Surveillance Study Committee

Minutes for September 20, 2018

Attendees:

Steve Revilak, Dave Good, Jon Gersh, Christina Hildebidle, Mark Streitfeld, Julie Flaherty

Scheduled Meetings:

Thu Oct 18th, 7:00 PM. Lyons Hearing Room
Tue Oct 30th, 7:00 PM, Lyons Hearing Room
November 29, 7:00 PM, Lyons Hearing Room

Action Items:

- As a starting point for Arlington's Surveillance policy, Ms. Hildebidle will post the Wayne State surveillance policy to Google Docs with modifications to adapt the policy to Arlington. All committee members will be given access to the Google Doc.
- Committee members will post proposed language changes for the Arlington policy as comments to the Google Doc that Ms. Hildebidle posts.
- Capt. Flaherty will look into booking space for the October 30 meeting at the Community Safety Building.

Future Agenda Items:

- Ms. Hildebidle asked for a future discussion on whether surveillance deters.

Membership:

- Mr. Revilak announced that Ian Pilarczyk resigned from the committtee.

1) Approval of Prior Minutes:

- Due to concern that too many members cannot attend planned meetings, the dates of future meetings were revised as show above in these minutes.
- Capt. Flaherty offered to try to book room in the Community Safety Building for meetings that can't find space in Town Hall.
- A request was made to change "One of the Steve's" to "Someone".
- Mr. Gersch moved to accept the minutes. Mr. Revilak seconded. Approval passed unanimously.

2) Discussion of Wayne State Video Surveillance Policy:

- M. Streitfeld was concerned the policy only deals with video versus other means of data collection. For example, license plate readers or storing identities via facial recognition. Ms. Hildebidle suggested the term "recorded surveillance". Mr. Good suggested we stick to defining purposes, scope, and intent to avoid going down rat holes. He mentioned that water meter reading equipment records information, and might pick up other data, but it is only used for billing.

- Mr. Gersch asked about other technologies collecting data on the roads. Mr. Revilak responded that on the poles with streetlights the cans with bird like beaks give priority for emergency vehicles, and the bells over intersections are 360 degree cameras that sense waiting traffic without recording.
- Mr. Revilak: Talked about the definition of "surveillance equipment". He presented definitions of "surveillance" including the careful watching of a person or place due to crime, and continuous observation of a person, place, or group to get information. Ms. Hildebidle indicated that we can provide our own definitions of terms in our policy to make our intent explicit.
- Mr. Gersch: Our policy needs to address data transfer to non-town entities. I.e. sharing of information.
- Ms. Hildebidle: We need to talk about collection, retention and sharing. An employer can track how long one is at lunch via a phone's WI-FI MAC address. Students agree to such monitoring the first time they log on to the WI-FI. Mr. Good mentioned that kids doing a crime at the High School were found via WI-FI.
- The question was raised as to whether we had a right not to be monitored. Mr. Gersch said we should enumerate our rights in the policy. Ms. Hildebidle suggested we shouldn't conflate actual rights with expression of rights. Policies are written in terms of laws, not personal experience. We should perhaps push the envelope regarding liberty in our policy.
- Mr. Revilak asked if the Wayne State policy was a good starting point. Mr. Streitfeld suggested its deficiency is that it only focuses on video. Mr. Good responded that the policy is getting to broad if we start getting into captured data, and too difficult to generalize so that the selectmen can understand. Ms. Hildebidle suggested that we come up with recommendations, refine it through Town Counsel, and then it goes to the Selectmen and Town Meeting.

Mr. Revilak requested we go around the room and indicate what we think of the Wayne State policy

- Mr. Good: Clear. Has examples. Defines what can and cannot be done. Defines procedures. Data retention might be dictated by state law. It is important that the town not sell data to 3'rd parties.
- Ms. Hildebidle: Likes how it starts with purpose and scope. On the fence about page 2. Likes approval section, section 5. Arlington would have different authority figures. Likes signage area. Likes policy on retention and release of recorded material, but thinks the policy is too broad. Doesn't like the emergency use provisions because it could be used inappropriately. The rest of the policy might not apply to us.
- Capt. Flaherty: Clean and to the point. Likes 4.3 and bullet points. Arlington Police have many policies that discuss use of cameras and surveillance, but none explicitly focusing on cameras. Arlington is accredited, so it can get information from other accredited police departments. Chelsea and Brookline have written policies on video cameras (handed out during meeting).
- Mr. Good: Nice. We should have an overarching statement of what we want. Maximum amount of civil liberties we can have. A statement to that effect would be a useful addition
- Mr. Streitfeld: Good to draw from. Wish it went beyond video.
- Mr. Revilak: Liked it. Defines video surveillance system, and what it isn't. Likes appropriate and prohibited uses. Actors will be different. Not everything goes through the police chief. Likes inventory. Not sure if it should be town wide, or an inventory per department. Having each department maintain its own inventory might be more manageable. Likes that cameras can't be used in places where privacy is expected. Likes use: safety, protecting people and property, and for investigations. Different organizations in town might have different purposes.
- The question was raised if different groups should have different surveillance goals. Mr. Revilak said that was OK with him.

Start of document:

- Ms. Hildebidle offered to put of the Wayne State document as a Google Doc, and start to adapt it to the town.

3) Discussion of School and Police Department Video Surveillance Policies:

Arlington Police use of Video:

- Capt. Flaherty: Reiterated that Arlington PD does not have a consolidated policy outlining its use of video. Instead, it has many polices on procedures which incorporate the use of video.
- Earlier, Ms. Hildebidle discussed a meeting with the police department. She said the police don't need video for deterrence, and video is not part of their community policing policy. Capt. Flaherty reiterated Ms. Hildebidle assertions.
- Capt. Flaherty presented the Brookline and Chelsea policies.

Arlington Scools use of Video:

- Mr. Good: Earlier stated schools don't have a formal video surveillance policy.
- Ms. Hildebidle and Mr. Good talked about "Safe Connect" mentioned before. It allows folks in schools to use WI-FI. Part of the sign up agreement procedure requires the user to identify themselves and agree to allows the schools to track where thir mobile device is while connected to the WI-FI. The town may also be using the system outside of the schools.

4) Meeting Dates for October:

See Scheduled Meetings above.

5) Other Business:

6) Adjourn:

Mr. Revilak moved to adjourn. Mr. Gersch seconded.