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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 26, 2022, 9:30 a.m.**

**Via Microsoft Teams**

**Members Absent:** Grace Lee, Carmelo Ayuso, Deborah Battista.

Chair Davis called the meeting to order at 9:32 a.m., attendance was taken, and a quorum was established. A motion was made and passed, to accept the amended July 19, 2022 meeting minutes, with one abstention into the record. Mayor Sarno requested his July 11, 2022 letter to the Task Force, which refers to his successfully implemented BWC program, be entered into the record (see attached).

Members of the public were invited to comment. “Jen” spoke to the need for language in the recommendations to specifically require BWC always be in “on” position, and that the placement should be center middle of chest. She added that unholstered guns should trigger BWC to activate automatically. Anne Marie Grant commented that fear mongering does not work, that the report should be written before viewing the video. Mayor Sarno and Chief Clapprood of Springfield spoke to their successful program which has been operating for years. Fred Taylor as representative of the NAACP expressed he is grateful for the Task Force language in the report draft.

Chair Davis reminded the Task Force that they each received copy of the most updated draft with the only edits submitted by Stephen Carley on behalf of the AG’s Office below:

* *The BWC user is not required to initiate a recording, and may pause or terminate an ongoing recording, under the following circumstances;*
* *A recording would significantly interfere with training, evaluation, supervisory activities, law enforcement strategy or operations, or court operations;*
* *Prejudice or interfere with an individual’s exercise of a lawful right, peaceful protest, free expression or other constitutionally protected conduct;*
* *Constitute unnecessary and undue interference with an individual’s reasonable expectation of privacy;*
* *Jeopardize the safety of a victim, witness, confidential informant or undercover officer;*
* *Prejudice an ongoing investigation;*
* *Interfere with the collection of evidence pertinent to an ongoing investigation, including but not limited to evidence to be provided by a victim or witness who otherwise refuses to provide such evidence while being recorded;*
* *When ordered to do so by a supervisor or more senior law enforcement official, provided that the supervisor or official will provide the reason for doing so on the recording prior to termination or in a separate report; or*
* *When recording would otherwise prevent or materially disrupt a necessary and legitimate law enforcement action.*

Chair Davis introduced Stephen Carley to share his thoughts around the submitted language. Stephen shared he felt the specificity of the language allows for better recommendations from the Task Force. Vice Chair McCarthy suggested that these issues were discussed at length already and it was decided to leave discretion to the individual agency. Chief Fowler asked for clarification on the bullet point pertaining to peaceful protests. Stephen Carley explained that these rights need to be protected and to prevent a chilling effect, to ensure citizens are not discouraged in any way by exercising their basic rights. Rose King commented that these are recommendations not policy, and the AGO’s suggested verbiage gives back too much discretion. Rose felt we should reject the newly proposed language. Emiliano Falcon-Morano agreed with Rose as well as Hillary Farber and Alyssa Hackett. Hillary suggested that the new language reintroduces discretion, which was discussed at length with the Privacy Subcommittee, and she does not favor the language.

Stephen Carley made a motion to accept the new language, which was seconded by Mayor Sarno. More discussion ensued. Tim King said he was on the Privacy Subcommittee when it was discussed and it was agreed that agency policy would be followed, therefore we do not need the new proposed language. Tim also mentioned that collective bargaining is still on the table.

A vote was taken to accept the new language from Stephen Carley, the motion failed with Stephen Carley, Izzy Marrero and Mayor Sarno voting in favor, the rest were opposed.

Next a motion was made by Tim King to add Stephen Carley’s suggested edit “by agency policy…” under first bullet of section R.5.4. Vote was taken and motion passed with one “No” vote from Alyssa Hackett, and an abstention from Emiliano Falcon-Morano.

Chair Davis said she would share final copy of the report with all members this week and it would be posted on-line for the public soon after. It needs to be submitted to the legislature by July 31, 2022.

Fred Taylor made a motion to accept the recommendations, seconded by Izzy Marrero. Motion passed to accept the recommendations with one “No” vote from Mayor Sarno. Chair Davis thanked EOPSS staff for assisting the Task Force, and went on to thank the Task Force Members for their hard work and time. Members of the Task Force shared their individual gratitude for the respect and commitment of the membership.

A motion was made and passed to adjourn at 11:28 a.m..

***\*attached is a July 11, 2022 letter from Mayor Sarno to the Task Force***