

**City of Worcester Human Rights Commission Minutes**  
**VIRTUAL & IN-PERSON MEETING Monday, August 23, 2021, 6:00pm**  
**District 5 Listening Session on Police Body Cameras**  
**In person at IBEW, 242 Mill St, Worcester and Zoom**  
**ASL and Spanish interpretation provided**

**Video available: <https://play.champds.com/worcesterma/event/931>**

**Members Present:** Jacqueline Yang, Elizabeth O’Callahan (Zoom), Guillermo Creamer Jr., Lilian Chukwurah, LaToya Lewis, Edward G. Robinson

**Members Absent:** Lauren De Oliveira, Deidre Padgett, Jorge Lopez-Alvarez

**Staff:** Jayna Turchek

**Co-hosts/Guests:**

Matt Wally, City Councilor District 5  
Captain Carl Superior, Worcester Police Department  
Lt. Sean Murtha, Worcester Police Department  
Janice Thompson, Worcester Law Department

**Matt Wally:** I would like to thank everyone for attending tonight. I would like to thank the Commission for hosting this meeting for the District 5 listening session on Police body cameras. I would also like to thank the IBEW for hosting. This is the first of five listening sessions across the city. We are proud to receive the first comments on this type of session. The City Council has voted to move forward on a body camera program. For that process, we are having these sessions because it is extremely important to get the feedback from residents in the community. We want to implement this as soon as possible. We have applied for funding and after we have the listening sessions we will begin formulating policies and procedures which will eventually go to the City Council to review, and hopefully approve. Again, I want to thank you and I look forward to the comments. I do to recognize City Councilor Gary Rosen, who is in the audience tonight, thank you for joining.

**1. Call to order and Introductions**

A quorum was established by rollcall, and Chairperson Yang called to order at 6:05pm. The Chairperson welcomed members of the commission and those present.

Chairperson Yang began with an acknowledgement of the traditional, ancestral, territory of the Nipmuc Nation, the first people of Massachusetts and those who’s land we are convening on tonight. While the Nipmuc history predates written history, records from the 1600s inform us that the original inhabitants of Worcester dwelled principally in three locations: Pakachoag, Tatasset (Tatnuck), and Wigwam Hill (N. Lake Ave). It is important to make this acknowledgment and to honor the ancestors that have come before us. It is all too easy to live in

a land without ever hearing the traditional names and the history of the people who first resided and prospered in these lands and continue to reside and prosper.

The Human Rights Commission was established to promote the city's human rights policies. It is the policy of the City to assure equal access, for every individual, to and benefit from all public services, to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals in the city. Our work requires us to address institutional racism so that as a community we can achieve racial equity. Our work also requires us to make visible the unheard, unearned, and unquestioned privilege enjoyed by some members of our community to the detriment of others. We take time to make this acknowledgement, to educate, so a path can be cleared for healing.

Commissioner Lewis read the following definitions for clarification and understanding of all those present:

The term “**institutional racism**” refers specifically to the ways in which institutional policies create difference outcomes for different racial groups. The institutional policies may never mention any racial group, but their effect is to create advantages for whites and the oppression and disadvantage for people from groups classified as people of color.

The term “**racial equity**” is the active state in which race does not determine one's livelihood or success. It is achieved through proactive work to address root causes of inequalities to improve outcomes for all individuals. That is, through the elimination or shifting of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by race or fail to eliminate them.

The term “**privilege**” describes the unearned social power and informal institutions of society to all members of a dominant group. For example: “white privilege” and “male privilege.” Privilege is usually invisible to those who have it because we are trained to not see it but nevertheless it puts them at an advantage against those who do not have it.

## **2. Public Comment**

**Chairperson Yang:** I would like to reiterate that the purpose of this Community Listening Session is to hear directly from the community members. Members of the public are invited to share their thoughts and recommendations on the implementation of a Body Camera Program. Some questions we are seeking input on include:

- What are the benefits of a Body Camera Program?
- What officers should use them?
- When should body cameras be used?
- Who in the Police Department should have access to video footage?
- What kind of access should the public have to view footage?
- What types of instances should be public record?

- What recommendations for providing notice to the community when the Body Camera Program is implemented?

### **In-Person Comments:**

**Chris Weber:** I wonder what the camera quality is? I know that when I see surveillance videos that come out asking the public for help identifying a suspect, I don't know maybe it is my eyesight but it does not look that clear to me. I don't want to trivialize this, versus the analogy or metaphor that I am about to give but, sports replay. The spirit of the rule versus the reality. Instant replay in sports has gone from 'let's get the big misses correct' to frame by frame analysis, milliseconds, captured, high-def on a base or a goal line. I think that neither side ends up happy. I think, depending on which side of the equation you are on, you might be thrilled one minute and ten minutes later you're angry.

**Greg Stratman** (Candidate for District 5): I think this is a great program. I think it is going to be very beneficial for the police department as well as the public at large. A camera does not choose sides. The eye doesn't blink. It sees everything, in color and all you have to do is be careful what you say. I think it is a great idea and I wish you all the best of luck.

**Captain Superior:** In response to the video quality. It is true, a lot of times we share surveillance video from private businesses where the camera system is old and the video is fuzzy footage. That is the best we have a lot of times, but the quality is very low. The quality of the pilot program cameras were of high-definition cameras. They are much sharper. They are not perfect, but they looked a lot better than a lot of the surveillance footage I think he was talking about.

### **Zoom Comments:**

**Bobby Hazelton:** I am a little behind the curve on all of this. I was hoping to get some information tonight. Does the city and/or the police department have any recommendations? Is there anything that has been put forth that is either critiquing or offering different suggestions or are there any preferences from either the council or the police department and if so, where can we find all of this information?

**Councilor Wally:** The manager develops those recommendations... [audio issue- inaudible]

**Chairperson Yang:** We did have a meeting July 12, and the ACLU was present. They did give some recommendations of best practices. Those minutes can be retrieved on the City of Worcester website.

**Gordon Davis:** I have a similar question. One is, are the minutes of the meeting with the ACLU on the city website? What department is that under? Is it under Human Rights?

**Chairperson Yang:** Yes, it is under the Human Rights Commission.

**Gordon Davis:** Ok. Fine. The other question I have is: There was a pilot program. I never saw the recommendation or the findings of that pilot program. I suppose, they were positive. But I never saw them, I don't know where to find them. Can you help me with that?

**Chairperson Yang:** Ok sir, it is on the city website and Jayna can also email that directly to you.

**Gordon Davis:** If you could that would be good. Thirdly, who on the police is part of the committee that will form these recommendations to give to the Manager?

**Chairperson Yang:** There are no police officers. The Human Rights Commission will do the report and submit it to the City Manager and the report consists of feedback from the community.

**Gordon Davis:** Just to be clear, you are saying the Police Department will not make a recommendation, the Human Rights Commission will make the recommendation.

**Chairperson Yang:** Based on the 5 listening sessions.

**Gordon Davis:** So, the police department will have input, but they will not make the recommendations themselves. Just to be clear.

**Chairperson Yang:** Yes.

**Gordon Davis:** What role does the Public Safety Committee of the City Council play in this? I know they are separate entities from the Human Rights Committee and Mr. Wally is actually an influence on this meeting itself so maybe Mr. Wally or someone can tell us what role will the Public Safety Committee play in this process?

**Matt Wally:** I would imagine, this is an assumption based upon past practices, at some point City Council is going to see recommendations coming from the manager. I would imagine those recommendations would get referred to the Public Safety Committee at which time they would be heard and further discussed.

**Gordon Davis:** Thank you so much. But that won't be until next year because the listening sessions go through December. Is that correct?

**Chairperson Yang:** October, sir. The last one is October 18<sup>th</sup> in District 1.

**Gordon Davis:** Alright. Thank you. I would like to submit my recommendations, or comments, after I have heard the listening sessions, but in order to do that properly, I need that information that I've asked for from the Human Rights Commission and Public Safety, and the police itself.

**Commissioner O'Callahan:** I just wanted to share that I have linked a copy of our July meeting minutes in the chat for members of the public over Zoom, who are listening in. I am also looking to see if I can find a link for you, for the report from the body-worn camera pilot.

**Lucy Candib:** I think the City of Worcester has difficulty with the problem of transparency and also with the problem of lack of disclosure of public documents. These have been evident in the newspaper, they are not news, and the problem is that if we engage in having police cameras we are going to have a lot of data and we don't at this point have really good ways for that kind of data to be transparent to the public. We also have trouble, even up to the District Attorney level, of there being cover-ups. How are we going to create a system that will be transparent and

trustable, not to have cover-ups and to give the information to the public that it is due? Will we have to sue the city to get every single piece of information from one event? What will the method be to make sure it will work the way it is supposed to?

**Chairperson Yang:** We do have Janice Thompson, City Attorney, online. I am not sure if Janice could take this, in regard to Public Records Law.

**Janice Thompson:** Lt. Murtha can also address how this worked during the pilot program. We did receive a substantial number of public records requests for body-worn camera footage. There was a large amount of work that was involved in responding to each one of those requests, because of the amount of footage involved and because all the footage has to be reviewed prior to disclosure for privacy exemptions and redactions and things like that which I know Lt. Murtha spoke about during the July meeting so I don't want to duplicate what he has already spoken about.

The Public Records Law designates body-worn camera footage as a public record and so when requests for body-worn camera footage are made then the presumption is those are public records and so the City retrieves the requested footage, evaluates whether any exemptions are applicable to portions of that footage, to protect the identity of citizens involved or whatnot, or if the incident is fresh, whether that would impede on an ongoing investigation. Generally, the footage is disclosed, subject to any redactions (things like Social Security Numbers, victims of domestic violence incidents have to be withheld). All of the redactions are applied and then the footage is disclosed.

During the pilot program, which I believe involved 20 officers, there was a large amount of footage that was disclosed and I don't think systems are in place yet, the police department would have to address this question, specifically about systems that would have to be put into place in terms of staffing and processes for a department-wide program but the same type of process would have to be implemented on a much larger scale so that we could comply with all of the Public Records Obligations and the balancing of interests that we are required to perform.

**Chairperson Yang:** Lt. Murtha, do you have anything you want to add?

**Lt. Murtha:** Attorney Thompson was pretty thorough. The largest reason we won't be able to disclose will be domestic violence incidents which are a significant portion of our calls and nothing about them can be made public. She went over some other issues, but that is the big one.

**Commissioner Lewis:** Just looking back on some of the questions that some people have asked prior, from the meetings listed on tonight's agenda, I just want to bring some of them up: What officers will be using the body cameras once they become available.

**Captain Superior:** That is still unknown. We are going to take and wait on the recommendations of this committee but also the state and what their recommendations or restrictions are going to be. They might flat out inform each community that all officers will wear them or they might allow us some flexibility. Clearly, with the pilot program, there are some in our department that deal directly and consistently with the public versus different units that don't deal as directly and as consistently with the public. We are hoping to have some leeway but that will be dependent on other people that have input in these decisions.

**Commissioner Lewis:** So, you don't know how many body cameras you guys will be having?

**Captain Superior:** Once again, that will be up to, if the state makes the recommendation that all officers will wear them, then we will have to deal with those recommendations. If they give us latitude on that then it will be a decision through this Chair and everyone else involved that are giving input on how many officers, department-wide, will wear it. Unfortunately, the answers are not clear at this time.

**Chairperson Yang:** Can you tell us how many officers are in the department right now?

**Captain Murtha:** We currently have 376 funded positions for police officers, and we have 87 officials through the ranks of Sargent, Lieutenant and Captain. Then we have our Chief of Police and 4 Deputy Chiefs. I think it comes down to finances too. Obviously, the city has an interest in keeping costs down and certainly there is more bang-for-the-buck for the officers in the patrol cars answering calls to have a camera, then let's say a Deputy Chief. I think it depends on if we get budgeted a certain amount we will give them out a certain way but if we get more officers can have them. So really I think it depends on if we have the money.

**Commissioner Creamer:** Just quick clarification from the police department, you gave us the numbers for how many are on the force right now, given the 2020 census data that just came out. Where do the police stand in terms of how many are you policing for? In terms of us being over 206,000 residents. Are there enough police officers to police?

**Lt. Murtha:** I think that is a question that will be answered above our level. Obviously, the more people we have the more we can do but it comes down to money.

**Commissioner Lewis:** What amount of access will the officers wearing the body cameras have when it comes to the viewing and editing the videos of their body cameras? I know that they are allowed to watch the video for incidents, but what is their editing access when it comes to the footage?

**Captain Superior:** So, as far as access, we can only talk about what we have done in the past and not what is going to happen in the future. In the pilot program, all officers wearing body cameras had access to review all of their videos under certain circumstances. The only limitation, or exception, to that was when there was a certain use of force, we would require the officers to document the incident on a police report prior to viewing the footage. But, for any other incidents that were not a use of force, they were allowed to watch their videos prior to drafting their reports. As far as editing, they did not have any access to editing the video. Once the video has been captured it stays in its original state. The only time we do editing is in administrative levels for redaction for Public Records Requests.

**Steve Quist:** I wanted to thank you for hosting these public hearings. I think it is very important to hear from the community and to see how everyone feels and what their beliefs are. To Mr. Creamer's question, 206,000 with 376 officers, we are way under-manned. When we turn around and look at a pilot program on our cameras, that is resources, and our police department is not adequately funded. I've gone around through the neighborhoods and I was just up at the west side of Tatnuck at the grammar school and people are looking for more officers in the streets and we cannot put there what we don't have. So, when we go forward with this, I want to make sure

it is adequately funded. I want to make sure that when we turn around and budget for cameras, it is not coming out the police department. I want to make sure that we have adequate staff and I want to make sure we are giving the resources, the tools, to the police department to get their job done. I think as we move forward, I think cost considerations are paramount. When we look at doing police cameras, that is a change in work-condition, so that means we will have to go back to the bargaining table to be able to negotiate this so it is fair across the board for everyone that is involved. Those are questions that may not come up later, but they are very important to consider now. I really think, as we move forward as a city of 206,000 we need to increase the staffing of men and women in our police department. We are going to ask them to do so much, but we are not going to give them the resources to get the job done. It is important for everyone that when we take a step back, well this is great, it is open, transparency in government, there are times that public pressures will come out wanting releases of things that are just not going to be available because it is going through the court system, because it is being reviewed. We have before you a very great program, its important that we get it right, that we adequately fund it and that we can turn around and move forward as a community, together. Thank you.

**Chairperson Yang:** Has anyone in the audience reviewed the ACLU's Model Policy and have any comments on it? [Pause for response] Does anyone have any comments or recommendations for other department policies? [Pause for response] Ok. I just want to remind everyone that this is a listening session for the community and we are here to listen to recommendations, so as we prepare to close out this session are there any final comments or questions?

**Commissioner O'Callahan:** I would like to ask if it is possible for either the City or the Worcester Police Department, if it is possible, to post some comments in the Zoom, the links in a permanent and easily accessible location. It did take me a bit of time to find the report on the pilot program for the body-worn cameras. It was in the archives I was not able to find it on the City's website or the Police Department's website.

**Captain Superior:** I will talk to tech services and have them adjust the position on the website.

**Councilor Wally:** City Councilor Kate Toomey has been listening tonight and accepting the feedback. We have also been joined by City Councilor Donna Colorio.

**Sarah Blodgett:** I was wondering, just after listening this evening, let's say that all conditions were ideal in terms of the financing for the police department, in terms of having more officers and funding quality body cameras, I am wondering what the sentiment within the police department about wearing body cameras? Is there an objection to wearing them, if any, and if so, what is that objection?

**Lt. Murtha:** I think, with any big change there are different opinions about it. This is certainly a big change. I would classify the overall sentiment as positive. The majority of officers I have spoken to like the idea. I think some of the older officers are a little bit less eager to do it but the majority of people I have talked to have not had any strong objections.

**Captain Superior:** I agree also. But the reality is, we are public servants. We are here to serve the public and we have a lot of tools to use while doing our job and if this is something the city,

the commission and the police administration want to do, then we are prepared to do it and move forward.

**3. Adjournment at 6:49pm (motioned by Chairperson Yang, seconded by Commissioner Lewis, approved on roll call).**

**The next listening session will be held in District 4, on September 13 at the Chandler Community Elementary School, 114 Chandler St, from 6-8pm.**

Comments may also be submitted to [humanrights@worcesterma.gov](mailto:humanrights@worcesterma.gov). The deadline for public comment is Friday, Oct. 22.