

City of Worcester Human Rights Commission Minutes
VIRTUAL & IN-PERSON MEETING – Monday, September 13, 2021, 6:00pm
District 4 Listening Session on Police Body Cameras
In person at Chandler Community Elementary School, 114 Chandler St and Zoom
ASL and Spanish interpretation provided
Video available: <https://play.champds.com/worcesterma/event/950>

Members Present: Jacqueline Yang, Elizabeth O’Callahan, Guillermo Creamer Jr., Lilian Chukwurah, Jorge Lopez-Alvarez, Edward G. Robinson

Members Absent: Deidre Padgett, LaToya Lewis

Staff: Jayna Turcek

Guests:

Captain Carl Superior, Worcester Police Department

Lt. Sean Murtha, Worcester Police Department

Attorney Janice Thompson, City of Worcester Law Department

1. Call to order and Introductions

A quorum was established, and Chairperson Yang called to order. The Chairperson welcomes members of the commission and those present and introductions of those in attendance as well as roll call were taken.

Chairperson Yang began with an acknowledgement of the traditional, ancestral, territory of the Nipmuc Nation, the first people of Massachusetts and those whose 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, Tatesset (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.

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

Senator Moore: First of all, I would like to thank the Human Rights Commission and the city of Worcester for being very transparent in this process of going out throughout the city to input from its residents. I regret that I have not attended the other hearings so this is the first chance I have had to make one of the listening sessions. I think, this issue is one of the positives out of the police reform that was passed. I think it does address racism. It addresses accountability. In fairness to law enforcement and those who are dealing with interactions with law enforcement. The question I have for you is, part of the police reform that passed has a sub-commission or task force that has members of the ACLU, the Attorney General’s Office and various other advocates on both sides of the issue, you are looking at the policies and procedures that were established by the Worcester Police, I believe? The policies and procedures for body-cameras, the use, or the application of them, you are looking at recommendations that were put together by the Worcester Police or the City? I guess my question is, this task force is supposed to be looking at evidence-based national best practices, are you going to wait until those come out to implement these policies and procedures or are you going to go on your own initiative?

Chairperson Yang: I believe what we are doing is just listening to the input from community members and then compiling a report of recommendations.

Senator Moore: In this, when your listening sessions are over, is the plan to just have the city adopt what is currently proposed or are you going to wait for the state taskforce to list their recommendations?

Chairperson Yang: I refer that to WPD.

Lt. Murtha: Right now, there is no current proposal. We had a pilot program that had policies that were in effect during the pilot program. We haven’t proposed keeping those exact same

policies for the full implementation of the body-cameras. As to the question of whether we would go with the state guidelines or trying to create our own, I think it depends on the timing and the funding in terms of when the program starts. I know there are talks of next summer is when the state will come out with their recommendation. If we do start before then, then yes, I think we would have our own policies that we would have put in place before then.

Chairperson Yang: While we are looking to see if there is anyone online who would like to comment, some of the questions that are posed are:

- What are the benefits of a body camera program?
- What officers should use them?

I am not sure if people had time to read the report that WPD had submitted on July 21st to the Worcester City Council. One of the issues addressed was potential benefits of body-worn cameras. WPD would you like to speak on that?

Lt. Murtha: I do not have the report in front of me, but I can talk about some of the potential benefits. I think the main one is transparency. Everything the police do, ever public interaction, with few exceptions (ex: talking to sexual assault victims), the majority of public encounters would be captured on camera. That would certainly enhance transparency. It would also, for those critical incidents, everyone really wants to see exactly what happened and we would capture those. I think that is the single biggest benefit of body-cameras. That could lead to enhanced community confidence in the police department. It could lead to potential de-escalation, in a case where someone is getting upset with police and they are told they are being recorded, they may potentially calm down knowing that everything they do will be captured on camera and they may have to answer for it in court later. It can keep tempers from flaring too much. I think also, it is a very valuable training tool. We did some active shooter training, which the Captain was very involved with, and during that training, the officers wore the cameras. It was an intense training and very realistic. They were able to look afterward at exactly what they did and assess it with a more critical eye which is hard to do, sometimes, when you are in the heat of the moment. This was a training scenario that was filmed, but also, during the critical incidents, when they do occur, we will be able to go back and watch them, almost like an instant replay, which can be very helpful for training. I think there are several benefits to the body camera program. The main drawback that I see is the cost. There are certainly not cheap. I know there are state grants to be applied for but it wouldn't cover the whole cost. It would help though. We mention some other drawbacks in the report, but I think they are relatively minor. The big one is certainly the cost.

Captain Superior: The only thing I would add is that the goal of the police, with or without body-cameras, is to articulate the facts of any incident that we respond to. Not always is it easy for an officer, especially in a high-stress dynamic situation, to articulate every single fact just because his attention might not be focused on all things but only on one thing. The body-cameras and the ability to review those videos will allow all officers to give the best factual representation within their reports.

Commissioner Creamer: I have a point of clarification. I think you might have mentioned it at one point, but just for the record, for individuals under the age of 18, will those faces be blurred out at any point? I am not talking about the internal use, but for external purposes?

Lt. Murtha: Under public records law, currently, we do not release the name of juveniles. I don't think we release faces either. We probably wouldn't send the video out at all, would be my thought. But we would have to talk to the legal department and see what the S.J.C. and other legislature, what the rules are for public records and body-cameras. I would think that the restrictions on juveniles, their names and identities not being released, would also extend to the cameras.

Commissioner Robinson: I would like to ask a question. What kind of access should the public have to the footage? It would be a shame if someone saw my apartment. Who in the public would be able to view the footage and what redactions would happen?

[attempting to determine if Janice Thompson is capable of answering via zoom]

Chairperson Yang: When I was reviewing the policies and procedures for the pilot program, one of the things that struck me was the report writing. It is 2.9 on the report. And it says: "to help ensure accuracy and consistency body-worn camera officers may review the body-worn camera recording prior to preparing reports in cases where they have not used force." Moving forward, will that happen? Will people be able to have access to the footage prior to writing a report?

Captain Superior: As I stated earlier, our goal as police officers is to represent the most factual representation of the incident that we were involved in with a citizen. Our recommendation to this commission would be that officers should have access to those reports and may review them to help prepare the most accurate report they can. As Senator Moore stated, we will obviously be looking at best practices and what the state recommendations are on that, but there are a lot of benefits to the officer having access to the video to properly articulate everything that took place.

Chairperson Yang: Thank you. And who would have access to the video and would there be some type of policy, protocol or procedure in order to access the video footage? Like a log, just curious.

Captain Superior: Everything that takes place, as far as reviewing videos, is documented, recorded. At no point, once a video is created, can anyone access that video without leaving a record, a trail, behind. We can look back, even back in 2019, and look at a particular video and do an audit trail and see who actually accessed the video, how many times they watched it, and stuff like that. There is no way to review a video without a trail being left behind.

Chairperson Yang: I just want to say that Janice is having difficulty with her microphone. We will try her again, but I would also like to recognize City Councilor Mo Bergman who is present. Another question that was posed: When should body-cameras be used and who in the police department should have access to video footage? I think we just addressed this a little bit.

Gordon Davis: I have a question and it is: what officers would not have to wear the cameras? And, if the officers are in public, do they have to wear the camera? Is there a limitation being put

on the officers in terms of their option to use the camera or not and when and what officers are required to wear the camera?

Lt. Murtha: The short answer is, we do not have a final answer on that. I can speak a little bit more about it. I think, our preference would be that every officer had a camera. The only reason not to do this, in my mind, would be the money. There certainly is more bang for the buck in certain officers having cameras than others. It would be up to the city, not the police department, in terms of what they want to fund. The officers responding to 911 calls, for example, would be the first ones to have cameras. The officers working inside, behind the desk, would be less important. But still, there would be some benefit to them having cameras as well. It just depends on what the city decides is worth paying for in terms of number of cameras. Officers who are assigned cameras, we don't have the final policy yet but, we would have a policy where they would have to have the camera on them, and they would have to activate it when they dealt with members of the public. It would not be optional to not use the camera, or not turn it on, if they were dispatched to a call for example. I think really it just depends. It is a political issue in terms of what the city and the council. How important it is to them to have every officer covered versus the officers who are most likely to be involved in these intense situations.

Gordon Davis: This is a question to the Human Rights Commission, as well as to the police. Will the Human Rights Commission make the recommendation as to which officers wear the camera based upon the cost? Where do you get the most cost-efficiency? Do all officers get the camera and when do they use them? Who will be making these recommendations? Will they be made by the police department, or will they be made by the Human Rights Commission?

Chairperson Yang: Right now, we are looking for public recommendations, public opinions so that we can compile a report and submit the recommendations from the public as well.

Gordon Davis: My understanding is that we, in the public, do not fully understand the inner workings of the police, what is efficient or not efficient, and we don't make recommendations to the manager. This is done by the police department and by the Human Rights Commission. If you are saying that you are going to wait for me to tell you, or someone else to tell you, we are not experts, we cannot tell you. We can't tell you what we know about the police department because we don't know that much. Or even the inner workings of the Human Rights Commission because I see that there has been a change in the ordinance recently. So the question becomes, has it been decided who will make that decision about cost-efficiency, what officers get it, what officers must use it and so forth?

Chairperson Yang: that will go to the City Councilors to make that recommendation, as far as budget is concerned.

Gordon Davis: But you are going to make a recommendation to the manager. The manager makes a recommendation to the City Council. So, who makes the recommendation to the manager? Is it the police department, the human rights commission, or a combination?

Chairperson Yang: A combination.

Commissioner Creamer: I would like to make a point of clarification. What the gentleman pointed out is accurate, to an extent, but reality is that nobody knows. This is new territory for everyone. I think that is the most important part and that is why we are having these conversations. We need to ensure that the public does feel that they have an input in this because there are not “experts” here. The public still plays a role here, just like the Human Rights Commission is playing a role. Same way the police department is going to play a role. I think every one of us wants to implement a program that is just and will lead the city forward. I think that is what we are doing here. So, hearing from the public is just as important as hearing from the police department on what their recommendations are. That is why we are encouraging members of the public to speak and to give input and to state anything that they have heard or experienced. That is why these sessions are so important. It allows us to then come forward with some recommendations of our own. The City Manager has to listen to a variety of different recommendations.

Fran Anthes: I am really pleased, and I want to thank the Human Rights Commission and the Worcester police department for having these hearings. I think it is important that we know as much as we can beforehand, and I really appreciate the benefits the Worcester police department just laid out in terms of transparency and training. I may be stepping out on a limb here, further than Mr. Davis wanted to go, but I have no problem at all saying that I think our goal would be to have a bodycam in all public transactions. So those would be the officers on the street, I am not worried about the people behind the desk as the Worcester police department has talked about. I would think that if we really wanted to make this program work it’d be used very routinely, that supervisors would even be reviewing their staff. In this kind of a process, I don’t think that it would be widely open to the public, I would think that it would be more of an internal, police department thing, unless it became an issue of controversy. I respect what the police officer just said about how it could be used for training and that would probably be more of an internal issue than one that then became widely known. I very much appreciate the goal being to get transparency so that we have an articulation of the facts of the incident that can be widely accepted by the entire community, and I thank both the police department and the Human Rights Commission for asking our opinions on this. Thank you.

Karen Bollis (sp?): I actually live in Holden, but I am very interested in what is going on here with body-cameras. I am a proponent. I love the idea. I think it is necessary for transparency. I think its really great for record keeping. I would like to suggest that if and when we implement it that all officers, including animal control officers, officers at the window, that everybody gets an opportunity to have a body camera because some of these interactions are very important. Actually, all interactions with the public are important. We just never know which one you are really going to need for evidence. I do have some questions that I would like to ask to the Worcester Police Department regarding the July 21st report that we were given. I was looking at the pre and post combined survey, exhibit 4. I am curious to know what your input is or your thoughts are on the number 2 question. It says: “Do you think that body-worn cameras will increase or decrease citizen complaints against officer’s wearing body-worn cameras?” The pre survey, done before the pilot program, 15 people said they think it will decrease the complaints and in the post survey it charged from 15 to 5. For increase, it went from 1 person, before the pilot program, to 11 officers thinking that there will be an increase in complaints against officers. I am curious to know what your thoughts are with that.

Captain Superior: Thank you for the question. If I understand correctly, you are asking about question number 2 for the survey. I would first like to point out that this was very anecdotal. There was not follow up to the question. It was done anonymously with the officers. There were only 20 of them. Their response was recorded but then there was no follow up so it leaves a little bit of subjectivity to what you are looking at and the going from 15 to 11. This is a little tough to answer. Our goal, not only with question 2 but with all the questions, to see how the officer's perceptions or attitudes changed from the beginning, middle, to the end of the program and how they, after wearing the cameras for that time frame, changed or did not change.

Lt. Murtha: Like the Captain said, these are anonymous questions, we don't know exactly why the officer's answered how they did. I just thought it was interesting to get their opinions. There was a shift on this question. I will point out that we didn't actually have any complaints while running the program, so I am not sure what they were basing it on. They did change their opinions on that, it is interesting to point out, but we are not sure exactly why.

Fran Antes: I have a second question if that is ok. If, or when, the officers are able to use the body worn cameras, can they be used, without repercussions, if there are any internal issues, officer to officer (complaints or harassment)?

Captain Superior: For the body-camera, we only had them recording during interactions with the public, which would exclude internal conversations between officers whether it be at the station or somewhere else. They were only required to activate during citizen interactions.

Lt. Murtha: However, if the question is, for example, would an officer get in trouble if they were on a call and they are unhappy with another officer's performance on the call and that was captured on camera, they could bring that to the attention of their supervisors without any repercussion. The behavior of the other officer, on call, that was captured on video, in the context of public interaction. I am not sure if that is where you were going with the question, or if you were talking about recording at the station during role call or something like that.

Chairperson Yang: We have Senator Michael Moore that has a question, and he is here live.

Senator Moore: There is a lot of procedural changes that are being looked at. One of the reforms being looked at, I know Worcester already does in some fashion, that is if you have a mental health or substance abuse call, or another type of call in the preview, you try to call a specialist. Someone who is that area to come in with the police to try and help elevate the problem. My question is, if you have an officer that responds and then they call someone to come in from the program you have, would the officer still record then?

Captain Superior: Senator, we currently don't have an active program where we have peer recovery people to come in, actively, during an incident. I don't believe that has rolled out yet. But, to answer your question: if, and when, that does take place, the officers are trained that any incident that becomes sensitive in nature, like a mental crisis situation, that would be sensitive enough that the officer would be required to shut off their body camera. They would also consult

with the peer counselor to say that they are on scene and have a body-camera and ask if they would like them to turn it off. I think it would be dictated, case by case, with variables. If it is a Section 12 crisis that has not calmed down yet and they are trying to consult from a distance but there are still some safety concerns, then in that case the camera might still record.

Senator Moore: That was my concern. Someone might have an issue where they need their privacy. Thank you.

Theodore C.: I have a couple of questions, but I will start with just one. I think I understand that, during domestic violence instances, the cameras may be turned off. Is there any thought that if there was a notion that the situation might become violent that the cameras would be kept on protecting the person being abused?

Lt. Murtha: During the pilot program, if the incident was in somebody's house as an ongoing emergency, the officers would go in with the cameras on. If it was a calmer situation, for example there was a fraud call at someone's house or a hit and run had happened the day before, the officers would ask the homeowner if they wanted them to record inside the residence. If they said no, the officers would turn it off. Domestic violence situations are usually emergency situations so the officers would be recording. If, and when, the situation did calm down to a point where it was not an emergency, at that point they would ask the people involved if they would want then to record at the home. If it were a violent emergency, if people were screaming or anything physical were to be going on, the camera would be rolling.

Theodore C.: As a follow up question, discussing Section 12, sometimes they can be a little violent. It is a touch and go situation. Do you violate their HIPPA or not if you are recording. How would you handle that?

Lt. Murtha: I think that if someone was in a mental health crisis and they were, say, waving a knife around, that is something you would want on camera. Any time there is a violent or chaotic situation, you want that recorded. We also don't know exactly what is causing the person to behave like that. We might guess that it is a mental health crisis but we are not 100%. So, we would have the camera on for that kind of thing. If it was a calm situation where someone was describing their history of depression, for example, at that point I don't think the camera would be on. Any time there is physical action going on, that is something we would generally want to have on camera.

Karen Bollis (sp?): Will officers continue to keep the camera running if they come upon a situation where there is a felony animal cruelty but the person also going to potentially be Section 12-ed or has a mental health issue? In that case will the officers continue to keep the cameras rolling because now we are looking at felony situations, to be used as evidence or even exigent circumstances with animals in the house?

Captain Superior: the officers are going to predominately record in any situation with the public. We will train, as we did with the body cameras, that if anything were to reach a level of

heightened sensitivity then they will use their discretion of whether or not to continue to record. I think what Senator Moore was addressing was that, in those situations where there is a health crisis and we have a peer counselor or expert that comes on the scene to assist us, that is going to be at a level when everything has calmed down. We will never put them in harms way. So it will be after the fact. If it is a hostile violent encounter where things are still very unstable, that wont be the time for a peer counselor to be introduced so we will continue to record. I would like to also point out that the great thing about video is that just because something is recorded and the discretion maybe was wrong and we recorded something sensitive, it is just recorded but not released. It has to go through public records law before anything can be released. We have a second chance to prevent anything from going out to the public.

Commissioner Robinson: My question was, what access should the public have to view the footage and who gets to redact it?

Attorney Janice Thompson: The presumption is that we start with all the footage being public record but then it must be reviewed to determine if any exemptions apply. In many cases, as has been discussed, there is going to be cases where some of this footage is exempt, either in its entirety or portions of the footage will be exempt or redacted from disclosure. Part of your question was who reviews and makes that determination. I think that, that decision is still to be determined in the future for the future body-worn camera program for the city. During the pilot program, Lt. Murtha reviewed footage originally then I would do a second pass at any footage after he had done the initial review. There were at least two sets of eyes on any footage before it was disclosed. The police department and the law department work together to review all of that. I do not know the extent of the staff that will be involved in a future program because, I think, that will depend on how many officers are equipped with cameras, the amount of footage that will be involved, and so forth. I hope that answers that question. The presumption is that it is public but there are exemptions that apply, and both the police department and law department have reviewed the footage in the past. My expectation is that there would be a similar process in the future.

Chairperson Yang: We want to hear from you. We would like to thank people who have called in and showed up but we would also like to hear from more people.

Councilor Berman: My question is as follows, to whomever, on a civil matter that involved the Worcester police department, a car accident for example, once the police showed up and the body cameras were in use, would individuals be able to access footage to benefit their civil matter?

Lt. Murtha: I think that would be one for Attorney Thompson if she is still on. We would be rolling the cameras, I will say that. The videos will be there if we responded to a car accident. so the footage would be there but the question about public access would be what the public records law is.

Attorney Janice Thompson: To make sure I understand the question correctly you are asking whether or not someone would be able to access that footage for a civil matter, for example a car accident? The reason that someone makes a public records request is irrelevant, so the response is based solely on the content of the footage. If that content were exempt for some reason, say related to an open investigation, then that would be a reason that footage were not subject to disclosure but otherwise, yes, that footage be accessible as public record. It really does not matter the reason for the request. I do see another question, relating to my previous answer, in the chat. It was a follow up to why video would be exempt. I think as Lt. Murtha has mentioned before, one common example would be footage involving domestic violence. That would probably be one of the most common scenarios where footage would not be accessible. Other scenarios would most likely involve privacy exemptions. There may be portions of footage that need to be redacted for protection of witnesses' information. It may need to be redacted or withheld depending on the circumstances. Sometimes records, not just body worn camera footage, can't be sufficiently redacted to protect witnesses' identities. Those are just some examples.

Lt. Murtha: There is an issue that could be confusing people as to whether footage is created or not and then whether it's a public record. For example, in a domestic case that is chaotic, we would record that. But as the attorney has said it would not become a public record that could be sent anywhere. It would not be sent out. There are times also, like the captain said, that we would not record. In a sensitive medical issue that was calm we would not record at all. But there are cases where a domestic occurred outside, we would record the whole thing, but it would not go anywhere. It would not be accessible to the public.

Chairperson Yang: Just so I am clear, if there was a domestic violence case and the victim wanted access to those records, the victim would be able to access those records, but not the public?

Lt. Murtha: Correct. For court purposes, it would be used for that. If a random person asked for it in a public record request it would not go out at all.

Attorney Janice Thompson: Victims cannot access through the public records process. There is a separate process for victims and their attorneys to access those records. Those records are not accessible to anyone through the public records process. Just to clarify. It seems like splitting hairs but a record accessible through public records process is accessible to anyone. Victims, attorneys and advocates, have a separate process to access those records.

Chairperson Yang: Can a victim access those records alone or would they need legal representation in order to get access to those records?

Attorney Janice Thompson: They do not need legal representation. A victim or domestic violence or sexual assault has a statutory right to access those records. They do not need legal representation to access their own records.

Miguel: During arrests would the cameras be on? If someone were being arrested and their Miranda rights were being read to them, will they be recorded?

Lt. Murtha: Yes. Any time we are making an arrest, according to policy, the cameras should be on. There would be very few exceptions to that. I think the only one would be if there were gun shots right in front of the officer and he just hopped out and grabbed someone who fired, he might not have had time to turn the camera on. That is about the only scenario where that would be the case. Other than that, any time it was getting even kind of close to an arrest, the camera should have been on before then. In terms of Miranda, there are some misconceptions about that from tv, but yes, the evidence could be used in your favor in court if there was police misconduct or something like that on the camera.

Miguel: I only ask because I know that there is sometimes just not enough time to put the camera on but I would just hope that would be something that would be incorporated into the practices if it is possible then the cameras should be on. Even in a situation where they are getting to the scene and there are gun shots, or something like that going on, to protect the police themselves and also to make sure whatever happened was what happened.

Nadine Morales (?): My question, or encouragement, around who wears the body cameras and who doesn't, if we don't have enough funds for everyone, is do you have some kind of formula or have you thought about some kind of formula as to where crimes mainly occur so that it is evened out across the city, not just in one area? As we know crime occurs in all communities.

Captain Superior: We would issue cameras to those who have the most interactions with the public and we would not discriminate by crimes in particular neighborhoods. An example would be our operations division, who do calls for services and emergency calls, that entire division would wear camera and they are patrolling the entire city.

Chairperson Yang: Are you going to just leave it to uniform officers, the body cameras, or will specialty units be wearing body cameras as well?

Lt. Murtha: The exact number of officers who have the cameras is not finalized yet. It will depend on the political process. City Council could come out tomorrow and say that they are funding 50 body cameras out of 370 officers. We would have to go through and select 50 to wear them. How we would do that? I am not exact sure. Whomever has most contact. I think at the very least all of the officers responding to 911 calls, I would hope, will get body cameras. I think the more the better but, like I said, it is the political process and the funding that will determine how many have them. I think body cameras have been promised and, I think, the officers responding to 911 calls, our response division, would have the cameras and, I think, the special units that make a lot of arrests would have cameras. For example, we have a computer crimes division, they do great work, but they are not out on the road the same way as the gang unit or operations is. I think there are certainly some benefits to them having cameras as well because you never know what can happen but, like I said, in terms of bang for the buck, the officers who

are on patrol, stopping people, making arrests, would be more effective with the cameras than officers in the computer crime unit.

Gordon Davis: Question to City Councilor Berman, or to anyone else who knows the answer. This all seems to depend on the budget the City Council will pass. Is anyone in the City Council working on that right now?

Councilor Berman: I can only answer for myself but, if I understood the question being if the city council itself is working on a budget for the body cameras, the answer that I have is that we follow the Manager's recommendations before we debate whether or not we think those recommendations are something we are comfortable with. My understanding, from my own perspective, is that I am waiting for the City Manager to come back and tell us more information about what he proposes to set aside funds for body cameras. Then as a council we will debate that on the council floor with public input. Right now, the City Manager's job is to take the lead and give us information on what he purposes for budget for body cameras. At least that is my opinion as an individual city councilor. I am not speaking for my colleagues.

Gordon Davis: It seems like no one is working on the budget and no one has any recommendations as to the number of cameras for officers because they are all waiting on the budget. This committee is going to make recommendations when it does not have a budget to make recommendations. I think you are stuck in the mud, and you have to unstick yourself at some point.

Councilor Berman: I am only speaking for myself. Not only do I not speak for colleagues on the Council, but I don't speak for the City Manager. I don't know where the assumption that no one is working on a budget comes from. I would assume that the City Manager is and Mr. Davis if you have facts that the City Manager is ignoring that then obviously you know more than I do. I trust that our City Manager is working hard on coming up with a budget and I expect, sooner than later, we will have that information and we will debate it on the council floor. I just don't accept the premise that nobody is working on it. You are entitled to your opinion and I respect that.

Miguel: Just wondering, in the off change that there is not enough funding for cams, would the allocation of funds be an option to consider?

Councilor Berman: The way this usually, almost exclusively, works is that, if it is a priority to the City Council, which body cameras are, we will work with the Chief Sargent and others to see where the money could come from to make up any difference, if there is a difference. It is a priority for us to implement this program and it seems to be a priority for the public as well. As a City Councilor I will do what I can to try to find a way to come up with those funds. It could be a grant. It could come through adjusting our budget. I have never known a priority to not be able to be funded if the will is there. I can simply say, if my colleagues share the will that I have to have this done, and I think a majority, if not all of them do, then the lack of funds won't be an issue.

Chairperson Yang: Recently WPD adopted use of predictive software for help determining where to send out police officers. Do you use that predictive software for who wears cameras?

Captain Superior: No, we wouldn't. As I stated before, the implementation of body cameras will go to, first and foremost, all the uniformed officers that patrol the entire city and we would not be looking at predictive control to issue cameras to only officers in specific neighborhoods, it will be citywide.

Senator Moore: Just to get to funding, and I think you might have mentioned it at the beginning of the meeting, about two years ago I was here on the Bonding Committee and we were able to get into the Bond Bill \$20M worth of funding for local grants for the implementation of body cameras. The Administration, this past year or the end of last year, put a \$4M allocation of grants for cities and towns so that could help the city in funding for the purchase of or use of the body cameras.

Lt. Murtha: We did apply for the \$250,000 body camera grant that the Senator is speaking about.

Captain Superior: Just a little clarification so that the public understands. Lt. Murtha and I are part of the implementation team with the city. The City Manager is working diligently with the Chief Financial Officer and other members of his cabinet to look at all the costs going forward with body cameras, whether we have 150, 300 and all the software and hardware prices involved. All that money and budget talk is happening and has been going on through the City Manager's team.

Chairperson Yang: What recommendations for providing notice to the committee for when the body camera program is implemented?

Lt. Murtha: It will be several different things, I expect. We will certainly use our social media to let people know. I expect a press conference where we invite local media and explain the new program and explain how many officers have cameras. Also, the cameras are visible on the officer's chest. They are worn on the exterior so people will be able to see them. We would certainly mount a campaign to let people know that the cameras are out there when it happens.

Ted Costs (?): When is the police department planning on doing another test study with cameras? Is there a plan for that right now?

Lt. Murtha: We did have a pilot program, as you know. Right now, there are no plans for another pilot program. Depending on when the implementation happens and how the process goes with selecting a vendor because there are different competing companies who sell the equipment, there is the potential for another one to see which company we like better and get some experience with the companies. There are no current plans for another pilot program.

Ted Costs(?): Is there a method they might be able to derive some information from because I am assuming this is going to be for permanent use? I like the idea.

Captain Superior: Sir, we feel very confident from the research we'd done prior to the program and the information we received during the pilot program that when this is approved, we feel confident to move forward without any hiccups as far as hardware and software goes. There has been a lot of work that has been done, before, during and after the pilot program that we are ready.

Chairperson Yang: we have another question from Francis Antes, and it is: "would this go through a competitive bidding process?"

Captain Superior: That is my understanding, but it is not 100%. That would be a question for the Chief Financial Officer and the City Manager's implementation team. But by all accounts, it appears as though it would be through a competitive bidding process.

Chairperson Yang: Who is on the City Manager's implementation team?

Captain Superior: I can only speak for myself, Carl Superior, Lt. Murtha, City Manager, and the Chief Financial Officer Tim McGourthy. Those are the names that I can recall at this time.

Chairperson Yang: Maybe next meeting? Thank you.

Speaker: If force is used, how would the footage be reviewed differently?

Captain Superior: The question being, in the past pilot program, officers were allowed to review all of their footage prior to doing a report if they chose to. One exception to that was if there was a use of force at a certain level, we required the officers to document the report in writing first and then review the video and the concept behind that was: we don't want to lose the officer's perception. One thing we have learned, not just from our pilot program but from across the state and the country is that perception is reality and what the officer sees and documents in his report might be different, and viewed differently, from a video. Our memory does not work like a video recorder on playback. It is what the officer is paying attention to, what he recalls and what he remembers. We want to make sure we capture his perception and that it isn't distorted by watching the video first.

Miguel: A banner or sign might be a cost-effective way to let the public know about the implementation of the body cameras.

3. Adjournment

The next listening session will be held in District 3, on September 27th at the Worcester Senior Center, the time is 6-8pm.

Comments may also be submitted to humanrights@worcesterma.gov. The deadline for public comment is Friday, Oct. 22.