



Councilmember Ben Bartlett  
District 3

CONSENT CALENDAR  
April 25, 2017

To: Honorable Mayor and Members of the City Council

From: Councilmembers Ben Bartlett, Kriss Worthington, Sophie Hahn, and Mayor Arreguin

Subject: Budget Referral: Wearable Body Cameras for Berkeley Police Department Officers

RECOMMENDATION:

Refer to the budget process to consider full funding for acquisition of up to 200 wearable video cameras for all Berkeley Police Department sworn officers, subject to concurrent implementation of (1) the Berkeley Police Department's Body Worn Camera Policy (currently being finalized by the Police Review Commission) and (2) the Community Control of Surveillance Equipment Ordinance (currently being finalized by the Peace and Justice Commission and the Disaster and Fire Safety Commission).

BACKGROUND:

There is broad consensus – among community leaders, the ACLU, the Department of Justice, the Berkeley Police Department, and elected officials – that body-worn cameras can be an important tool for improving the high-quality public service expected of police officers.

Body worn cameras for law enforcement can strengthen police transparency, prevent and resolve complaints against the police by civilians, document police-public interactions, and promote the perceived legitimacy and sense of procedural justice that communities have about their police departments.

Many studies have shown that the presence of cameras not only improves the performance of officers but also improves the conduct of the community members.

A 2013 University of Cambridge study found that when police wear body cameras, both police and respondents are less likely to use violence. The study indicated a drop in use of force by more than a 50%. Body cameras could thus make the streets safer for both officers and the general public.

In 2015, the City of San Diego reported that use of body cameras by San Diego police led to fewer complaints by residents and less use of force by officers. Complaints fell by 40.5%, the use of "personal body" force by officers was reduced by 46.5%, and the use

of pepper spray was reduced by 30.5%. These statistics come from a report developed by the San Diego Police Department for the City Council's Public Safety and Livable Neighborhoods Committee.

James Chanin, a Bay Area civil rights attorney, commented in a 2015 interview with Berkeleyside, that since Oakland police officers began wearing body cameras, there has been a 40% drop in complaints, along with a reduction in use of force reports. Meanwhile, arrests have gone up, meaning there's no indication that there has been a reduction in enforcement efforts in the City.

Many of our neighboring cities have issued body cameras for their Police Departments, including Oakland, San Francisco, and San Jose. It's time for Berkeley to do the same.

We recognize, however, that equipping the Police Department with body cameras raises concerns relating to privacy and government surveillance. Whether these cameras make police more accountable depends on how the cameras and footage are used. To that end, City commissions are currently developing a Body Worn Camera Policy and a Community Control of Surveillance Equipment Ordinance.

The City of Berkeley's Police Review Commission is currently developing policy relating to the use of body cameras which will specify clear guidelines for recording, retention, access, and use of footage, restrict circumstances under which officers can view footage before filing reports, and otherwise promote accountability. The policy is being drafted and negotiated transparently through the public commission process.

The City of Berkeley's Disaster and Fire Safety Commission as well as its Peace and Justice Commission are currently developing a Community Control of Surveillance Equipment Ordinance. This Ordinance is being modelled after Ordinance NS-300.897 of the Santa Clara County Board of Supervisors, which regulates the use of surveillance technology.

Councilmember Bartlett's Office and the City Council will monitor the development of this policy and ordinance. If they are found to be inadequate, we will step in to ensure that the civil and privacy rights of our community are being protected.

#### FINANCIAL IMPLICATIONS:

The Justice Department estimates that each camera will cost between \$800 and \$1,200 dollars. Based on this estimate, the acquisition of 200 cameras, which will equip every sworn police officer with a camera, will cost approximately \$240,000 dollars. This estimate excludes video storage costs.

In June 2016, the City Council approved City dollars to implement a pilot body camera program for the Berkeley Police Department. \$50,000 was approved for the onetime purchase cost of the body cameras, and \$100,000 for associated staff and operating costs. This money has not yet been deployed and can be used to partially fund the

acquisition of the 200 body cameras required to fully equip the entire Berkeley Police Department.

ENVIRONMENTAL SUSTAINABILITY:

Consistent with Berkeley's Environmental Sustainability Goals and no negative impact.

CONTACT PERSON

Councilmember Ben Bartlett      510-981-7130

