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Community Board 12 - Manhattan Washington Heights & Inwood

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January 31, 2017

The Honorable Bill de Blasio
Mayor of The City of New York
City Hall
New York, NY 10007

Commissioner James P. O'Neill
New York Police City Department
1 Police Plaza
New York, NY 10038

Re: Resolution in Support of Body Cameras for NYPD

Dear Mayor de Blasio and Commissioner O'Neill:

Community Board 12 Manhattan passed the following resolution with a vote of 31 in favor, 3 opposed, and 4 abstentions, recommending that the New York City Police Department and Mayor's Office consider providing body cams to police officers throughout New York City at its General Meeting held on Tuesday, January 24, 2017.

WHEREAS, the camera has the power to witness, record, document, exonerate, or implicate the police and the public (or to be, on occasion, the only witness), but cannot reveal motive, intent, or fear on the part of the police or the public; and

WHEREAS, technology has enabled a proliferation of videos made by the public and widely distributed through social media, that, by default, show only one point of view;

WHEREAS, the worldview of the viewer—whether police officer, bystander, victim, judge, or jury— can be biased, as Drexel University law professor, Adam Benforado (*Unfair: The New Science of Criminal Injustice*), concludes: "We operate under the illusion that reality enters our brain through our senses unfiltered. But at any given moment, our race, gender, age, profession, politics, religion, and countless other identity-defining characteristics and affiliations are coloring what we see";

WHEREAS, body cam footage, which may reveal details that eyewitnesses don't recall or didn't notice during fast moving and stressful events, becomes part of the investigative narrative that includes but does not replace statements by the accused, eyewitness testimony, forensics, or other evidence;

WHEREAS, the call for body cams echoed from the streets of Staten Island to the White House offers an opportunity for the police to be accountable and for their activities to be transparent;

WHEREAS, in 2013, 32% of local police departments were using body cams, according to the National Institute of Justice;

WHEREAS, the use of body cams may engender more positive interactions between the police and the community at a time when there is a renewed emphasis on improving police-community relations, may result in fewer civilian complaints, and save millions of dollars in settlement payments by the City of New York;

BE IT RESOLVED that Community Board 12 Manhattan recommends that the New York City Police Department and Mayor's Office consider

- ▶ Providing body cams to police officers throughout New York City;
- ▶ That, in advance of deployment of body cams by precincts, that local communities be advised (through the news media and the NYPD's own communications outlets, including Facebook and Twitter; Community Boards, precinct councils; meetings with school groups and community organizations) that they may/will be recorded whenever in the presence of uniformed police officers;
- ▶ That an intensive outreach program be implemented on an ongoing basis, and including but not limited to NYPD Precinct Community Councils, Community Boards, and community partners, and that this outreach program incorporate detailed explanations of how body cams work, so that all parties understand the limitations and constraints of body cams, and that further discussion be held to determine how video footage will be released and how much of that footage will be made available through FOIA requests so that the right to privacy of innocent bystanders and undercover police officers is preserved on the one hand, and the NYPD is not overwhelmed by requests on the other, and be it further resolved
- ▶ That in instances where serious injury or death of a civilian or police officer occurs, body cam footage be released within 24 to 48 hours (unless an investigation would be compromised and that this specifically be noted by the NYPD and the District Attorney's office), and that any portions of audio or video footage redacted from that footage for the purpose of maintaining the privacy of innocent bystanders or victims, or to prevent interference with an undercover investigation be so noted at the time of release;
That, as noted by the Leadership Conference on Civil and Human Rights that "to promote accountability, individuals alleging police misconduct should always be able to view relevant footage during the complaint process including the Civilian Complaint Review Board (CCRB);
- ▶ That body cam video footage be used for training and retraining purposes throughout the NYPD;

BE IT FURTHER RESOLVED that the United States Department of Justice examine and set minimum guidelines for the public release of body cam footage by all police departments so that the same base standards are established and adhered to nationwide; and that they determine which law enforcement video footage can (or cannot) be made public, and how and where it can (or cannot) be used and by whom.

Sincerely,


Shahabuddin A. Ally, Esq.
Chairperson

cc: Benjamin B. Tucker, First Deputy Commissioner NYPD
Marco A. Carrion, Commissioner CAU
Hon. Andrew Cuomo, Governor
Hon. Letitia James, Public Advocate
Hon. Scott Stringer, Comptroller
Hon. Gale Brewer, Borough President

Hon. Adriano Espaillat, Congressman
Hon. Bill Perkins, State Senator
Hon. Marisol Alcantara, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Ydanis Rodríguez, Council Member
Hon. Mark Levine, Council Member