



DRAFT

September 29, 2014

Terry Witkowski, chairman
Public Safety Committee
Milwaukee Common Council
200 E. Wells Street
Milwaukee, WI 53202

Via facsimile to (414) 286-3456.

Re: File # 140926 body-worn cameras

Dear Alderman Witkowski,

You and your colleagues on the city's Public Safety Committee on October 2 may consider a communication from the Milwaukee Police Department (MPD) relating to body-worn cameras, File # 140926.

Body-worn cameras can enhance police accountability and deter police misconduct, such as the excessive use of force. Council members and members of the public have encouraged the MPD to deploy body-worn cameras in a timely fashion. The American Civil Liberties Union of Wisconsin (ACLU/WI) agrees that body-worn cameras when used properly have a role in increasing police accountability.

At its September 18, 2014 regular meeting Chief Edward Flynn told the Board of Fire and Police Commissioners (FPC) that MPD was moving forward with a pilot program to test body-cameras. 50 body-cameras will be used. The Chief suggested that relevant policies would be rolled out over time. Mayor Barrett's 2015 Budget Request includes \$100,000 for the pilot. The MPD's budget request for additional data storage, including for mobile digital video recorders, is reduced from \$500,000 to \$400,000 in the Mayor's budget proposal.

The ACLU/WI has two suggestions regarding File # 140926 and body-worn cameras.

First, the Council and the FPC should encourage the MPD to develop protocols for the pilot and ultimately standard operating procedures that take into account

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serious privacy considerations affecting both police officers and subjects. Privacy can be protected without significantly diminishing the potential body-worn cameras hold for enhancing police accountability. I have given Chief Flynn xxx. Please find a copy attached.

Second, the Council and the FPC should insist that the MPD conduct its pilot and move to deploy more than 50 body-worn cameras and adequately train substantial numbers of officers in their use in a timely fashion within a year. The pilot should determine which system, cameras, and policies best suit the MPD and emerging best practices. The FPC at its September 18th meeting reduced the time that MDVR's record after events by nearly 50%. In my opinion the MPD is budgeting too much for data storage. The ACLU/WI will urge the Finance and Personnel Committee to move more funds from data storage to body-worn cameras.

Robust police accountability improves police community relations. Good police community relations are essential if we are to work together to make our neighborhoods safe. Body-worn cameras should be used to enhance police accountability. They must not be used for surveillance. The data collected by body-worn cameras (and MDVRs as well) should not be used alone or matched with other databases for forensic purposes unless there is a warrant. It should also not be analyzed in a way that impinges of the First Amendment, associational and free speech, rights of law abiding Americans, such as anti-abortion demonstrators, politicians, and demonstrators protesting police misconduct.

The ACLU/WI believes that body-worn cameras have an important role to play to increase police accountability. However, as with any law enforcement technology, we cannot let human values and civil liberties become subservient to the technology. We should put the technology to work for us. You and your committee have an important oversight role to play. We urge you to review this complicated issue to make sure that the residents of Milwaukee will benefit.

Thank you for your consideration.

Sincerely yours,

Christopher Ahmuty
Executive Director

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