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March 18, 2009

REPORT OF THE COMMITTEE
ON PUBLIC HEALTH AND PUBLIC SAFETY

The Committee on Public Health and Public Safety convened on March 18, 2009, with Chairman William White presiding and Committee Members Aldermen John Connolly and Rebekah Gewirtz also present and voting. Also present were Aldermen Sean O'Donovan and Thomas Taylor, School Committeeman Paul Bockleman, Administrative Assistant Jessie Baker, Police Chief Anthony Holloway, Chief Fire Engineer Kevin Kelleher, City Solicitor John Gannon, Assistant City Solicitor David Shapiro, Chief Information Officer Karthik Viswanathan, Deputy Police Chief Paul Upton and interested members of the public.

Surveillance cameras:

Mr. Shapiro and Deputy Chief Upton addressed the committee regarding the city's use of surveillance cameras and said that the cameras are in place and recording is being performed. The recorded files are housed in the Police Departments server, however the Police Department has not yet assumed control of the cameras not is the department utilizing camera surveillance yet. Mr. Shapiro informed the members that there is no reasonable expectation for privacy in public places under the Fourth Amendment as long as the camera is in plain view. Mr. Shapiro noted that there is an exemption in cases where there is a security issue involving public safety. Mr. Shapiro told the members that he was unable to locate any case law on the use of surveillance cameras.

Alderman Gewirtz is concerned that the mayor is in favor of these cameras and would like him to make his opinion known. Ms. Baker stated that the mayor wouldn't promulgate the policy without an opinion from the Law Department. Alderman Gewirtz stated that she has civil liberty issues relating to the use of the cameras. Mr. Bockleman told the committee that the School Department did not have issues with the cameras as long as they are identified.

Chief Holloway stated that the cameras are operating 24 hours a day, showing the Davis Square area, and that officers are watching the cameras in a training mode. The files are being stored on the server on a month to month basis. The Police Department will utilize the equipment to assist them in handling a potential crime and any officer logging onto the system will need a password. Audits of usage will be performed monthly. Chairman White requested that the servicing company not be allowed to have access to the tapes without the approval of the Police Chief. Chairman White also requested that the members be given a tour of the Police Station to view the server and the cameras' operation.

31 Wilton Street:

Attorney Bruce McDonald, representing 31 Wilton Street, was asked if any resident of the building was on parole and probation and if the residence was a half way house for parolees. Mr. McDonald replied that it is common for sober housed to have residents who may be on parole or probation and he stated that any

individual must meet certain requirements before being admitted to the program. Chief Holloway told the members that there haven't been any calls to the residence and Mr. McDonald noted that the residence was cited for trash violations. Chief Kelleher stated that 6 unrelated individuals cannot be allowed to reside in one unit and Mr. Gannon said the city would not waive its ordinance regarding the number of permitted occupants. Chairman White asked Mr. McDonald to produce the signed agreement that he claims to have with the city and he asked Ms. Baker to ascertain if said document exists.

Information sharing:

Mr. Viswanathan told the members that a database for use by the Police, Fire and Inspectional Services Departments is in the early stages and needs further development. At the present time, there is no database for ISD and most of the Fire Department's records are on paper, although they are in the process of being entered into a computer system. Mr. Viswanathan said that the pilot would take a few months to get going and that if it were to be expanded, it would be a capital item.

No papers were acted on.

Alderman William A. White, Jr., Chairman
Committee on Public Health and Public Safety