

Public Health and Safety Committee

Approved minutes

Call to Order at 7:02 pm

Roll call: Cara Silverman, Josh Sotos, Trustee Felice Borisy-Rudin, Bill Muehl by telephone. Jim Rogers arrived 7:10 pm. Cara Silverman leaved 8:45 pm.

Staff: Chief Aaron Chapin, Village Administrator Karl Frantz, Administrative Services Manager/Deputy Clerk David Sykes

Guests: Trustee Mark Lederer, Laura Stephenson.

Note compliance with open meeting law, meeting has been properly posted.

Approve previous meeting minutes from 7-24-17 and 10-3-17. Cara Silverman moves to approve. Josh Sotos seconds. Minutes approved 5:0.

Presentation by Police Chief Aaron Chapin on body worn cameras to get provide his vision on their use, and to solicit feedback from community members on concerns.

UW implemented body worn cameras about 2 to 2 ½ years ago. Chief Chapin previously worked with UW. A study has recently shown that implementing body worn cameras doesn't modify behavior. Chief Chapin is not surprised at this. Goal of body worn cameras is not to be a catalyst to create change, but as a great tool for officers to help better capture evidence, and to help supervisors to evaluate and advise on officer interactions. Cameras would not be recording 24/7. Instead he anticipates 2 to 3 hours use per shift.

Trustee Lederer asks whether there would be a written policy, and Chief Chapin would offer the UW policy as a template, or if he recommends some differences from the UW policy. Chief Chapin explains that the expectations for UW are that if there is a camera available, the officer on patrol is expected to use it. Chief Chapin recommends avoiding "shalls" in the policy, and using "shoulds" instead. UW recommends that officers advise people on encounters that the encounter is being recorded, and it is now a routine part of their greeting. UW also allows under certain circumstances for a victim to request that a camera not be used for the interview. This option is not provided to suspects. There is some concern about protection for confidential informants. There is also some concern about confidentiality issues at the UW hospital or VA. However, these concerns can be dealt with through video redaction. Chief Chapin would prefer to default to utilizing the cameras, rather than not.

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There is a bill before the legislature dealing with body worn cameras, including retention (120 days), and situations with a reasonable expectation of privacy (home, hospital, not in public eye, etc.) require consent of all the people involved prior to release of any body worn camera footage. Currently, under UW policy, where students have a reasonable expectation of privacy, such as a dorm room, at a reasonable point the officers will inform that the officer is wearing a body worn camera that is recording. They only offer to turn off the camera where there is a victim. Also, currently under UW's system, L3 (which we have in our squad cars), video is downloaded into their server at the police department, and they have IT professionals who manage the video. The records are managed in house. Alternates available elsewhere include cloud-based and server-based servers. We have the capacity to do in house storage, that uses our existing storage solution.

Laura Stephenson would also like a written policy. She asks how the police would decide when the cameras are turned on, which 2 to 3 hours. Chief Chapin answers that the 2 to 3 hours would be cumulative, on average. Cameras would be expected to be on during entire call for service, during the time that the officer is in an official police contact. The new system we are considering would connect to the squad system, which activates on certain triggers. E.g., as soon as the lights are activated, the squad camera and the body worn camera are automatically turned on. As feedback, Ms. Stephenson says that she likes that the camera would come on with the trigger, and that people are informed of the video. She also would like to know how to get access to the video. Chief Chapin answers that an open records request is the usual way, which would have a nominal cost for the digital medium, and for the time involved in redaction. He also would be willing, where there is no privacy concern, and where there is not an on-going criminal investigation, to allow a person to watch the video with him. In a criminal investigation, the police department would provide the video to the DA's office which would be responsible for releasing the video.

Laura Stephenson also asks, from a research perspective, how can the department use the data to find patterns? Chief Chapin says that supervisors should be watching the videos of contacts by the officers that they are supervising, in order to provide feedback, and sooner rather than later. Administrator Frantz mentioned UW's use of videos. Chief Chapin said that at the UW, supervisors watched a minimum of 5 videos per officers (from squad cars) per month, at least 3 to 5 minutes per video, and then discussed them with the officers. They also used the videos in in-service training sessions, especially coaching moments. UW also did a project on traffic stops, using all the traffic stop data, where a minority student under a paid internship watched 3 months worth of traffic stops, looking for signs of bias. As a result, they were able to provide feedback to officers, especially on things that the officers do or say that they might not have realized affected some people differently than others. Videos also provide supervisors with an opportunity to commend officers for work well done.

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Trustee Lederer asks about retention when there is a citizen's complaint about an officer. Under what circumstances would the record be moved out of the department? Chief Chapin says that the record of a criminal complaint would be shared with another agency for an administrative review, and also reviewed within police department.

Bill Muehl particularly likes the training potential of the body worn cameras, and notes that it takes exceptional leadership to do that delicately so that the training is remembered. He also likes the use of the body worn cameras to improve report writing. He also likes the ideas of the possibility of coaching moments, and sharing the videos with coworkers or beyond. He complements Chief Chapin on these purposes, because they will promote the best use of the cameras in making everyone more sensitive.

Jim Rogers, while noting that we have good officers in Shorewood Hills, wants to know what would be the weaknesses in the system that would thwart its use, e.g. turning off the camera. Chief Chapin agrees, and notes not using it at all is another issue. He recalls from when he first trained on squad car cameras, that there was an issue about whether they should turn off microphones for side-bar conversations. Initially, they were allowed to say, "microphone off" and turn it off, then turn it back on and say "microphone on." More recently, UW prohibited its officers from turning the microphones off. Currently, the videos are time-stamped, and everytime they are shut off they create a new video segment.

Jim Rogers also asks about evidentiary use of the extra data against sensitive populations. Chief Chapin says his philosophy on policing is that "the police are the community, and the community is the police." Within the Village, the officers and the staff know all of the residents. In the end, it comes down to the relationships that the officers have with the people, and how we treat people.

Trustee Borisy-Rudin asks whether more than one body-worn camera would be used in an incident. Chief Chapin says that if two Village officers are present, both would be expected to have their cameras on, but then in writing their reports, they would be expected to review all relevant video, not just their own. Having multiple perspectives may actually be helpful. Sometimes, what is captured on camera may not look exactly like what happened. Alternatively, what's recorded on camera may capture more than what the officers actually saw with their own eyes.

Trustee Borisy-Rudin asks about privacy policy when not a police action, but rather a community care-taker situation, such as assist EMS, whether there are circumstances where the officer should default to not having the video on. Chief Chapin is willing to consider that, and is open to comment or suggestions. Chief Chapin points out that our officers will be going into ER, etc., under certain circumstances, such as blood draws, but if their cameras are on, they will

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record people uninvolved in the police action, but who are in the hospital for their own unrelated medical issues. Also, we should be redacting juvenile faces on a regular basis.

Josh Sotos asks how accessible and capable of quick activation will the camera be, to allow quick response. Chief Chapin explains that is why he would default to having the camera on every time that there is an official police contact, such as a traffic stop, except for exemptions.

Trustee Lederer wants to know if there is a provision for a citizen to request a record to be destroyed. Chief Chapin states that he would have to look into that, but that usually the video is a public record, just like a police report. There may be some exceptions. If someone truly believed that their rights were violated, it would become a civil issue, and probably get turned over to attorneys.

Cara Silverman asks, regarding opportunities to be inside the home, opportunities to be interacting with juveniles, how will we deal with that? Chief Chapin says that he would default to having the cameras on, but we would use redaction software when appropriate to protect the identity of the juvenile if there are open records requests. May also, if necessary, blank out the juvenile's voice using the redaction software.

Jim Rogers says that a tight deletion time-frame with few exceptions, and clear policy as to who gets records under criminal proceedings. Chief Chapin agrees it will be important to be consistent.

Chief Chapin provides an overview of the three companies he is considering: L3 mobile vision (our current company for our squad cars); Watchguard (would not work with our squad car system, used by McFarland); and Axon (requires licensing their cloud based storage).

Jim Rogers asks where we go from here. Trustee Borisy-Rudin suggests that we have time to develop a policy, and that Chief Chapin could present the committee with a policy, noting areas where there is flexibility. Trustee Borisy-Rudin also suggests we compare with other municipalities' policies. Chief Chapin notes that Madison has made the choice to not have body worn cameras.

Police Report on activity and budget. Monthly summary of calls for service discussed. Chief Chapin presented summary, which should be attached to the minutes. Incidents have included stolen motor vehicle, and thefts from vehicle. Budget-wise we are on target for this year. Chief Chapin is working on getting the building camera quotes.

EMS/Fire activity report was emailed to committee members previously. Slight increase in numbers compared to previous year, but types of calls seem typical compared to past. Overall transition has been seamless.

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Date, time & agenda items for next meeting: January 8 or 10 at 7 pm. 1) Review list of action items generated by Riseling report; 2) Policies and procedures, including draft body worn camera policy; 3) Recruitment of additional part-time officers.

Meeting adjourned 9:15 pm.

Minutes drafted and respectfully submitted by Trustee Felice Borisy-Rudin.