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March 31, 2009

REPORT OF THE COMMITTEE
ON PUBLIC HEALTH AND PUBLIC SAFETY

The Committee on Public Health and Public Safety convened on March 31, 2009, with Chairman William White presiding and Committee Members Aldermen John Connolly and Rebekah Gewirtz also present and voting. Also present were Aldermen Walter Pero, Sean O'Donovan and Robert Trane, State Representative Denise Provost, Administrative Assistant Jessie Baker, Chief Fire Engineer Kevin Kelleher, Police Chief Anthony Holloway and Assistant City Solicitor David Shapiro.

Public Hearing - related to the city's proposed use of surveillance cameras:

Chief Holloway distributed information on location of the cameras and discussed their range, what each camera would be focused on and how long the footage will be retained. The Chief noted that the cameras on the bike path do not tape any homes and that the range of those particular cameras is limited to the bike path. He explained how police officers would be able to control the cameras with a password and stated that this activity would be monitored by Homeland Security. Police officers can only use the zoom function if a crime is occurring and an officer is not able to respond. Chief Holloway also told the members that the cameras would allow the SPD to determine the best way to direct traffic in an orderly fashion out of the city, if necessary. Chairman White stated that he is concerned that footage could cause embarrassment if it were to get into the wrong hands and end up on the internet and Chief Holloway explained that the cameras do not focus on people's faces.

Alderman Gewirtz asked what prompted the installation of the cameras and expressed her concern as to why the public did not have input on the camera locations. She also noted that the Cambridge City Council rejected the placement of cameras due to the fear of violating civil liberties and further stated that Somerville has evacuation routes, therefore the cameras are not needed for traffic purposes.

Alderman O'Donovan requested that the Chief provide the committee with a report of the number of surveillance cameras in use by surrounding communities and how they are being utilized. Ald. Connolly inquired as to how the cameras in Davis Square will be able to help in the case of an emergency at the subway station in Davis Square and Chief Holloway explained that the MBTA currently does not have access to the footage caught by the subject cameras. Alderman Trane spoke about his findings in researching the process used in reviewing the camera footage and discussed the ways in which the cameras would have a positive impact in deterring crime on the bike path. Alderman Gewirtz stated her belief that

the cameras do not deter crime and went on to say that the cameras would cost the city to operate and maintain after the first year. Chief Holloway gave examples of how cameras have solved crimes in the past and stated that if the cameras save one life, then it would be worth it.

Mr. Shapiro told the members that the placement of the cameras would pass constitutional muster and that, according to case law, people do not have an expectation of privacy in public places. Chief Kelleher stated that he is in favor of the cameras and spoke about the ways in which they would help the Fire Department respond to accidents and emergencies. He also gave examples as to how cameras have helped solve arson cases in the past and stated that Chicago has 1,000 cameras on the streets.

Representative Provost discussed the importance of public testimony and spoke about the concerns of Massachusetts residents regarding toll transponders as a way to track people's whereabouts. She stated that people expect privacy when they travel in their private vehicles and said that electronic storage of data creates concerns about privacy.

The following people were recorded, as follows:

- Frank Misoli of 37 Hancock Street, opposed
- Ron Newman 18 Day Street, opposed
- Joel Gwinn 35 Day Street, opposed
- Janet Singer feels that cameras will not stop the crime
- Cathy Foley of 31 Partridge Avenue, opposed
- Lanna Reeves of 38 Dartmouth Street, opposed
- Barry Rafkin of 4 Ossippee Road, opposed
- Daniel Reinhart of 14 Gilman Terrace, opposed
- Marylou Indozza of Essex Street, opposed and would prefer more police presence
- Michael Fager of 31 Partridge Avenue, opposed
- Sara Wunsch of the ACLU is opposed and stated that Police Officers may use the cameras to track their spouses and commit domestic abuse. She also spoke about the Chinese government's tracking of people and does not want the government spying on the public
- Melissa McWhinney of 16 Dick Street, opposed and stated that police officers often sit in their cars and ignore traffic problems. She further stated that if they got out of their cruisers, we wouldn't need cameras to help with traffic flow
- Stan Chesnick of Bay State Avenue suggested public oversight with a periodic review.

Chairman White explained that the city secured a federal grant and offered that reason as an explanation as to why the public did not have time to give their opinion on the placement of the cameras.

Chief Holloway stated that the images on the tapes are public information and everyone may have access to them if they want to pay a fee. The cameras are not monitored by Homeland Security or private contractors.

Alderman Gewirtz asked for clarification regarding network connectivity of the cameras and Chief Holloway explained that the data is stored in Somerville and not automatically sent to the Fusion Center.

Officials from other cities cannot operate Somerville's cameras but can review the data if they contact the Chief or Deputy Chiefs from Somerville. A record would be kept as to who requested the data.

Alderman Pero expressed his belief that the Board of Aldermen was disrespected by not being part of the process from the beginning and asked Ms. Baker for an explanation. Ms. Baker stated she will research the history and report back at the next meeting. Alderman Trane asked Alderman Gewirtz to provide the committee with a copy of the British study she referenced indicating that surveillance cameras do not deter crime.

Chairman White stated that the record would be kept open until April 15, 2009 for public comment.

No papers were acted on.

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