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| 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**

**July 19, 2022, 9:30 a.m.**

**Via Microsoft Teams**

**Members Absent:** Grace Lee, Steven Brooks, Carmelo Ayuso, Kaleigh Marshall, Chief Sargent, Mayor Sarno, Deborah Battista.

Chair Davis called the meeting to order at 9:31 a.m., attendance was taken, and a quorum was established. A motion was made and passed to accept the July 19, 2022 meeting minutes, as amended, into the record.

Members of the public were invited to comment. Anne Marie Grant commented that she believes the current policies won’t be enough, she is very concerned the decisions will be left up to departments. She feels disappointed in the composition of the Task Force membership and that some members are not showing up to meetings.

Chair Davis introduced Chief Fowler to speak on the use of BWC’s during search warrants. Chief Fowler pointed to section R.5.4. Recording Requirements, suggesting that a BWC should be worn during warrants. Discussion ensued, with some members stating that BWC are an extension of an officer’s view. Alyssa Hackett stated that getting permission from a judge is a good thing. Hillary Farber suggested it is more about transparency asking judges to approve use during a warrant. Chief Fowler asked what if a judge doesn’t approve it, then what is an officer to do? Hillary Farber suggested if a judge denied use that would indicate that privacy is more important in that situation. DA O’Keefe suggested that the more control judges have on the use the better. More discussion regarding pros and cons of the language ensued. Chief Fowler suggested that if a judge denies use, that a small handheld camera could still be used, to which DA O’Keefe agreed. Alyssa Hacket suggested that search warrants may not need BWC use due to the lack of resistance or use of force during those instances. Steven McCarthy disagreed, suggesting that the BWC use during warrants is important as in his experience there is an increased concern for use of force or resistance. Tim King stated a BWC is a safety device, to which Hillary Farber disagreed, stating it is also a form of accountability. Fred Taylor said he believes BWC should always be on and agrees with Steven McCarthy that warrant situations can be contentious. Steven McCarthy added that since officers do not know what they are walking into warrants do have higher incidents of force and resistance.

Chief Fowler made a motion to strike language from R.5.4 “Applications for a search warrant shall specifically request use of a BWC during the execution of a warrant.” Motion was seconded by Tim King, vote was taken and did not pass with 6 No, 6 Yes, and 2 Abstaining. Language will remain.

Chief Fowler suggested that we change the word “shall” to “should”, discussion ensued. The group decided to move on.

Alyssa Hackett proposed adding language “All law enforcement officers who would reasonably be expected to interact with members of the public shall wear a body worn camera regardless of rank.” The group suggested it may fit under Definitions “Body Worn Camera User”. Chief Fowler expressed concern for undercover law enforcement, to which Steven McCarthy suggested adding “…in accordance with department policy.” Motion was made by Steven McCarthy and seconded by Fred Taylor to add Alyssa Hackett’s language, as amended under Definitions “BWC User” section:

*“All law enforcement officers who would reasonably be expected to interact with members of the public shall wear a body worn camera, in accordance with department policy.”*

Discussion ensued Stephen Carley suggested a review of the draft to decide term to use “agency” vs “department”. Group agreed that “agency” is better for consistency, Chair Davis will amend draft.

Vote was taken to add the language and passed with 13 Yes and 1 No.

Chair Davis shared that the Task Force could vote to accept draft, motion was made by Rose King and seconded by DA O’Keefe. Stephen Carley suggested needing more time for review, and Rose King withdrew her motion.

Chair Davis will share updated draft with Task Force today and requested that all edits come to her directly by Friday 7.22.22 the latest. Next meeting will be 7.26.22. at which time final edits will be approved and the draft will be voted on.

Members of the public were invited once again to comment, there were no comments given.

A motion was made and passed to adjourn at 11:22 a.m..