passive video collection.

As technological developments far outpace empirical research on—and legal regulation of—visual data, this special paper symposium in *Law & Social Inquiry* will provide an opportunity to highlight new empirical work with connections to law and policy, serve as a venue to build theory about a rapidly changing subject, and showcase research relevant to a variety of stakeholders—including lawyers, judges, law enforcement, legislators and policymakers, activists and civil and human rights organizations, technologists, and academics in a variety of fields.

We welcome contributions that present original empirical research; offer conceptual, critical, or theoretical analyses; or address the unique legal, ethical, and policy questions implicated by visual documentation. We welcome scholarly contributions that come from—or that cross—academic disciplines such as sociology, law, information science, anthropology, science and technology studies, criminology, geography, communications and media studies, and computer science.

We encourage submissions addressing (but not limited to) such subjects as:

- Body-worn cameras, dashcams, policing practices
- Citizen video/video as human rights advocacy
- Covert and overt recording
- Video as surveillance and sousveillance
- Resistance to and avoidance of audio or visual surveillance
- Design and regulation of audio or visual surveillance systems
- Unanticipated consequences of audio or visual records
- Use and interpretation of audio or video as evidence in legal proceedings
- Data storage, access, and retention policies
- Algorithmic practices of metadata extraction from video content
- Image processing
- Technical means of privacy preservation and authentication
- Audio and video analytics and forensics
- Audio and video redaction and privacy concerns
- Live streaming
- Video/audio and public opinion
- Voyeurism, victimhood, and the ethics of viewing

- Affective aspects of video
- Embedding human values into the design of video-related technologies or systems (e.g. value sensitive design or privacy by design)
- Implications for inequality
- Facial recognition or other forms of biometrics enabled by audio or visual documentation and recording

Deadlines and anticipated timeline:

- **Initial abstract submission deadline (~ 500 words): August 10, 2016**
- Authors notified of (tentative) acceptance: August 30, 2016
- Full papers due (based on accepted abstracts): December 1, 2016
- Papers sent out for peer-review: mid-December, 2016
- Reviews returned to authors (with editorial decisions): expected, Feb.-Mar. 2017
- Publication in 2017

Specifics about submissions:

Initial abstracts should contain approximately 500 words. Subsequent full paper submissions should contain fewer than 10,000 words (including footnotes and citations), and should contain a 200-word abstract and biographical information about the authors on a cover page. Invited full paper submissions will undergo formal double-blind peer review, which is expected to take between 1 and 3 months (submissions that are not selected for peer-review will be released back to the authors quickly). All submissions should be submitted in editable Word (*.doc/x) or *.rtf formats, and should adhere to the formatting and citation requirements of *Law & Social Inquiry* (available at http://www.blackwellpublishing.com/pdf/lsi_author_guidelines.pdf).

All submissions should be sent to the editors via email to LSIvisualdataspecialissue@gmail.com. Please do not submit to this special call via the regular *Law & Social Inquiry* journal submission portal.

Additional questions may be sent to the editors at the same address.