

Ad-hoc Committee on Police and Community Relations

Community Forum Public Comments – February 18, 2016

Reiko Callner opened the meeting by welcoming everyone and going over the committee's charter and the work they have done thus far.

Curt Pavola read the City Council's statement of commitment to implementation of police worn body cameras.

Laura Wohl and Lt Aaron Jelcick provided a PowerPoint presentation on the departments research regarding implementation of police worn body cameras. The presentation included privacy issues, resource details, and best practices learned from implementation in other cities within Washington State as well as in other states.

Reiko explained what the committee's expectations were as far as the type of feedback needed in this discussion.

Kerensa Mabwa gave some guidelines for the conversation.

Curt provided the first 3 questions from the agenda:

- Who needs to be included in the conversations? Who has a stake in the issue?
- How do we best engage stakeholders? Public meetings? Focus groups? Surveys?
- If meetings, what's the format? Small groups? Key questions?

Community responses:

What methods have you already focused on to engage the public?

Curt: we have gotten some information but haven't started the conversation on police worn body cameras until today.

What resources are available to engage the public?

Reiko: That is what we're looking for feedback on.

You should be creating small groups for regular conversation.

Go to court and listen to a case and then ask those people what they think afterwards.

A lot of people won't come to things like this and give their feedback.

Referenced article 22 - \$50,000 grant. What happened to that money?

Clinton Petty: how can you come up with suggestions if you don't know what the RCW says?

One idea is a citywide mailing to describe what the Ad Hoc Committee is doing and solicit feedback. You won't reach everyone, but you'll get quite a few. Use postage paid return envelopes.

(works with marginalized folks and victims)

Go to the places where those people gather.

Electronic survey

Partner with organizations that work with marginalized people

Reiko: who should go?

Electronic Surveys

Interjurisdictional process

Doesn't have to be someone from the City of Olympia

Make people feel safe

Create relationships

Victim advocacy and support groups

Events sponsored by these organizations rather than the City of Olympia

Partner with them to get public disclosure laws changed

(works with Thurston County National Organization for Women)

Would want a woman DV victim or stalking victim to be able to say they don't want their personal information disclosed.

Electronic survey is good for young people. Computers are readily accessible for youth.

Work with schools

People should have a choice to be recorded or not

Partner with Neighborhood associations

Agree with neighborhood associations

Senior centers

Low income housing units

Libraries

Train community members to help train others

Artesian well

Mall

This is a "homeless friendly" State, so there are a lot of people that come from other areas (ie Canada & California)

Maybe put up written information in some areas instead of having *people* do outreach.

Advocacy groups

If you want to build trust, it's all about networking and it's not easy work

Advocate in each sector of community

Charlotte Petty

Thank you for the information presented

What is the bottom line that we want?

What is the best way to get it?

Is there a better way than body cameras?

Seems like there are more problems than solutions

How else can we develop trust and transparency?

Rethink body cameras:

Cost

Problems

Referenced survey questions

Who is doing body cameras well and addressing the issues effectively?

Agrees that the people within communities are the best ones to say

Expects trust and accountability by law enforcement *now* and body cameras are just a tool.

Body cameras are part of the picture but won't fix everything

Regon Unsoeld

Heightened sense of concern about body cameras

Have an independent citizen review committee that oversees law enforcement's interactions with the community

Independent prosecutors for law enforcement cases

Referenced legislation changes

Impressed by the information received tonight

Education is an important part of the process

Online forum

Educational spots on TCTV

Agrees with neighborhood associations

Reiko provided next 2 questions for discussion:

- An educational component about body camera issues is an important part of the process. How is that best accomplished?
- What other information is important to know or be aware of for the process?

FAQ online – easily accessible

(The City website is hard to navigate)

Interactive quiz

How much do you know?

Pros and Cons (what most people don't know is...)

What did you learn?

Janine Gates

This meeting was not listed on the City website calendar (right side of the main page). I had to know where to go to find the meeting details.

Informative presentation

This presentation should be on YouTube

Public privacy dichotomy

Must seek a solution

Marginalized communities

Victims

Illegal aliens

There needs to be a solution for people having to say in the moment not to disclose personal information.

Reiko: maybe a Miranda rights model? Notify people that they can opt out of information disclosure.

Alejandro: (did not get his comments noted)

Is anyone doing anything to change the law?

Reiko: there are groups in the community working on it

Are there other states with similar public records laws?

What happens if someone is recorded while unconscious?

Laura: There are some states that are similar

South Carolina changed the law to make police videos completely exempt.

OPD has testified that public records requests for video should be limited to those involved in the event. (with some exceptions)

Agrees with Miranda rights model and changing the law to give people more time to ask for personal information to not be released.

If a video is take of a non-incident, why does it have to be stored?

Laura: once we create a record we are required to keep it.

Lt Aaron Jelcick: the answer to that would be in when the camera is turned on. In most cases officers only turn cameras on when responding to an event.

Video education in emergency rooms

Post information at intercity transit

(works for software company)

There is software available that can index for you and blur out faces.

He could easily (or anyone else with this software) get public records requests for video and put it online in real time. (reiterating Laura's point about records requests ending up online)

is there a light on the camera that allows the person to know they're being recorded?

Aaron: no, not typically

Could there be?

Curt provided the final question for discussion:

- Should there be an identified ongoing mode of communication with the city once the process of implementation has begun? If so, what would that be?

Ask a victim after an incident, or an arrestee that is in jail

What is your opinion of the experience?

How do the police feel about this?

Laura: the officers are fine with wearing cameras. It's the issues that affect our public that have been the biggest concern.

Alejandro: Is...

Laura: answer

Alejandro: is there an ETA of implementation?

Laura: it depends what the community wants to see. The engagement process will dictate implementation.

Are there very many other cities that are working on the process?

Laura: yes, there are other cities working on this same legislative topic.

(gave personal story of young family members that were kidnapped and molested)

Other cultures and languages need to be included as well

Youth need to be protected

Kerensa: (spoke briefly about traumatic event as a child)

Even without body cameras, written reports and news articles can be traumatic and embarrassing.

We have to take the time to figure out this process

Referenced pilot programs

We're in the Capitol. This is the law maker's home town

There is obviously something wrong with the law

Question about youth laws

Laura:

Exemption for sexual crimes

Exemption for youth

(redaction not withheld)

Psychological issues that are important to consider

Need to hear professional perspectives and experiences

Reiko: body cameras bring to a head the issues that are already there.

Reiko thanked everyone for coming and participating.

Curt thanked the city staff for going through this process with the committee and adjourned the meeting.

Notes from flip chart (taken by Kerensa)

Who needs to be included?

Folks who have cases in court – go to the courts

Victims of crime, people who perpetrate crime due to addiction

Domestic violence victims, especially women
So can weigh in on the impact of privacy

Young people more middle school/H.S. age input

Religious/cultural connections thru schools

Stakeholders engagement

What does RCW say about body cams?

Coalition against trafficking – give opportunities to provide input

Neighborhood association host someone to talk about body cams and assoc. admin the survey, or the meetings of all associations

Housing units especially low income

Libraries

Senior centers

Malls

Artesian well

Gathering input from transient/homeless (those invisible) by reps on the street

Carry a recorder to listen

Best practices to engage public?

Small groups engaging during day; while wearing cameras themselves

Police officer and parents at schools

Access to video information

Teachers/educators bring this information to youth and their families

Citywide mailing with postage paid envelope to return it

Electronic survey (cheaper, easy to share)

Organizations that serve people in marginalized folks

Inventory where people feel safe

*representatives would be organizations employees who work with people (have relationships with people)

Those ways to take advantage of interjurisdictional partnerships
Business can get out surveys

Victims due to public records act – uncomfortable reporting

Hours of work might be reduced – use existing avenues to collect info

Note: those who'd rather not be seen will need to maintain "invisibility" knowing when to turn on/off camera

Advocacy groups; networks in Olympia across nonprofits, schools, gov't etc
Getting an advocate in each network

Note: Question – what is the bottom line? How do we get it? Maybe training and understanding would be a better solution than spending money on body cams? Will they develop trust & transparency? Will they add more problems than solutions? Rethink and get input on this other option

Who is doing this well? What is the conversation we will have? People within communities will be best able to define this – especially considering larger issue of change beyond body cams.

Regular meeting group, cop watch, discussed these issues and came up with other options instead of body cams

Body cams are a tool as part of a larger picture – accountability on all sides can be begun with body cams – we still have to develop relationships and figure out how to relate to gether and feel safe

Privacy issues/are important to note in body cams impacts

Citizens review committee which can exercise authority in these issues (subpoena info etc) can help build trust, also independent prosecutors can help City of Olympia go on record to support HB 2908 Task force reviewing use of deadly force and changing language. (malice & justifiable language)
Current laws around use of force impacts police seen as above the law

Education is key to make sure info is shared on body cams – online Q & A's with place to comment section – periodic refresh so ongoing log of feedback during & post educational process – TCTV

Full rounded FAQ with pros & cons with easy language/access ie. Body cams what do you know? Self quiz then post what did you learn (interactive). More so than the city's current website. Its techie, hard to find info, clunky, format is inaccessible
Big button going straight to the link OPD body cams

Put Powerpoint about body cams online, youtube

Address very young youth feeling ostracized from police interaction – more info on this linked to youtube and add other cities that have implemented body cams (Midwest, TX) places where issues are happening. “Washingtonian experiment” has drawn many people here – help frame body cam implementation against rest of nation

Public/privacy issue being such huge challenge – education necessary
Undo wanted people; immigrants' inclusion and how they are affected

Work to change legislation in privacy in WA
Especially victim or suspect saying at incident's inception to police they don't want to be recorded – Change this! Won't happen when folks in shock – narrow window ie Miranda warnings
Right to remain silent & alert choice to not record then

Look at infliction of rules/regs (around use of power/authority)
For minorities/immigrants; when person doesn't know about a law due to such status. Such as “click it or ticket” might seem illogical for folks who are interested in freedom of body expression (personal freedoms)

Body cams will impact more accountability and increase respect – educate

“We don't know how to play the game, but the game is on”

Words have different meanings for people of different cultures – they mean something sincerely and
On tape has weight/implications and can't be taken back

There is a lot we don't know, unreasonable to expect person to remember to opt out when in a situation

What if a person is unconscious? Other open disclosure acts in other states?

Laura: NC voted to make police cams exempt
Public records request would be automatically granted if involved in case, others would have to go to court. ACLU lobbying hard about privacy
Media concerned about disclosure

Law change – what if people given 2 days from incident to opt out

Policy why store it if non incident?

Laura: no option – once its created; it is a record
Lt Jelcick – best practices are turn camera on when crime or traffic stop

Other places to reach people:

Hub for bus – IT; intertribal connections, public health ER's in hospitals could have a bilingual video

(man works for tech company)

The company he works for can simply take live feed and put it up for anyone to access; automatic index; online totally open invasion of everyone's privacy

Can redact faces like google maps does when recording places

Add some kind of cue or signal showing the body cam is on for people involved

Ongoing mode of communication available

Ask victim or defendant who was recorded – how did you feel about the process – post incident. Maybe year long process – what are your feelings about being recorded?

Table – deeper discussion until process is best identified to capture entire community and how to involve them – have community weigh in

Languages, cultures, etc

Change the law – we are in the capitol

Laura: current exemptions for minors & sexual violence in terms of redaction

Change this so disclosure not available

Professional perspective – psych/social issues – addiction

Body cams impact – need for deeply reaching out

Impacts on crime victims are bringing out these issues in criminal justice system - education on this necessary

Notes added by Reiko

Question: Who needs to be included in the conversations? Who has a stake in the issue? How should we best engage stakeholders? With public meetings? Focus groups? A survey?

A young man suggested that we ask small groups of people to wear the cameras and ask them how it feels.

Another woman who has attended before and is extremely critical of police said to talk with people at court about how they feel – victims of police abuse who have no voice. We should speak to defendants. Should contact the guild. There was a \$50K grant she's wondering about. Liability could cost the city so much money it would wipe it out. We should reach out to Tyrone Johns and see how he feels about his situation.

Clinton said we should find out what the statue says in order to know what's even possible.

There should be a city-wide mailing, and we should take and share survey results. Include a stamped self-addressed envelope and a compilation of information.

Malika Lamont said that we should hear from crime victims and drug addicts. We have to go to where they gather, for example at the syringe exchange. Take an electronic survey using lots of social media. It's cheaper. Take advantage of organizations like Safeplace and Partners in Prevention. Go to faith-based shelters, where people gather. Create a survey and use people on the ground to administer it. Use interjurisdictional processes. Partner with the county and use businesses and their connections. Make relationships.

Another person said to contact victim services organizations. These have enough clout to lobby for changes in the Public Records Act. Partner effectively with organizations that have strong lobbies.

Linda Malanchuk-Finnan. Victims need to know up front that they have the option to not create a public record in their interaction with a cop. Electronic outreach is good for young people, especially middle and high school. Go to the schools, make use of the OPD liaison and the parents. Also Thurston County Coalition Against Trafficking neighborhood associations, do outreach to them.

Another person said to work with neighborhood associations, senior centers, apartment buildings and other housing units, low-income units, libraries, personal contact.

Go to the Artesian Well, the mall. Cops may make people disappear if they show up trying to gather information. Go to homeless-friendly places, where transients are. Mechanical information distribution would allow people a voice without having to show their face. Choices when the camera is turned on or off should be made. Contract Drexel House.

Go to the advocacy groups. This person did outreach. It's different to work with existing networks. There should be an advocate in each sector. People need to feel safe, empowered to share in a way that's comfortable to them.

Pastor thanked us for presentation. What's the bottom line of what we want – what's the best way to get it. Maybe we should not be going for bodycams. Maybe there's a better way to give input to the police. There are alternatives to cameras. Might be more trouble than they're worth.

These are great questions. What is the conversation? Find out who's employing bod cams well. The who and how is there but we need to figure out the what. People in communities know best about the what.

Nogler touted his Copwatch gathering Thursdays at 5. We have a lot of solutions, but body cams were not proposed.

Malika – if you want trust and accountability. Body cameras are a tool – one piece in this endeavor. She wants to feel safe with the police and that they have accountability. One way – with body cameras, at least someone's watching. Won't fix everything.

Regon Unsoeld – He has more concern about privacy than before the presentation. Outreach is important through relationship building. Should be a independent citizen review commission. An independent police citizen review commission should have subpoena power and for police shootings there should be independent prosecutors rather than local ones who work with the police all the time. The city should go on the record supporting SHB 2908. Public perception is that the police are outside the law. The police guild and city council should weigh in.

Another person said they learned a lot – education is going to be a big part of the process. How's the best way to do that? Good to have an online forum with a bunch of Q&A. Provide means to comment online. The Q&A should periodically be refreshed. That way you can have a logged conversation on this topic, and not just get people's first, knee-jerk reactions. Spots on TCTV, neighborhood door to door.

Question: An educational component about body camera issues is an important part of the process. How is that education best accomplished? What other information is important to know or be aware of for the process?

Malika Lamont – the city should put FAQ about body cameras online, and they should use easy to understand language, not tech-speak, perhaps with interactive quizzes. Discuss the pros and cons of the body cameras. Take a well-rounded approach, not a biased one. There could be a followup quiz – what did you learn? This should be easy to navigate, with a big button – the web site needs to be much simpler to use.

Jeannine Gates said that the city's website missed this meeting. It wasn't listed among the advisory committees.

Another person suggested YouTube for an online presentation. Bookending it. Do an address at city center. Seniors, empower youth. It is going to be implemented different places in Washington and also other states. It's good to see Washington lead and be forward-looking.

There are some fantastic ideas for this challenge. There is a dichotomy of public interest and privacy. We need to find crime victims, women, illegal aliens. They need to be willing to come forward. May need a change in state law. It's difficult that crime victims would have to make a request to stay out of a public record up front in a police response when the victim is under tremendous stress.

There should be a warning to opt out of being in the public record that is given by police at the beginning of an incident.

Alejandro – as an immigrant, he feels he's more likely to be targeted for adverse actions. Immigrants are not just online – we need more public statements to gain attention to this issue. They need information to know what to avoid violating – like the “click it or ticket” example. The outreach and education should be in multiple languages. The cameras should increase accountability for all. Let people know that it's coming. Some phrases in law are trigger words for DV victims.

Who's dealing with the problems with the public records law?

Look at other states with similar public records laws. What happens in a person is unconscious? Do they have no choice in being filmed?

Laura – there are some similar states. There's a National Think Thank. South Carolina exempted body camera footage altogether. This year there is an idea in the legislature to limit access for privacy reasons. Olympia reps testified. Perhaps it would be ok to share records with those involved in the incident, or their lawyers, or perhaps people should have to go to court to get access.

Perhaps if implemented, cops wearing body cams could give a warning that people could opt out, like the Miranda protocol before people speak to cops.

98% of an officer's day is not critical incidents. Why would the city have to store the footage?

Laura – once a film is created, it's a public record and there are retention laws.

Aaron – the camera would generally be off – you're not going to record mundane moments.

Use captive audiences to educate people on this, like people in line at DOL, IT transit. Make it like a public health campaign. Go to emergency rooms.

It would be easy to set up a software platform – bodycam footage could be put online in real time with a feed. It could be indexed and GPS linked. Google does it, their street view blurs all faces.

Nogler – when you have a video recorder a light goes on – is that how these would work?

Aaron – no. That's something that people need to be informed of.

Question: Should there be an identified ongoing mode of communication with the City once the process of implementation has begun? If so, what?

Alejandro – is there a balance to the legislature from law enforcement?

Laura – WASPC put forth a bill. There is ready access to camera records for those involved in the incident, and others who want a copy can go to court.

What's the time frame for implementation? Lots of police weighed in including the chief in Gig Harbor.

Going out to the public in advance is good – need to reach out to other cultures, in various languages.

Lady in fur hat: important to inform youth. Her 5 and 9 year old nieces were victimized.

Laura reminded her there's an age limit in the present law shielding the likenesses of young children.

Kerensa – she lived through a childhood trauma at a time there were no bodycams. She well recalls her interactions with the police, and being in public and being in the paper and identified as someone involved with the trauma. That is crucial – to be aware of the impact on victims. We should take as long as it takes to figure out how to do it right. Should do some pilot programs and test the waters that way. We don't need to rush into this.

Olympia is in a unique position, located in the capitol. We should be able to address the legislators here and take the bull by the horns to have the law make sense with regard to this issue.

Laura - there are existing exemptions under the current law for children under 18 and victims of sexual crimes. We have to acknowledge that public records about all these types of crimes already exist on paper, but video is simply more enticing than a dry police report.

We should get psychological information from professionals in the field. People in crisis situations have no power. There are additional issues that should be considered from a psychological perspective.