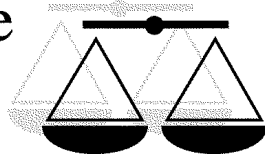


Regional Law Safety & Justice Committee



THURSDAY, JANUARY 25, 2018
MEETING SUMMARY

Chair:

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Vice-Chair:

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Body Cameras Panel

Seattle

Nick Zajchowski, Body Worn Camera Coordinator for the Seattle Police Department gave an overview of their program.

Program Goals

1. Enhance public trust
2. Increase transparency of officer actions

In 2015, SPD conducted a proof-of-concept pilot and tested two different products. In 2016, they piloted cameras in the west precinct for three months with 25 officers on a voluntary basis under an MOU with the Seattle Police Officers Guild (SPOG). Negotiations with SPOG were ultimately unsuccessful and they stopped using the cameras. Mayor Murray made an executive order in 2017 directing the use of body worn cameras. They are now being deployed. All precincts have cameras including 925 front-line uniformed officers, not detectives or plain clothes police.

The project budget includes \$1.8 million in city funds and a \$600,000 federal grant plus \$2.2 million annually for operating (storage, software subscriptions, warranties, support, and public disclosure staff).

SPD has been working on educating the community (20 meetings) about their rights and they inform individuals during an incident. Cameras record one minute at a time and only store the data when it is activated.

SPD is also addressing stakeholder concerns including the union and public. The union is concerned about the use of cameras for discipline, policy issues, and compensation. Some of the concerns being heard from community meetings are privacy concerns, when officers turn cameras on/off, public rights, use of facial recognition technology, use in prosecutions, retention of videos, victim blaming/shaming/retaliation, fear among immigrant communities who may be less likely to report crimes, and system security.”?

The program may be evaluated through community surveys. SPD views the program itself as increasing transparency.

Mary Perry, Director of Transparency and Privacy with the Seattle Police Department discussed public records and redaction issues. The legislature passed EHB 2362 covering body worn cameras and established a Body Worn Camera Task Force.

The Task Force issued the following requirements for an agency policy to address:

- Activation/Deactivation
- Person unwilling to be recorded
- Notification including for people who have limited-English proficiency or are hard of hearing
- Training
- Security

Agencies must have community involvement in developing policies. The Task Force report also included model policies.

Specific entities get access to the video for no cost for redactions including a person recorded, their attorney, and people filing a civil rights suit. Others have to pay for redaction costs (\$6/minute). Footage shared through discovery with prosecution and defense will not be redacted and there will be no charge.

What can be redacted:

- Images considered offensive
- Areas in a medical facility where a patient is receiving treatment or Personal Health Information is shared
- Interior of home
- A minor
- Intimate images
- Identity of or communications from Domestic Violence survivor or witness
- Body of deceased person

One area not currently covered are officer's data screens within their vehicles.

Sade Smith with the King County Department of Public Defense noted the following considerations:

- How to communicate clearly to the public when a camera is being used, what about if the person doesn't want to be filmed?
- Storage
- How is file being stored and shared?
- Defenders value this new perspective
- What is being redacted? DPD would like access to an unredacted version.
- Concern about when their requests are disclosed to prosecution
- Officers may not be asking for consent to use the camera.

Brialle Englehart from the Seattle City Attorney's Office explained the prosecution's role with using body worn camera footage. Officers fill out a Misdemeanor Checklist and note if video was used. Originally, they were receiving video the day after incident but now it is taking two-three weeks. They have one extra paralegal FTE to help process the video. Prosecution can request a rush if needed. Files are shared

electronically with defense which has 90 days to download. They have not yet had a case go to trial that contains body worn camera evidence.

This has had a big impact on workload. In general, cases with body camera video will have 200% more evidence.

Lake Forest Park

Police Chief Steve Sutton explained his community's experience with body cameras. Lake Forest Park is a small community with fifteen officers. They have six-eight use of force applications on average annually and zero complaints.

In 2014, four officers deployed the cameras voluntarily. It added a lot of administrative time and took officers off the road. Storage and duplication was an issue. They had planned to add more cameras but decided not to due to concerns about ability to keep up with public disclosure demands with a very limited staff and budget.

Representatives from other small cities also noted concerns with capacity to handle the administrative burden and cost of operating a body-worn camera. Some are concerned that the Seattle program will put pressure on other cities to adopt a similar program.