|  |  |  |
| --- | --- | --- |
| Seal2  **CHARLES D. BAKER**  Governor  **KARYN E. POLITO**  Lt. Governor | The Commonwealth of Massachusetts  Executive Office of Public Safety and Security  One Ashburton Place, Room 2133  Boston, Massachusetts 02108  Tel: (617) 727-7775  TTY Tel: (617) 727-6618  Fax: (617) 727-4764  www.mass.gov/eopss | **TERRENCE M. REIDY**  Secretary  **ANGELA F.F. DAVIS**  Asst. Undersecretary |

Law Enforcement Body Worn Camera Task Force

When: February 22, 2022

Time: 9:30am- 11:00am

Where: Via Microsoft Teams

***Members Present:***

Chair Angela Davis

Chief Steve Sargent

DA Michael O’Keefe

Deborah Batista

Attorney Emiliano Falcon-Morano

Fred Taylor

Attorney Grace Lee

Attorney Hilary Farber

Officer Israuel Marrero

Attorney Rose King

Sgt. Timothy King

Sheriff Patrick McDermott

Attorney Stephen Carley

Tim Mitchell

Officer Kaleigh Marshall

Mayor Sarno

***Members Absent:***

Vice-Chair Cpt. Steven McCarthy

Attorney Alyssa Hackett

Chief Thomas Fowler

Sheriff McDermott

Attorney Steven Brooks

Officer Carmelo Ayuso

Officer Joseph Santiago

**Call to order & attendance, 9:30 a.m. to 9:35 a.m.**

Chair Davis called the meeting to order at 9:35am once a quorum of members had been established. Roll call attendance was taken.

**Vote to approve 2.8.22 minutes, 9:35 a.m. to 9:40 a.m**.

There was a motion to approve the minutes by DA O’Keefe, Attorney King seconded the motion. The motion carried; the minutes were approved.

**Public Comment Section, 9:40 a.m. to 10:00 a.m.**

No members of the public entered comments to the Task Force.

**Discussion of records requests, fees, Chief Sargent 10:00 a.m.**

Chief Sargent began discussion regarding public records requests. As part of the body camera technology when the footage is uploaded there is an automated redaction software that aids in the redaction process; it is important to note that this does not alter the state of the original video. Chief Sargent stated that the footage still goes through the legal department and it’s reviewed by staff to ensure the redaction is correct. A department dedicated to Public Records Requests is being considered as it is a resource heavy process.

Atty. King asked Chief Sargent how the smaller municipalities are handling the increase in public records requests and is auto redaction software costly? Chief Sargent informed the Task Force that the auto redaction software is included when the camera is purchased. Chair Davis asked if it was a standardized feature; Chief Sargent responded that is a standard feature.

Sgt. King stated that many smaller municipalities are waiting for the report to be presented before any decisions are made. The attorneys will inevitably negotiate a higher rate than what is standard due to the increase in volume.

Chair Davis asked if there have been conversations regarding regionalization; Sgt. King responded that there have been conversations but nothing substantive.

DA O’Keefe would like the Task Force to further discuss cost to be included in the report. He asked as the Task Force charge stands is this something that could be included in the report. Atty. Walker stated that there is nothing in the statute that requires cost to be included but the Task Force may further explore if they chose. Atty. Walker reminded the Task Force that these are recommended regulations allowing smaller towns to mold how they would like to implement; they have the choice to adopt or not to adopt.

It was stated that local municipalities should be made aware of the ongoing cost of redaction, storage, public records requests etc. Chief Sargent stated that the long-term deal of body cameras is costly. Chief Sargent will develop a breakdown of what the cost in his department has been. Chief Sargent noted that in the 6 month pilot program his department ran; there was a notable increase in public records requests and anticipates that will happen once the program has been fully implemented.

DA O’Keefe stated that the Police Departments should provide the legislature with a pitch to let them know the municipalities will need assistance in relation to the cost of the redaction process. Chief Sargent responded stating that the Task Force will know what it will cost to start the program and within a year there will be a full understanding of the cost. The department is considering a civilian sector to work alongside the Lieutenant and Sargent’s as a portion of the redaction unit.

Chief Sargent will provide a cost analysis for the next meeting; Sgt. King will follow up with Chief Fowler regarding the cost for smaller departments.

Fred Taylor inquired about charging citizens for records request if it is an hourly process. Chief Sargent responded that most of the time there is a bundle request from the DA’s office. The department tries to charge by the pay grade of the officer if the workload is timely. Often a bill is not sent, however media outlets and newspapers have been receptive of charges as they understand it is timely. The average citizen would not have to worry about a charge if they are requesting a single video or report.

**10:40 a.m. & Cpt. McCarthy Body Cam Video demo**

A video demonstration of the body camera was shown to the task force. Fred Taylor asked if there was a 30 second playback on audio when the mute button is selected. Chief Sargent responded that there is a 30 second playback on video but not for audio. Audio begins when the video is turned on. Officer Marrero informed the Task Force that the loop is intended to show the actions leading up to the body camera being activated. Not all cameras allow the mute button to be enabled, however that is a discussion that can be articulated to possibly not have the mute function. Officer Marrero stated that it is possible to recommend that the mute button be utilized in certain instances such as interviewing survivors of sexual and/or domestic violence.

**Subcommittee updates, 10:40 a.m. to 10:50 a.m.**

Chair Davis thanked the subcommittees for their continuous efforts to compile a draft for review.

Privacy and Record Keeping: Comments are currently being reviewed by the members and comments are being received by Suleyken with a deadline of Friday.

Chair Davis reminded the Task Force that the drafts can be revisited at any time, and it is not only the drafting committee that is able to revisit the edits that are made.

Drafting Subcommittee: The subcommittee continues to meet and are currently working through the document to review the language as well as the stylistic elements. All edits that are being made are being preserved in the document to allow for a history of changes. Both the clean document and the working draft document will be provided.

Atty. Walker reiterated that the subcommittees may continue to meet and if there are reoccurring opinions you may take a vote and bring it to the attention of the larger task force to present both opinions.

A discussion began related to the possibility of the public being able to view the draft. Atty. King stated that it is a good idea to bring a draft before the public for their opinion however we should ensure the draft is in good order. Atty. Walker also stated that instead of the public judging on what the Task Force needs to do instead they can focus on the presentation and substance. Atty. Falcon agreed to present the draft to the public by April to allow for adequate time to review and keep everything coherent.

**Topics not reasonably anticipated, 10:50 a.m. to 11:00 a.m.**

There were no further comments discussed.

**Adjournment, 11:00 a.m.**

There was a motion to adjourn made by Fred Taylor, the motion was seconded, and the meeting adjourned at 10:45am.