

Protection and License Committee

Chairman Infurna, Forbes, Brodeur,
Seaboyer, Medeiros
Attending: Conn, McAteer-Margolis,
Medeiros, Tramontozzi, Wright,
Boisselle
In attendance: Police Chief Mike
Lyle

Protection and License is called to order by Chairman Infurna at 7:40 p.m. She says it is the continuation of the committee meeting that recessed on Thursday, January 8, 2009. Order No. 09-100, Amending Melrose Revised Ordinances: Video Surveillance Devices and Equipment as set forth herein.

Alderman Brodeur moves to recommend, 2nd by Medeiros.

Alderman Medeiros motions to suspend the rules to allow Chief Lyle to participate in the discussion, 2nd by Alderman Seaboyer. All in favor.

Chairman Infurna states for the record that the Committee has received a letter addressing this order from the City Solicitor as well as suggested amendments to the proposal.

Chief Lyle says he had the opportunity to speak with the City Solicitor at length and together they revised it. He is looking for insight from the Committee regarding the revisions that were made. The current proposal would restrict surveillance of the Police Department and they would have to remove surveillance devices from police cruisers.

Alderman Medeiros asks if the aldermen couldn't vote to allow cameras in police cars. Chief Lyle says the current proposal restricts more than just the cruisers; the installation of cameras on any building in the City would have to go to the Board of Aldermen for approval by 8 votes.

Alderman Brodeur says there are two pieces to his proposal. The first is the question of whether the Aldermen should be able to weigh in on the use of surveillance cameras and obviously he thinks they should. The second piece is the transparency in the budget process – where and when the money is spent for surveillance cameras. He says he thinks it is WAN communication but he doesn't know what that is. The Board of Aldermen has oversight on the City's ordinances. The suggestion around this order is that the Board of Aldermen is taking away the judgment and authority of public safety officials. To put a stop sign up in Melrose the protocol is to go through the Traffic Commission; this is similar. The Board of Aldermen has to ask if a surveillance camera is an important thing to install. People want to know where the high crime neighborhoods are. Siting a camera in a neighborhood would place a burden on that neighborhood. People are more comfortable when their neighborhood is safe enough not to need a camera. The decision is incumbent upon the Aldermen; the studies of the effectiveness of these devices show that they are not effective as crime deterrent tools. He thinks it is important that the legislative body has input on the siting of cameras. Budgets are about transparency. The City's budget is posted on the web and there are 20 meetings held on the budget. It is the most important thing the Board of Aldermen does – its power and control – and without specific reference to line items they don't

know where the money is going unless they have the presence of mind to ask. Grant money received by the City can be put into specific line items. He thinks this is a step in the right direction. He hopes the Board will not accept the Administration's revision.

Alderman Conn says he is not going to support the underlying order or the Administration's proposal. He doesn't think determining where these cameras are sited is the Board of Aldermen's function. He will vote against it in any iteration.

Alderman Medeiros says she does support this order. The idea of surveillance cameras on a public way is something that should have as much public play as possible, including the Board of Aldermen's input. It opens up the process and allows the public to be more involved. Setting up a separate account is an Administration function and she has faith in the common sense of this board. They can devise a very quick order to affirm the existence of police cruiser cameras.

Alderman Seaboyer says he is concerned about the video surveillance period. He understands the need for having cameras in police cars to be used only temporarily, but the permanent installation of cameras is disconcerting. Everything this Board of Aldermen does is for now and in the future. He asks what the wording "temporary surveillance" before them means. Chief Lyle says Penny Road is a perfect example to set up a temporary surveillance. With changes to Malden's trash ordinance, there is a lot of dumping and debris in the area. Graffiti along the railroad tracks would be another good example to set up temporary surveillance. Alderman Seaboyer asks how long the cameras would be in place. Chief Lyle says the situation would be evaluated every 7 days. Alderman Seaboyer says the cameras would be used for targeted purposes. Chief Lyle says the Winthrop School is another example; police officers are up there every night. He says the same is true at Wyoming Station where there's damage to the terminals. He says the department has a number of goals.

Alderman Forbes says he supports the revised proposal. The Chief has 20 plus years in law enforcement. Locating the cameras in Wyoming Square sends the message that the City is trying to protect the residents in the neighborhood and it sends a message to the business owners that the City is working with them, especially in the recession. He says he supports it because it is an area that is heavily used by children to and from school. Police departments go through every available camera in any major crime that happens in the country. All funding for cameras will be approved by the Board of Aldermen and there will be opportunity to talk about it in committee.

Alderman Brodeur says cameras in police cruisers are a perfect example of temporary placement. He respects what Alderman Forbes said but he disagrees with Wyoming Ave. being a high crime area. However, this order would make a case for the placement of cameras. He says the Board of Aldermen's approval to expend funds is already in place.

Alderman McAteer-Margolis says she is inclined to agree with Alderman Conn. She doesn't think the placement of cameras is the Aldermen's role at all. The amended order would be a good compromise; it gives the Aldermen some oversight without micromanaging the Police Department. Regarding the placing of cameras, she is concerned about protecting City-owned buildings and feels that protecting the City's businesses and private property is also needed. Discussion has emphasized the

negative aspect of the cameras instead of focusing on how to prevent wrongful activity. There is a good Administration in place and if the Aldermen ask to make the process a little clearer it can be done without having to change the whole process of approving funding. She doesn't think the Police Department will randomly place cameras and she knows that the Police Chief has had a number of meetings with the neighbors in the Wyoming Ave. neighborhood.

Alderman Brodeur says the Chief's response to the duration question was the perfect and appropriate use of these devices. There is not a ton of deterrent effect – the only way to have it is to let people know the cameras are out there which limits the effectiveness of the tool.

Alderman Wright agrees with Alderman Forbes and would support the revised order with additional revisions. He says the Aldermen need to understand that this is technology and that technology is used for public safety in public spaces. Notice is important and he would support an amendment to have a notice requirement. He doesn't want to have to have the votes of 8 Aldermen to place a device in his ward, nor does he want it used as a political football in the future. He is able to support the revised order with a notice requirement but the Police Chief should have the ultimate decision for installing the devices.

Alderman Forbes says he did not mean to imply that Wyoming Ave. is a high crime area. Committing a crime necessitates an easy escape and Wyoming Ave. leads to Pleasant Street and the Fellsway. Forty percent of cars coming into Melrose use Wyoming Ave. A camera located there would serve a purpose.

Alderman Seaboyer says if the Aldermen follow Alderman Forbes' train of thought there would be a need for dozens of cameras and that is what concerns him. He fears it could get out of control.

Alderman Conn says the matter is simple. In the words of Dirty Harry, "A man's got to know his limitations". Placing cameras is not the business of this Board of Aldermen. The Police Chief and people catching criminals should be making that decision.

Alderman Medeiros thinks it is something that affects more than just a couple of areas in the City. Wyoming as a pilot program leads her to think that there are more to come. Melrose is a small City where residences are meshed with business areas. She feels it is good to have public discussion and thinks the matter calls for the involvement of the Aldermen.

Alderman Mortimer addresses the concerns about civil liberties saying a public way is a public way and people have to watch what they do on a public way. The cameras in question were designed to block out private residences. It would be nice if the real estate agents could tell future buyers that the Police Chief and the cameras took care of crime in the City. Some areas have high traffic volume and extra protection would be good. This is using technology in the best way possible. Regarding the budget line item, there is nothing wrong with transparency. He is all in favor of the information put forward but he is not in favor of taking the Police Chief's authority away. The overall order takes 8 votes to pass; if it isn't amended it may not pass at all.

Alderman Brodeur says the use of the term "political football" doesn't help inform the debate. As far as assessing who may be voting for or against the order, the question is not for or against cameras but for or against the Board of Aldermen having a role in it.

Chairman Infurna hands the gavel to Vice-Chairman Forbes, who takes the chair.

Alderman Infurna agrees with Alderman Conn and Alderman Wright. The Police Chief works closely with the Ward Alderman who has a say in determining the placement of these devices based on what the constituents want. She has no problem with putting these decisions with the public safety department. She will not support the order.

Alderman Brodeur moves to recommend to the full board, 2nd by Alderman Seaboyer. Two opposed (Forbes, Infurna). Motion carries.

Alderman Brodeur motions to adjourn, 2nd by Alderman Medeiros. All in favor.

Protection and License adjourns at 8:30 p.m.

Maribeth Harrington
Clerk of Committees