

**24-074**  
**PUBLIC HEALTH AND COMMUNITY SAFETY COMMITTEE**  
**MEETING REPORT**  
**TUESDAY, APRIL 9, 2024 @ 6:00 P.M.**

Attendees: Councillor Emily Lazzaro, Committee Chair; Councillor Justin Tseng, Committee Vice-Chair; Councillor Anna Callahan; Council Vice President Kit Collins; Police Chief Jack Buckley; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Chair Lazzaro called the meeting to order at 6:00 p.m. on April 9, 2024 in the Medford City Council Chambers and via Zoom. The purpose of the meeting was to address a the annual police surveillance report (Paper 24-074).

Chair Lazzaro thanked participants for attending. Vice President Collins thanked Chief Buckley for putting together the report. She said that this is an ordinance that the Council passed about a year ago after extensive public participation. She said that this ordinance creates accountability around the use of surveillance technology. She said that this is a chance to have a bird's-eye view over the use of technology.

Chief Buckley thanked Chair Lazzaro. He said he was glad to have submitted the report. He said we started the body-worn camera program in December of 2023. He said his department spent many months writing the policy on body-worn cameras. He said it has been hugely successful. He said he has two officers assigned full-time to the body-worn camera program. He said 40 or so officers use the body-worn camera. He said there have been no complaints to date. He said he is wearing a camera tonight. He said cameras are used to document police interactions. He said there is a question on whether the technology is achieving its purpose. He said he is very satisfied after one month but there is a lot more to learn. He said that there is a quicker resolution process for complaints. He said that the majority of the time when the technology is shared, it is shared with the Middlesex District Attorney's Office.

He said that there was a public records request. He said it related to a domestic violence call and by law, the department cannot share that particular footage. He said that there are exceptions for releasing footage, such as ongoing investigations. He said that videos need to be watched and redacted before they are released. He said that there is a general order on auditing compliance. He said that no officer should be watching another officer's video unless there is a reasonable basis for it.

Chief Buckley said that the majority of the costs are in the salaries of the two full-time police officers. He said that there was a training cost of \$28,000 and there was cost to acquire the technology. He said the technology is not shared with anyone other than as he has reported.

Chair Lazzaro asked when the cameras are turned on and when they are turned off. Chief Buckley said his camera is on right now but it is not recording. He said it is activated when an officer is dispatched to a call, or if something of immediacy happens, or as soon as they can be feasibly activated.

Chair Lazzaro asked if the camera would record a call for a suspicious person who might not actually be doing anything suspicious. Chief Buckley said that yes, that would be recorded, but it might not have to be retained for a long time. He detailed certain times that would lead to further retention of the recordings, such as arrests, complaints against an officer, and other situations.

Chair Lazzaro asked if this technology is used more for evidence gathering or for accountability. Chief Buckley said it is for both. He said it also allows us to do some review of behavior for training purposes. He said if we don't hear anything for six months or a year, we will get rid of the recording because we need the space.

Councillor Callahan asked about compliance matters. Chief Buckley said that general incidents, arrests, and traffic stops are the three main times when cameras are recording. He said that there is an annual audit of these three types of incidences.

Councillor Callahan asked what the redacting process is like. Lt. Patrick Duffy said that redaction is time-consuming, but it is easy to decide what to redact and what not to. He said he always errs on the side of protecting an individual's privacy. He detailed an incident in which there were a lot of people recorded but their faces were blurred to protect privacy. He said we also blur license plates, house numbers, and other identifying information. He said that most requests are from people involved with very little redaction.

Chief Buckley said it would be highly unlikely that a police officer's identity would be redacted.

Councillor Tseng said that this summary was very helpful. He asked for examples of minor violations of policy. Chief Buckley said that the most common violation was "I forgot to turn on my audio" or "I forgot to turn on my camera." He said that a great deal of this is from force of habit. He said that there is a general order about camera uses. He said he understands that somebody can forget to turn on a camera. He said that there is a lot of training and habits to be built.

Councillor Tseng asked what types of things the Chief would look for in terms of disproportionate infringements. Chief Buckley said that the first and most obvious would be about the cameras. He said we haven't received any complaints about the cameras. He said Massachusetts is unique when it comes to traffic stops in that officers are not allowed to ask about race. He said officers announce when they are recording people with their cameras.

Chief Buckley thanked Lieutenant Duffy and Officer Casserini for their work. He said that this was not an easy policy to write. He said Cambridge, Arlington, and Belmont are all interested in the policy. He said that the unions signed off on the policy.

Vice President Collins said that this is a very relevant reminder of how much work has gone into this. She said a positive outcome of this process is that there has been pressure on police departments and other departments and there has been a balance between using the technology and letting communities know. She said it is positive to be developing this policy now and going forward.

Vice President Collins asked about the redaction policy. Chief Buckley said that there is no redaction policy per se, but there is a redaction practice. He said that ultimately it will be put into policy in terms of what will be redacted and how. He said that this is not done yet. Vice President Collins asked if there is a less than annual licensing cost. Chief Buckley said that the cameras need to be replaced every three years, and be upgraded, and that this is part of the cost. He demonstrated, showing his own camera and the clips that hold the camera to his uniform. He said that the City will have to negotiate with the vendor at the end of the lifespan of the cameras. He said we will be going through this process with a new vendor in 2026.

Chair Lazzaro read comments from Jean Zotter, 36 Saunders Street.

She also read a letter from Jennifer Sullivan.

Marie Izzo, Pilken Road, thanked the Chief for his work. She said for her, the purpose of this tool is to build trust. She said that she hopes this process continues to be prioritized.

Barry Ingber, 9 Draper Street, thanked Chief Buckley and the committee. He said that there is nothing in the Chief's report that mentions accountability. He said this could lead to the conclusion that these cameras are going to be used for evidence gathering. He said that the core policies in the use policy are mostly positive and aligned with the ACLU. He said that the provision allowing pre-statement viewing by an officer, including with a lawyer, creates an uneven legal playing field. He said that criminal suspects and witnesses do not get this privilege and it is outrageous that Medford Police Officers do get this privilege.

Elizabeth Burke, 12 Steven Street, said that the annual report is a significant step to help the community understand the technologies that Medford chooses to purchase. She said she is concerned about some of the exceptions. She said that the policy does not spell out disciplinary procedures for violations of the policy. She said that the purpose of law enforcement is to ensure accountability in the community.

Ilene Lerner, 9 Adams Circle, thanked the Council and the Chief. She requested that MPD amend its policy to conform with the recommendations of the law enforcement body camera task force. She said that racism is encoded in surveillance. She said

white people feel protected by surveillance but that people of color feel targeted and endangered. She said surveillance causes alienation. She said surveillance threatens the right to privacy and liberty.

David Harris, 151 Sharon Street, said he appreciated the opportunity to speak last year. He said he was concerned with some of the loopholes in the legislation. He detailed his family's experience in hearing about the Philando Castile incident, and said he was asked by Bob Oakes about "the talk" with his son. He asked the MPD to reconsider officer discretion in the use of cameras. He said he also has concerns about the exception allowing officers to view the footage before making a statement. He said that this creates a privilege for officers.

Emiliano Falcon-Morano, counsel for the ACLU of Massachusetts, said he wanted to stress that it was recommended that users should not access or view any recording of an incident before the user is required to make a statement on the incident. He said it doesn't make sense to allow police officers to review their incidents when we do not give that privilege to other people involved in these incidents. He said that there are also risks from bulk-purchasing data.

Mr. Ingber said that the passage of the ordinance was a great victory but that there is a loophole, particularly around purchasing commercially-available surveillance data for surveillance purposes. He said we want this changed.

Vice President Collins thanked everyone who spoke. She thanked residents, Chief Buckley, and his officers. She said that these are hard conversations to have. She said that this is a crucial precondition to grow transparency and trust. She said she wants to make sure that public safety benefits are distributed equitably throughout the community. She said public policy is problematic and policing is problematic and we need to maximize public safety. She said that the Council's jurisdiction right now is not to make changes to the policy. She said she is proud to be collaborating with the Administration on this issue. She outlined the timeline for the work to be done under the ordinance. She said that the Council now needs to post a report on the City website.

Councillor Callahan asked Chief Buckley to respond to the two deviations from the state recommendations and why those exemptions are in place. Chief Buckley said that the District Attorney's Office said that they want police officers watching their videos. He said he doesn't have an answer to the bulk data question and doesn't understand why the ACLU comes on the call and accuses him of buying bulk data. He said the ACLU official accused him of being a spy for the military.

Chair Lazzaro said that the ACLU worked with Medford People Power on the ordinance.

Chief Buckley said he did not appreciate being accused of being a spy for the military. He said that certain things are prohibited, such as recording demonstrations.

Chair Lazzaro said that we do not police public participation. Chief Buckley asked if non-Medford residents are allowed to do this. Chair Lazzaro said that the SJC issued an opinion on this. She apologized for the way that this came across the way that it did.

Chief Buckley said he came here tonight because this was a good event but now he is leaving here ticked off.

Councillor Callahan said she was asking about bulk data because it was an exception. Chief Buckley said he is not working with the military to acquire this data. He said he is working hard to be accountable to this community, and is very accountable to this community. He said he would come here any time, but would not come here to be accused of total nonsense. He said that recording demonstrations is a prohibited action.

Vice President Collins moved to receive the report and place it on file and to adjourn at 7:34 p.m. (Councillor Tseng second)—approved on a roll call vote of four in favor, zero opposed, and Councillor Leming absent.

Chair Lazzaro adjourned the meeting at 7:34 p.m.