

CIMS Oversight Committee Meeting Minutes

May 18, 2016

BoS Hearing Room, 6th Floor Town Hall

In Attendance:

Committee Members: Chair Susan Howards, Jack Corrigan, Ian Polumbaum, Sam Scott and Harry Chaveriat

Town Staff: Chief Daniel O'Leary, Officer Scott Wilder, Officer Casey Hatchett, Austin Faison

Members of the Public: Frank Farlow (TMM), Linda O. Pehlke (TMM), Clint Richmond (TMM), Kade Crawford (ACLU)

At 5:30pm Susan Howards called the meeting to order. Susan stated that any concerns regarding the posting of minutes should be addressed to her as Chair of CIMS Oversight Committee. Going forward, Chair Howards stated she will oversee the posting of meetings and minutes. Also, she clarified that the Committee meets on an "as needed" basis.

Chair Howards moved for approval of the meeting minutes. Mr. Corrigan pointed out two corrections that needed to be made and the Committee approved the minutes.

Chair Howards then asked Chief O'Leary to present the year end CIMS report. Chief O'Leary started by pointing out that at the last meeting (Oct 2015) the Committee talked about the cameras being on 24hr/7 due to being replaced. He reported that information was also included in both the 2015 Mid-Year report and the 2015 Year-End report on the CIMS Cameras which is posted widely and provided to the Board of Selectmen. He informed the Committee that the Hammond/Boylston St is not currently working but the other 10 are currently in operation.

Chief O'Leary stated that as of the summer, we had upgraded the cameras but that they are now functioning because we have been unable to find shrouds that can fit these cameras. The cameras were either outdated or damaged. The shrouds are no longer made and the BPD has researched having some custom-made shrouds but the price was not approved by UASI.

Mr. Polumbaum asked what the concerns would be about shutting the system down manually. Chief O'Leary explained that the old system was fully automated to open and close the shrouds at prescribed times and when an override was needed the entire system could be "unshrouded" in seconds. The new system is able to be set on a timer and does not allow for an "all on/off" function, it would be manual for each camera and time consuming.

Chief O'Leary reported that after he notified the Board of Selectmen re: the camera upgrades and issue with the shrouds, he discussed with Mel Kleckner and Neil Wishinsky about having a

public hearing and that, unfortunately, other issues arose during this time and that hearing has not yet happened.

Chief O'Leary then reviewed the 2015 Year End Report on CIMS use, explaining that the report is shorter because there are less uses to be recorded and reported due to the cameras being on. Specifically, the need to analyze "overrides" and "off hours missed incidents" is not needed when the cameras are operational 24/7. The committee then reviewed the cases which were recorded during the last six month period.

Chief O'Leary explained that the new cameras are clearer, but not enough to read a plate (while in standard use). Chief O'Leary highlighted the use of the CIMS cameras in the shooting/stabbing that took place this January. Also, he reported that in 2015, the cameras assisted in investigating two citizen complaints against officers.

Officer Scott Wilder then showed screen shots of the current cameras and the improved clarity. Ms. Crawford of the ACLU asked if in PTZ (pan, tilt, zoom) if the BPD could get better detail and Officer Wilder answered yes. Officer Wilder also explained that the old cameras were running 24/7 and when shrouds were closed, black screen was recorded. The shrouds also all turned off/on at the same time.

Officer Wilder explained that each agency in the UASI region is an island with their camera systems. We cannot go look at or collect camera footage in another community. Other communities cannot look at our footage without our permission. There are many steps and policies that need to be followed to put that in place and we have only done so for the Boston Marathon, and that is still standard viewing. Scott reported that all 9 cities and towns in UASI have their own policies, hours, length of retention and are not networked as one large system.

Mr. Polumbaum asked about Boston PD getting video footage from Brookline and Officer Wilder explained that they cannot go into our system and get that themselves but have to follow our policy for requesting footage. Officer Wilder also reiterated that other agencies cannot control our PTZ capabilities.

Frank Farlow then commented to Chief O'Leary that Town Meeting (TM) voted to prohibited the cameras from running 24hrs/day and only when a compromise was met of part day use did TM approve. He asked Chief O'Leary if the Selectmen knew when we upgraded the cameras that they shrouds would not work and the Chief stated they did not because he didn't know the shrouds wouldn't work and it wasn't until Spring 2015 that the BPD realized the shrouds would not work. Chief O'Leary pointed out that this was discussed at the October 2015 meeting and that following the meeting he spoke with Selectmen Wishinsky and they discussed having a public heard but that has not occurred yet due to other pressing matters taking.

Mr. Corrigan then pointed out that the CIMS Oversight Committee has, for some time, supported turning the cameras on 24 hours a day and have made this recommendation to the Board of Selectmen.

Mr. Polumbaum clarified that TM voted a resolution not a by law and that the Selectmen voted to go part time with a policy. Then in 2013, the CIMS Committee recommended 24 hour operation and an expansion of the retention period from 14 to 30 days so that that the Town would be in compliance with State law but that the selectmen have not acted on those recommendations. Mr. Polumbaum went on to explain that TM then voted again to maintain status quo on the cameras a second time. He also reiterated that this was a resolution and not by law or prohibition and that cameras are a public safety issues. He stated that the BPD is not in violation of a by law and that they appropriately notified the CIMS Oversight Committee and the Board of Selectmen.

Chair Howards also noted that the CIMS Oversight Committee had previously discussed upgrading the cameras and were aware this was needed.

Mr. Corrigan then asked Ms. Crawford if the ACLU's opinion on camera use has changed given the current national situation (police use of force incidents against minorities). Ms. Crawford stated that what the ACLU is opposed to is the networked systems, like NYC's "ring of steel" which allows police to track people from camera to camera throughout the city. Ms. Crawford stated that the ACLU does not oppose pop-up cameras at events where there are safety concerns but more so oppose systems which allow for pervasive surveillance. When asked about body cameras by Mr. Corrigan, Ms. Crawford stated that body cameras need good policy but only record interactions between law enforcement and individuals they are interacting with and could prevent abuse.

Mr. Polumbaum pointed out that fixed cameras networks that are government operated have recently been used to assist the public against unlawful charges and abusive police action. Mr. Polumbaum pointed out that there may be a shift in opinion for cameras now that they have been used to assist the public and not for some nefarious reason.

Mr. Corrigan then asked Chief O'Leary why we do not have cameras in the police cruisers and Chief O'Leary explained that the Town was unable to successfully bargain their use with the union.

Clint Richmond then asked for a chronology of the cameras which were damaged and replaced and the process of the Board of Selectmen accepting grant funds from UASI. Chief O'Leary explained that a camera meeting was cancelled in early 2015 due to snow, but that he sent a letter to the Board of Selectmen. Chief O'Leary countered that he would be out of policy if the cameras were turned off 24hrs/day, just like if they were turned on 24hrs/day. He states that he chose to keep them on for public safety reasons.

Linda Pehlke commented that the public was not notified and the Chief pointed out that we produced and widely distribute twice a year a report on the CIMS use and this information was included in the 2015 mid-year report and the 2015 year-end report. These reports are posted on the Police Department website. Mr. Corrigan also stated that the Committee has publicly noticed meetings with publicly posted minutes.

Ms. Pehlke stated she would like additional research on adding the shrouds back to cameras.

Mr. Polumbaum stated he believes people are not displeased with the committee for not coming to an opinion on the value of the cameras, but that some people are unhappy that it's the opinion they were not hoping for.

Mr. Farlow asked if the Committee had any charge to keep the community informed. Mr. Corrigan stated that the Committee verifies the activations of the camera, reviews the reports on its use and has made recommendations to the Board of Selectmen.

Mr. Farlow advised that the Board of Selectmen add a component that involves keeping the community informed.

Next the Committee had a brief discussion on the use of the Automated License Plate Readers (ALPRs). Chief O'Leary reported that the one APLR the BPD has is still in the box and not in use. This system includes two cameras which would be affixed in one cruiser. Ms. Crawford asked if the BPD subscribes to the Vigilante Solutions which collects plate information and location and Chief O'Leary reported that we do not.

Ms. Pehlke asked if the NETA cameras were Police cameras and the Chief explained they are private cameras, not part of the CIMS system. Mr. Corrigan said he believed that they were required by DPH policy to have cameras.

The meeting was adjourned at 6:53pm.