



Board of Police Commissioners

REPORT: Policy Body-Worn Cameras in Portsmouth

Pros and Cons Identified by the Police Commission's Body-Cam Sub-Committee
July, 2019

Policy Body-Worn Cameras in Portsmouth: Pros and Cons Identified by the Police Commission's Body-Cam Sub-Committee

In Fall 2018, the Portsmouth Police Commission (PC) unanimously agreed to create a sub-committee comprised of the three commissioners, citizens and representatives from the police department (PD) to review the pros and cons of equipping officers with "body worn cameras" (BWCs). Given the trend nationally toward adoption of car and body cameras by police departments, the Commission agreed that an exploration of the issue now would be prudent. The sub-committee focused on body camera adoption issues only; in-car cameras may be reviewed at a future date.

Following a public request for volunteers and a review of the pool of 17 applicants, seven citizens were selected by the PC in November 2018 at a non-public session and then appointed and confirmed later that evening at the Commission's public meeting. The citizen members are: Albert (Buzz) Scherr, Meghan Hagaman, Kathleen Collier, Jen Murray, Tom Morgan, Karen Bouffard and Mike MacDonald.

Commissioners Joe Onosko, Jim Splaine and Stefany Shaheen also attended the meetings, along with the following department personnel: Chief Robert Merner, Captain Mark Newport, Lieutenant Darrin Sargent, Dispatcher Ed Walsh, IT Specialist Jim Layton, Patrol Officer Aaron Stacy, Patrol Office Sean Evans, and Administrative Manager Karen Senecal.

The seven-member citizen group, with support from PD personnel and the commissioners, were charged with:

- (a) reviewing research findings to determine the impact, benefits, concerns, legal and technological implications, and costs of BWC adoption, and
- (b) creating a report and sharing it with the community.

At the first meeting, the group was told by the PC that they could either create a pro and con summary without taking a position on adoption, or they could include a recommendation.

The group was also told the final decision would be the responsibility of the PC and that a Commission decision would not be made until feedback was received from the community following a release of the report and a public presentation by the sub-committee.

The Body-Cam Sub-Committee first convened on November 29, 2018 and held eight meetings over the winter and spring. At the initial meeting, UNH Law Professor Buzz Scherr was selected chair of the sub-committee. Each meeting lasted approximately two-hours and involved many discussions amongst the citizen and police members.

(See meeting minutes below. Documents reviewed by the committee are at a separate link at the PPD website.)

The sub-committee heard from three police departments in New Hampshire that had either adopted body-cams or were engaging in a pilot program:

- The Dunbarton Police Department is small with five full-time officers. It chose to adopt BWCs at the instigation of two officers. They have a voluntary program in which three officers have chosen to use them and two have not. They are using Axon Corporation's BWCs.
- The Goffstown Police Department is larger with about 35 full-time officers. They chose to adopt BWCs at the instigation of the chief who saw them as the wave of the future and wanted to get ahead of the curve.
- The Manchester Police Department is the state's largest, with about 240 full-time officers. They researched BWCs a year or so ago but did not move forward. More recently, at the instigation of the new chief, and the financial support from the mayor and the Board of Aldermen, they decided to move forward with BWCs. They recently completed a pilot program with 14 officers, some of whom were chosen because they did not like the idea of BWCs.

The sub-committee also met with Professor Daniel Bromberg, a nationally known BWC researcher at the Carsey School of Public Policy at the University of New Hampshire. His research has focused on studying public attitudes towards BWCs, in particular, whether the adoption of BWCs had a measurable effect (positive or negative) on public attitudes towards police departments.

Professor Bromberg and several sub-committee members provided voluminous research for the committee to review, including research studies that used officer and citizen perceptions and/or actual behavioral outcomes related to the following: excessive force, biased policing, citizen conduct, judicial outcomes, officer motivation and officer productivity measures (e.g.,

number of citations written, arrests made). In addition, the sub-committee received model protocols for departments using BWCs, collective bargaining agreement models, pieces from non-profit advocacy groups on both sides of the issue, as well as other research.

Finally, after reviewing the range of issues, three members of the sub-committee (Chair Scherr, Police Commissioner Onosko, and PD Administrative Manager Senecal) met with two of the leading BWC vendors, Axon Corporation (used by the Goffstown and Dunbarton PDs) and Pileum Corporation, a reseller for BWCs (used in the Manchester PD's pilot program) to learn about the equipment and other adoption costs. Both vendors provided the sub-committee with a deeper understanding of their products, their use, and their costs.

The sub-committee collected information generally about the direct and indirect potential costs for the adoption of BWCs. The task of weighing the benefits to the department versus the costs of adopting BWCs is a decision for the Police Commission itself. That elected oversight body has full knowledge of the police department's goals, objectives and budget, and how BWCs would fit into the overall department strategic and budget plan. The Commission members attended a majority of the sub-committee's meetings and, therefore, are aware of the many variables to consider when making an adoption decision.

The sub-committee learned that the adoption of BWCs would involve a direct financial commitment of somewhere between \$427,500 and \$699,675 over a five-year contract commitment (an average of \$85,500 to \$139,935 per year) based upon a vendor's most favorable and useful plan. Car cameras would be extra, as would additional features vendors offer. This direct cost does not include potential indirect costs such as; adding cell phone plans for each camera to the department's cell-provider contract at approximately \$19,000 per year, staffing issues for video evidence handling, discovery and Right to Know requests. It also does not include the issue of whether the department's current IT infrastructure is capable of managing the adoption of BWCs, or if current staffing can handle equipment maintenance and trouble shooting. Nor does it include an assessment of federal grants that may be available for one-time equipment costs only. Such considerations are in the purview of the Commission, whose job it is to assess the costs of immediate adoption, or the efficacy of phased adoption, and in relation to other Portsmouth PD needs and priorities.

Finally, the sub-committee has made every attempt to track down and assess issues raised by sub-committee members. The pro and con list that follows is an effort to identify the pros and cons of BWC adoption grounded in: (a) published research and other literature, (b) perceptions provided by the three New Hampshire PDs interviewed, and (c) assessments offered by members of the Portsmouth PD and citizens participating on the committee.

At the final meeting of the sub-committee on July 9, 2019, the citizen representatives decided (i) they wanted to make a recommendation and (ii) identified and voted on three options. The results are as follows (one representative was absent):

Implement body cameras at this time: **1**

Do not adopt body cameras at this time: **6 ***

No recommendation at this time: **0**

** One citizen representative was unable to attend but later voted not to adopt.*

Pro / Con List

PROS

- Officer safety options available (dependent upon vendor/equipment chosen):
 - Provides for car location GPS (PPD currently does not have)
 - Provides for officer location GPS (PPD currently does not have)
 - Ability to notify dispatch of an officer down without manual activation by officer
 - Non-manual activation when running, when shots fired, with removal of gun from holster, when entering a previously designated zone/area
- Citizen-encounter documentation:
 - Ability of department to include officer perspective to any citizen smartphone video and testimony
 - Assist in resolution of citizen complaints
 - Officer protection from false allegations by citizens
 - Potential moderating effect on aggressive citizen behavior with awareness of BWC
- Administrative benefits:
 - Prosecution support; visual and auditory data may aid in the resolution of civil and criminal cases
 - May provide evidence of improper officer conduct
 - Evidence from the three NH departments we interviewed and the studies we reviewed suggest some degree of buy-in from officers once they had experience with BWCs
 - Parameters of officer use has been effectively negotiated between towns and unions in the Collective Bargaining Agreement (CBA)
 - Can use video for training
 - Privacy protection technology comes with BWCs (though privacy breaches can occur -- see con list below):
 - Ability to turn camera off while maintaining audio recording (e.g., in domestic violence cases)
 - Video redaction feature to mask or blur the identity of any individual (e.g., a bystander)

CONS

- Studies consistently show little to no positive effect on citizen perception of trust in departments using BWCs.
- Studies of police perceptions regarding the impact of BWCs on
 - (a) use of force,
 - (b) citizen complaints,
 - (c) officer activity/productivity, and
 - (d) judicial outcomesshow mixed/conflicting findings.
- One study examined police behaviors (not perceptions) in Washington, DC and found no effect in any of the above four areas. (Study available in Resources Link: Yokum, Ravishankar, & Coppock, 2017, *“Evaluation Effect of Body Worn Cameras: A Randomized Controlled Trial”*.)
- IT concerns:
 - Police department technology would require significant upgrades to support what is needed for BWCs
 - Dispatch would also need technology infrastructure upgrades
- Administrative requirements:
 - Officer training
 - Officer data entry during or after each shift
 - Labor for video evidence management, including discovery and potential increase in Right to Know requests
 - Labor for equipment maintenance and trouble shooting
 - Implementation and compliance challenges. A number of research papers highlighted the need to set clear directives on BWC use, as there can be confusion or non-compliance by officers (“Where is the Goal Line”? Apert & McLean; “Evaluation Effect of Body Worn Cameras: A Randomized Controlled Trial”)
- BWCs do not address a problem in Portsmouth:
 - Body cameras are not needed because the Portsmouth PD does not have citizen complaints regarding undue force, biased policing and other officer behaviors
- Prosecution impact:
 - None of the NH PDs we talked with could think of a video that helped with a prosecution, nor did the study of BWC outcomes find a positive effect on judicial outcomes (See, Yokum, Ravishankar, & Coppock, 2017, *“Evaluation Effect of Body Worn Cameras: A Randomized Controlled Trial”*)

- Privacy and assistance to police:
 - Potential citizen privacy violations: a concern with having their face on camera
 - Right to Know requests revealing embarrassing moments for citizens
 - Can't guarantee security breaches won't happen
 - Citizens may be less willing to say anything to help the police because it's on videotape
- Officer impact:
 - Officers may feel they have less discretion in how they resolve an incident (resulting in an increase in citations according to some of the studies reviewed)
 - Impedes their sense of professionalism, motivation and quality of their interactions with citizens

Other Considerations

In addition to the above pro and con list, the sub-committee offers the following observations:

- A number of police departments in the US have pulled out of police cam contracts or not gone forward following a pilot program due to changes in state requirements regarding data storage and other aspects of BWCs that significantly increased annual costs to PDs.
- Contract negotiations with BWC providers now involve explicit provisions about the cost increases in subsequent contracts (to avoid ballooning charges by the provider).
- The PC at a future date may want to review the pros and cons of cameras in PD cruisers.
- For officer safety, the PC should consider equipping all cruisers with GPS technology.

MEETING MINUTES (for 8 events):

1) Minutes: Police Commission Body & Car Camera Sub-Committee: First Meeting, Thurs. November 29th

Attendance: Chair Albert Buzz Scherr, Joe Onosko, Jim Splaine, Chief Merner, Meghan Hagaman, Kathleen Collier, Jen Murray, Tom Morgan, Karen Bouffard, Mike MacDonald, Mark Newport, Darrin Sargent, Ed Walsh, Jim Layton, Aaron Stacy, Sean Evans, Robert Sullivan, Karen Senecal

PC Chair Onosko opened meeting at 7:08 pm in Conference Room A.

Onosko welcomed the group, thanked everyone for volunteering, summarized the agenda for the evening, and asked that everyone quickly introduce themselves.

Onosko then asked Attorney Sullivan to review the state's Right to Know rules regarding meetings and communications. A few members asked for clarification.

Attorney Sullivan suggested the next order of business is to establish a quorum. Tom Morgan motioned that the number be ten (given 18 members and the state requirement that the quorum must minimally be a majority). The motion was seconded by Karen Bouffard and the motion passed unanimously.

Commissioner Splaine then summarized the purpose of the sub-committee; that is, to review the pros and cons of the Portsmouth P.D. implementing the use of car and/or body cameras. Onosko added that the sub-committee at a later date can determine if they will make a recommendation to the P.C. or just present summaries of the issues that need consideration. Onosko pointed out that this group is advisory and that the P.C. will ultimately have to make the decision.

Onosko was asked how long the committee was expected to meet. Onosko stated that the P.C. hoped the work would be completed before June, that the group would hold one or two public events to share their findings, and that the format of the findings would be determined by the group at a later date.

Onosko then brought forward the next agenda item; the selection of a chair among the 7 citizen representatives. He recommended that Buzz Scherr assume the chair position given his legal background and prior experience. Buzz Scherr summarized some of his experience relevant to the group's charge. Tom Morgan motioned to have Buzz serve as chair. Jen Murray seconded the motion. The motion passed unanimously (Buzz abstained).

Onosko then suggested the group begin to identify areas of inquiry they believe needed exploration to complete their charge. Buzz Scherr assumed the role of chair at this point.

Suggested areas of inquiry:

- cost of equipment
- operation details /practical issues
- transparency vs. privacy (both PD officers and citizen)
- training costs
- identifying the problem(s) that necessitate cameras
- review findings of studies involving towns of comparable size to Portsmouth
- find out the % of PD's in the country (or Northeast) that are implementing
- find out the views of PD officers who've been using cameras
- data storage and retrieval costs, including length of storage
- union negotiation / contract costs
- prosecution effects

grants and implementation (return of equipment)
parameters of use (24/7 vs. on/off procedures) and liabilities associated with less than 24/7
public defender perspectives (local, county, and AG)
impact on conviction rates (PPD vs. other communities)
% of arrests that are likely to be on tape
impact on the PD culture
surveillance cameras already in town and the frequency of their use in litigation

Buzz Scherr recommended that the next meeting involve a summary of the "soup to nuts" use of car and body cameras, including how they work, storage procedures, resources required for use and management, and so on. Meghan Hagaman volunteered to contact the Dunbarton and Weare PD's to see if someone would be willing to give a presentation at the group's next meeting. A few reading materials covering the use of cameras would also be distributed and reviewed by members before the next meeting.

Commissioner Splaine suggested that the many lines of inquiry could be reviewed by sub-groups. Attorney Sullivan clarified that if sub-groups are formed, these meetings must also be announced at least 24 hours in advance, made public, and notes kept.

The committee agreed to hold its next meeting on Thursday, December 13th at 7pm in City Hall at a room to be determined.

A motion was made to adjourn at 8:27 pm by Tom Morgan and seconded by Mike MacDonald. The motion passed unanimously.

2) Minutes: Police Commission Body & Car Camera Sub-Committee: 2nd Meeting, Thurs. Dec. 13th

Attendance: Chair Albert Buzz Scherr, Joe Onosko, Chief Merner, Meghan Hagaman, Kathy Collier, Jen Murray, Karen Bouffard, Mark Newport, Darrin Sargent, Ed Walsh, Jim Layton, Aaron Stacy, Sean Evans, Karen Senecal

Absent: Jim Splaine, Tom Morgan, Mike MacDonald

Chair Buzz Scherr opened the meeting at 7:06. He then informed the group that Dan Bromberg, UNH Political Science professor and Carsey Institute researcher, can meet with us at our next meeting in January.

The Chair then summarized plans for the evening:

(1) a conference call to learn about car and body cameras with Sergeant Chris Remillard of the Dunbarton, NH P.D., and

(2) discuss the assigned articles after the call in. *(See scanned copies included with these minutes.)*

(1) Conference Call with Sergeant Chris Remillard:

Sergeant Remillard provides some history of Dunbarton's camera adoption, including the following: September of 2015 members start wearing body cams; officers wanted them for protection out on patrol in rural NH; provide evidence for criminal cases; no outside influences or pressure to adopt the cameras.

Small Department: chief, sergeant, 3 full-time patrol and 3 part-time patrol officers, and a part-time detective. 3 of the patrol officers do not wear camera equipment. The 3 who do not were not interested but aren't opposed to others wearing the equipment.

Specific Dunbarton P.D. policies on camera use are about 10 pages long. This Portsmouth sub-committee can review the document but Sargeant Remillard requests that the document remain internal.

NH has adopted requirements regarding when police cameras are to be turned off. The Dunbarton P.D. has additional requirements; for example, should be off when in a hospital (due to patient privacy and private property) and when the officer is in a support role during fire or medical emergencies that do not involve a criminal matter.

The community reaction in Dunbarton has been positive; only a couple of negative incidents from the public regarding being recorded.

Q & A with Sergeant Remillard:

How many officers on duty at a time? Answer: Two.

Why did you see cams as protective? What kind of protection? Answer: being alone in sparsely populated areas and wanting to document incidents, have a record of conversations and therefore less notebook writing; prevent false complaints from citizens by going to the video footage.

How much footage per week? Answer: hard to quantify; "not a ton"; the P.D. does its own storage and for a two-year time period.

How is the data stored? Answer: officers enter own data by burning it onto DVD's. Each officer has own camera and required software. Goffstown and Weare officers also use body cameras if interested in other storage policies -- Contact Lt. Eric Sereno in the Goffstown P.D.

How many calls does the Dunbarton P.D. receive? Answer: 5,500 calls per year. (Chief Merner mentions that the Portsmouth PD receives between 8800 to 10,000 calls per month.)

How much officer time is involved before and after a shift to prepare cameras and download footage? Answer: Need to test camera to make sure it functions (usually just a minute or two) and then 5 to 10 minutes to download data at end of shift / maximum up to 30 to 45 minutes.

What is the storage capacity of the cameras? Answer: Cameras store about 9 hrs. of footage / not always "on" so camera storage is sufficient for a 10-hour shift.

How much footage is created during a typical 10-hr. shift? Answer: For Chris it's anywhere from 0 to 4 hours of footage per shift.

How did the department acquire additional funds for equipment, education of residents, police training, etc.? Answer: We were able to absorb the cost in our budget due to the small size of the department. A newspaper article came out that explained to the community the new policy.

How long do cameras last? Answer: Cameras do fail at times; longevity is 2 to 2.5 years.

How often are officers involved in response to resistance / use of force incidents?
Answer: in 2017: 23 taser displays.

Due to the length of the conference call, the assigned articles were not discussed. The group agreed to devote the entire next meeting to a discussion of research on car and body cameras with Dan Bromberg.

8:42pm: Motion to adjourn is made by Karen Senecal; Meghan Hagaman seconds. On voice vote meeting ends.

3) Minutes: Police Commission Body & Car Camera Sub-Committee: 3rd Meeting, Tuesday, January 22, 2019

Attendance: Chair Albert Buzz Scherr, Joe Onosko, Jim Splaine, Meghan Hagaman, Kathleen Collier, Jen Murray, Tom Morgan, Karen Bouffard, Mike MacDonald, Mark Newport, Darrin Sargent, Ed Walsh, Jim Layton, Aaron Stacy, Karen Senecal

Absent: Chief Merner, Sean Evans

Guest presenter: UNH Professor and Carsey Center researcher, Dan Bromberg

Chair Buzz Scherr opens meet at 7:04pm.

Meeting minutes from the 11/29/18 meeting accepted by the group (unanimous voice vote).

Reintroductions by group members.

Professor Bromberg introduces himself and shares his areas of expertise relevant to the committee's work: implementation of public policy; transparency and public accountability; performance indicators for accountability; and, how managers use data to make decisions.

Briefly mentions his own research with Professor Andy Smith, researcher at the UNH Survey Center. They conducted a citizen perceptions study of body cameras. Quick review of the work.

Prof. Bromberg makes presentation using multi-page handout.

(See attached scan of this handout, as well as the articles shared with the sub-committee via email.)

Prof. B. is asked, What are the pros and cons of body camera?

Answer (pro): behavior of unruly drunken citizen documented, as well as incidents that are complex and/or lengthy; cam doesn't tell whole story but it provides evidence.

Answer (con): cams can erode trust if there's already a high trust level

Chair Scherr offers a "pro": it's better data; many times better than just citizen cell phones.

Prof. B describes the creation of live stream local and national data centers designed to assist officers in the field. (See the attached article on this development, "Software extends the eyes of the police," that Prof. B. distributed to the group prior to the meeting.)

Commissioner Onosko references the article and his concern about the creation of a surveillance state, widespread use of face recognition software, and incidents where the data center gave police in the field incorrect information dangers to citizens.

Prof. B. mentions the importance of training, as otherwise the technology will not serve the community. He also offers his continued support should the sub-committee need any.

Committee member Kathleen Collier asks to be reminded why this task force on body cameras was convened. Commissioner Splaine states that cameras are likely to be implemented in Portsmouth at some point in the future and that Portsmouth should not be caught in a reactive mode sometime in the future, so he felt a review was now in order.

Commissioner Onosko questions the inevitability of cams but says he knew very little about the technology when Commissioner Splaine motioned to create an exploratory committee, thinks it's important to research as a community, and is enjoying the work.

Chair Scherr mentions that Eric Sereno of the Goffstown PD will present on his community's recent adoption of cameras. The meeting will be on Tuesday, 2/12 from 7 to 9pm.

The Chair calls for adjournment. Committee members Jen Murray (motions) and Meghan Hagaman (seconds), and on a voice vote the meeting ends at 8:46pm.

**4) Minutes: Police Commission Body & Car Camera Sub-Committee:
4th Meeting, Tuesday, February 19, 2019**

Attendance: Chair Albert Buzz Scherr, Joe Onosko, Jim Splaine, Meghan Hagaman, Kathleen Collier, Jen Murray, Tom Morgan, Karen Bouffard, Mike MacDonald, Mark Newport, Darrin Sargent, Ed Walsh, Jim Layton, Aaron Stacy, Karen Senecal

Absent: Jen Murray

Guest presenter: Eric Sereno of the Goffstown PD

Chair Buzz Scherr opens meet at 7:03pm.

Meghan Hagaman motions to accept minutes; Joe Onosko seconds. Unanimous voice vote to accept.

Chair recognizes Chief Merner's two handouts (*scan and include in minutes*).

Chair tells the group that Manchester is beginning a 30-day trial. A representative from that PD will share their initial impressions with this group in a month.

Looking ahead: In two weeks (3/5) we'll review the Portsmouth PD survey, Chief Merner's materials and, possibly, learn from a PD that has turned down cameras if we can identify a PD. Two weeks later on March 19th we'll hear from the Manchester P.D. and begin to identify an overarching list of pros and cons of car and body cams.

Chair introduces Eric Sereno of the Goffstown PD.

Officer Sereno shares the following:

Body cams have been fully operational for 3 years and involve 31 sworn officers.

Background: Eric was responsible for exploring cameras. Ease of use was considered essential. The PD went with Taser equipment.

The Chief and others in city gov't wanted body cameras. Eric asked the officers to give it a trial run. The trial wasn't being forced; instead, probably due in part to the "Ferguson Effect" and because Goffstown wanted to be 'ahead of the curve.'

Officers can turn off cameras during meals. No car cams in Goffstown.

After 3 years, the officers like it. They have evidence to share regarding those charged. Body cams help to clarify perceptual disagreements about what actually happened. If the camera shows an officer violating policy, they deal with the consequences. (*See attached Goffstown policy.*)

Tagging time: right away if the officer isn't called to another incident. Officers use their personal cell phones to access the Taser app and quickly and easily move videos to the Cloud.

Otherwise, tag the videotaped incidents at end of shift; has to be done within 24 hrs.

Officers "tag" it with their I.D. # and it goes directly to the Cloud. The video is time stamped. Every camera is assigned to a particular officer.

Data is not to be disseminated to anyone. The video will securely go out to prosecutors. A committee member asked if confidentiality could be compromised. Eric acknowledged that, hypothetically, anyone with access to the video could tape it with their cell phone camera and then distribute it at a later date.

Q: Do you disclose to citizens you have a body camera on? Yes.

Q: Have you had pushback? No. We use discretion. If they were to ask us to turn it off we would-- if the incident wasn't one that required taping according to an SOP (standard operating procedure). In those situations, we must leave the camera on.

Q: Is there now more work for the officer when reviewing the evidence (discovery) and writing a report? Not really. Officers don't look at the videos. Just do the paperwork and pass it on.

Prosecutors and defense attorneys know we have cameras and now ask for video immediately.

Q: Expenses / Costs for storage? Chief Merner mentions that Indiana, Connecticut, and Virginia have passed legislation requiring longer storage times and it blows up PD budgets.

Taser does Goffstown's storage: 22 cameras, recharging docks, and user accounts. Cost 12K (which included a 7K discount). \$6,200 in storage 1st year. \$5,200K after that. Arrests take an hour to 80 minutes, sometimes up to 3 hrs. and cameras must be on during each incident. Goffstown PD had 650 arrests / summons in 2018. Burglary investigations also need to be stored.

There have been some "gotcha" price hikes; e.g., within 180 days a PD had to get off the Cloud and store 4 terabytes. This kind of download is done w/o Taser's software so a PD is left with a mountain of files that need to be completely reorganized. In short, the Goffstown PD will remain with Taser and Microsoft's Cloud storage.

Q: Who can redact video? The Chief assigns officers.

For discovery purposes our legal secretary accesses tapes.

Q: Are there benefits during prosecution? I can't answer. I haven't heard that our videos have ever been played in a courtroom. (Meghan will check.)

Q: Do officers use the video when writing reports? Yes, it takes a bit longer. One concern is that if there are multiple officers at an incident that they begin to describe what other officers did during the incident using the video.

Videos are also used for training purposes.

Q: How many IA (internal investigations) of officers last year? 7 in Goffstown.

Would you do it again (implement body cams)?:

Yes -- our officers like it. Costs may not be sustainable over time given Cloud costs per gigabyte. Currently there is no competition for Cloud storage -- Microsoft is the only storage federally compliant.

Q: How well do the cams work? They work well. Expensive to replace but only 3 have gone bad in over 3 years. \$495 each. Taser camera batteries last for 12 hour shifts.

They pick up sound so well that if a car or truck goes by, can't hear the conversation.

Q: Any PD union resistance / effects? None.

Q: What does the PD do in domestic battery cases with victim and children? Tough decisions here. Ask the victim what they prefer and the AG about what to do.

Officer Sereno offers a final consideration: If a PD stops using cameras after a period of implementation, it's likely that the community will wonder why, what they're hiding, etc.

Officer Sereno leaves.

Chief presents 4 documents to the Committee (*included in minutes*):

- a) 2018 Response to Resistance Analysis
- b) 2018 Early Warning System
- c) 2018 Bias-Based Profiling Analysis
- d) 2018 Annual Pursuit Analysis

He briefly summarizes some of the findings and how to read the reports. At the next meeting the committee will review these documents in greater depth.

Motion to adjourn: Tom Morgan; Mark Newport seconds.

On a voice vote the meeting was adjourned at 9pm.

5) Minutes: Police Commission Body & Car Camera Sub-Committee: 5th Meeting, April 3, 2019

Attendance: Buzz Scherr (chair), Jim Splaine, Stefany Shaheen, Joe Onosko, Meghan Hagaman, Kathleen Collier, Jen Murray, Mike MacDonald, Mark Newport, Ed Walsh, Jim Layton, Aaron Stacy, Karen Senecal

Absent: Sean Evans, Tom Morgan, Karen Bouffard, Darren Sargeant

Meeting begins at 7:04pm

Presenters: Sargeant Brian Caldwell & Paul XXX fromt the Manchester PD

Sgt. Caldwell tells the group that he was asked to explore body cameras and to conduct a trial demonstration.

Utility / BodyWorn was brought in; they integrate the camera into the uniform; it's not a box. The MPD developed SOP's and all city officials agreed to the demo.

Why was the time right?

We're always on camera anyway.

There were two high profile incidents that involved selective cell phone taping of officers by citizens -- only the officer's actions were recorded, the suspect resistance.

Manchester Union Leader goes after the PD but it didn't work; public didn't turn against the PD and the Manchester PD won the cases.

These incidents helped lead the chief and mayor to want cameras.

Both unions were involved; want extra features, which BodyWarn has.

DOJ grant (up to 400K): supports implementation, equipment, and training but not funding for data storage.

For the trial we sought out officers adamantly opposed; about 60% have come around. A few say they now feel naked w/o the camera.

237 officers. 14 doing a trial, including SRO, dogs, patrol, swat.

Live stream capability through Wifi.

Complaints against MPD? Less than 1% of PD calls end up in use of force; inappropriate action.

Manchester prosecutors are happy as they can quickly download vids to attorneys (first we redact when necessary; the system logs in the redactions but the full version remains)

Workload: we need new positions (in civilians and in evidence)

When are the cams on? All police engagement activities; we use AG's recommendations, includes SRO's.

Quality of video is very good. Camera doesn't pick up the peripheral; just straight ahead. Won't pick up non-verbal cues. The camera is the end all, be all but it doesn't need to capture everything; it's a tool that provides another piece of evidence.

Training time per officer: less than a day (6 hrs.)

Writing reports: not much of an increase in time.

10 hr battery life.

Durability: good. The BodyWorn contract includes replacing problem cameras.

Camera activates automatically when officer runs.

Unlimited storage, cameras, uniforms, etc.: 1.5 million dollars for 240 officers but we haven't negotiated yet with the company. The 1.5 million for 5 years covers all clothing gear, cameras, storage, etc.

Time to write reports hasn't increased.

If 2 reports per day (7 min. each to "download and send"): for Portsmouth, that comes to only about 70 min. per day of additional labor for the Dept.

Eventually every officer in Manchester will have one.

Officers still can use discretion with cams. Interactions aren't worse; probably better. The video has benefitted / exonerated officers when there's disagreement between the public and the police.

Good for training vids; improving interviewing skills; traffic stop protocols. We don't use the vids for discipline (and we won't be reviewing vids for officer transgressions).

Phase Two: try out a second vendor for 30 days. (Axion) again 14; same officers except for two

Officers Leave.

Buzz, Joe and Karen will get cost estimates for implementation in Portsmouth. Buzz will find out who the committee should send their cost questions / requests regarding camera implementation.

No meeting on April 10th. We'll hold off until costs are gathered.

We'll also create a way for each participant to contribute to the pro / con list. Information will be forthcoming on how to do that.

Adjourned at 8:57pm.

**6) Minutes: Police Commission Body & Car Camera Sub-Committee:
6th Meeting, May 21, 2019**

Attendance: Buzz Scherr (chair), Jim Splaine, Stefany Shaheen, Joe Onosko, Chief Merner, Meghan Hagaman, Kathleen Collier, Jen Murray, Mark Newport, Ed Walsh, Aaron Stacy, Karen Senecal, Sean Evans

Absent: Tom Morgan, Jen Murray, Mike McDonald, Jim Layton

Meeting began at 6:07 pm.

Buzz opens the meeting and requests comments from Joe and Karen regarding the meeting the three had with the two body camera supply representatives.

Joe points out that very little new was learned about the technology due to the excellent presentations given previously by the three NH PD's using Axon and BodyWorn. The primary purpose was to acquire an estimate for the annual total cost for implementation by the PPD and Karen has the results for the group.

Karen explains the cost estimates from each company, BodyWorn and Axon (see attachment). Roughly, BodyWorn will cost 100K per year over 5 years; Axon is about 200K more over 5 years. Stated another way, implementation costs are roughly the same as one full-time police officer per year (with benefits).

BodyWorn guarantees no more than 5% increase in costs after the first 5-year contract.

Chief highlights additional costs that may occur, using as an analogy the hidden / increased costs Axon is now charging for a taser upgrade from #5 to 7 that the PPD must now address and absorb.

For BodyWorn implementation, a rough estimate of 100 to 120K per year for the PPD (assuming some additional technology & administrative costs) or about a 1% increase to the budget per year (given an \$11 million PD budget for 2019-20). Axon would be more expensive.

There are other costs: I.T. personnel and evidence room personnel. Not sure what that number entails, however, we can say that the annual costs is probably between 100K and 120K if BodyWorn is selected, more if Axon.

BodyWorn provides geolocation if an officer is down. Currently, the PPD does not have geolocation.

The committee then turns to the question of positives and negatives or "pros" and "cons" of body camera implementation for Portsmouth:

Pros

officer protection (against false accusations, inhibit aggressive citizen behavior)

enhance officer conduct

citizen protection (against improper officer conduct)

prosecution support: visual & auditory data to support PD claims about an event

Cons

costs given other PD needs (e.g., Dispatch needs technology upgrades and other infrastructure concerns / problems)

I.T. Dept. has ancient technology; home computers are superior

No geolocation tools currently to locate patrol officers if shot or injured in another way

additional officer training and then labor for video entry (with BodyWorn the costs are minimal)

body cameras are not addressing a problem currently facing the PD

I've yet to see video data used in my city defense work or in a study that shows it helps with prosecution (Meghan)

none of the NH PD's we talked with could think of a vid that helped with a prosecution

0% buy in among the current PPD members

potential citizen privacy violations / can't guarantee security breaches won't happen

officers may feel they have less discretion, resulting in increased citations (some research evidence to support this)

citizens less willing to say anything to help the police because it's on videotape

what are the negative effects on officers if they're required to wear a camera and believe they are being surveilled -- psychologically (sense of self, professionalism, value to the community), their level of motivation going forward, the quality of their interactions with citizens.

Boston's pilot body camera program: it's had a muting effect on sharing "intel" with officers.

Next meeting the group will review and edit a final pro / con report that will be shared with the public, one that Buzz is constructing and will distribute as soon as possible. The group will also discuss how to share the report.

Motion to accept the minutes for the 4th & 5th meetings of this committee. Motion made by Joe Onosko and seconded by Jim Splaine. Unanimous approval on voice vote at 7:56 pm.

Next Meeting in 2 weeks: Tuesday, June 4th from 7 to 8pm. Mortimer Room in PPD.

Adjourned: Motion made by Stefany Shaheen and seconded by Karen Senecal. Unanimous approval on voice vote at 7:56 pm.

7) Minutes: Police Commission Body & Car Camera Sub-Committee: 7th Meeting, June 4, 2019

Attendance: Joe Onosko (chair, filling in for Buzz Scherr), Jim Splaine, Chief Merner, Meghan Hagaman, Jen Murray, Karen Bouffard, Mark Newport, Darren Sargeant, Ed Walsh, Aaron Stacy, Karen Senecal,

Absent: Buzz Scherr (chair), Stefany Shaheen, Tom Morgan, Mike McDonald, Kathleen Collyer, Jim Layton, Sean Evans

Onosko (chair for the evening) opens meeting at 7:03pm, and then reviews the task for the evening and proposes how to conclude the committee's work. *(The proposed steps below involve a few revisions after consultation with Attorney Bob Sullivan to ensure compliance with 91A state law.)*

- a) Tonight, the group will edit the draft document created by Chair Buzz Scherr;
- b) After the meeting, Joe will incorporate agreed upon edits, create an updated draft, and send it via email to all sub-committee members;
- c) Committee members will INDIVIDUALLY submit ONLY TO JOE their final edits via email;
- d) If the edits are relatively minor without significant disagreement about language, a final draft will be created and the sub-committee will MEET IN PERSON for any final revisions and then the 7 citizen representatives will vote to accept or reject the document. Hopefully, those not in attendance can call in and cast their vote. *(It turns out we cannot vote online using Survey Monkey or Doodle Poll to achieve closure.)*
- e) At this final meeting, the 7-member citizen group also needs to decide if it would like to:
 - 1) make an overall recommendation to the community; that is, no adoption at this time, recommend a pilot program, or recommend full adoption.
 - 2) allow anyone who participated in the sub-committee to submit a personal addendum that would appear at the end of the committee's document. *(FYI, Buzz does not recommend this and Joe O. doesn't either.)*

f) The group needs to decide upon a date for this final meeting and a date for presentation of its findings to the public. Joe recommended a public presentation at the beginning of the Commission's next public meeting on Tuesday, July 23rd at 5:30pm. Another option is at the beginning of the Commission's public meeting at 5:30pm on Tuesday, August 27th.

In a separate email we'll come up with dates for the final meeting and public presentation.

Onosko asked for a motion to end the meeting. Jim Splaine offered the motion, Jen Murray seconded, the vote was unanimous and the meeting ended at 8pm.

**8) Minutes: Police Commission Body & Car Camera Sub-Committee:
8th Meeting, July 9, 2019**

Attendance: Chair Buzz Scherr, Jim Splaine, Joe Onosko, Chief Merner, Meghan Hagaman, Jen Murray, Karen Bouffard, Tom Morgan, Mike MacDonald, Mark Newport, Darren Sargeant, Aaron Stacy, Karen Senecal, Jim Layton, Sean Evans

Absent: Stefany Shaheen, Kathleen Collyer, Ed Walsh

The Chair begins meeting at 6:03pm and asks for a motion to approve the minutes from the June 4th meeting. Jen Murray motions and Joe Onosko seconds. On a voice vote 5 members vote "yes"; Tom Morgan "abstains" (given he was unable to attend that meeting).

The Chair then asks for a motion to approve the subcommittee's final document that will be shared with the public. Karen Bouchard motions; Meghan Hagaman seconds. The motion passes unanimously, 6 to 0.

The next item for discussion involved a vote on whether or not the 7 citizen representatives will make a recommendation "at this time" to the community and the PC to (a) adopt body cameras, (b) recommend a pilot program, (c) recommend full adoption, or (d) make no recommendation.

Views were shared by committee members on the four options. A motion was made to exclude "b" (i.e., recommend a pilot program) because, it was argued, a pilot is a form of implementation and this decision should be left to the P.C. to either fully adopt or begin with a pilot program. The vote on the motion was 4 in support and 2 opposed. The motion passed.

There was further discussion of the 3 remaining options. Members then voted in support of one of the three options. Results are as follows:

Implement body cameras at this time: 1

Do not adopt body cameras at this time: 5

No recommendation at this time: 0

Next the group discussed a day and time to present the subcommittee's findings to the community. The presentation will take place on Tuesday, Sept. 17th at 6pm during the PC's monthly public meeting.

To conclude the subcommittee's work and approve these final meeting minutes, it was agreed that citizen members will receive the minutes in an email from Joe Onosko and amend or approve the minutes via individual emails to him. Onosko will report the results of this approval process; that is, either the acceptance of the minutes or revisions that will then require a second round of review and individual responses to Onosko.

The Chair requests a motion to adjourn: Mike MacDonald motions, Jen Murray seconds and the committee on a voice vote unanimously agrees. Meeting ends at 6:42pm.