



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MINUTES
BELOIT EQUAL OPPORTUNITIES
COMMISSION**

Wednesday, April 15, 2015 at 5:45 PM

1. Call to Order and Roll Call

Chairperson Sloniker called the meeting to order at 5:45pm. Commissioners Sloniker, Zoril, Hansen, Howland, Weaver, Perreault, and Council representative De Forest were present.

2. Approval of Minutes of the March 18, 2015 Meeting

Commissioner Zoril requested a change on page 2, item 3, last line-change to quality “**housing.**” Commissioner Hansen moved to approve the minutes, Commissioner Howland seconded the motion. The motion passed unanimously (6-0).

3. Public Participation

Commissioner Howland moved to switch agenda items #4 and #5. Councilor De Forest seconded the motion. The motion passed unanimously (6-0)

4. Discussion of Police Body Cameras

Captain Bill Tyler, from the City of Beloit Police Department, spoke to the Commission on the topic of Body Cameras. He provided a brief history on the use of cameras and body microphones by the Beloit Police Department, dating back to 2004. According to Captain Tyler, the Police Department utilizes body cams (for audio and visuals) for tactical units and drug & gang units. He also explained the process of writing policies regarding camera and body microphone use.

Captain Tyler addressed issues the Police Department has faced since implementing the use of cameras and body microphones. He mentioned storage concerns, referring to finding available space as well as dealing with hot and cold weather changes.

Another obstacle the Police face is privacy. Due to the law, everything that is retained is subject to discovery, which could prove problematic to individuals. The Department is sensitive to recording, especially in regards to juvenile privacy. Taking into consideration the nature of the evidence, redaction is not possible.

A third question the Police Department faces deals with the amount of time a recording is kept. He stated that with homicide cases, evidence may be kept for eternity. Other cases may take between 10-15 years to be completed. And once the case has been to trial, there is always the possibility of an appeal.

Another dilemma the Department faces is the storage device the camera vendor requires the customer to utilize. This raised questions regarding the storage requirements and the best practices for the police force. Captain Tyler explained some of the concerns with digital storage. Firstly, the vendor only allots a short amount of time to retrieve data if the customer decides they no longer wish



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to pay for the service. Given the amount of data stored, retrieving, managing, and finding a place for it becomes problematic. The force is working on the storage capacity; however, they are not looking to increase it too much due to privacy concerns.

They have met with the City Attorney with general concerns regarding privacy. For example, Officers cannot decide when they want to turn the camera on or off, only a supervisor can make that decision. Individual citizens cannot request the camera be turned off. These recordings may not fairly and accurately represent an individual overall. Captain Tyler stated that after discussions with the City Attorney, it seems that more likely than not, body cameras will be implemented. The question then becomes what is the best practice with regards to recordings and records? Once something is recorded, its release cannot be controlled. Captain Tyler stated that the officers are cognizant of times that they should absolutely be recording, and other times when it could be optional.

Captain Tyler explained other types of recording technology the Department has available and utilizes. He stated that they have had success with the car cameras, although they do recognize the limitations of the motionless camera. He also explained that shoulder or glasses cameras have their limitations as well. They do prefer to have some view, as can be achieved by the car cameras.

Captain Tyler opened the floor to questions from the commissioners. Councilor De Forest asked for specific details regarding when the car cameras are activated, the policy in regards to turning the camera on, which officers have body microphones on them, and audio capabilities. She followed up with additional questions regarding digital storage, budget restraints, how many cameras would be needed, the price of storing audio/video data, and where the Department was looking for to provide recommendations on how to handle data storage and the best practices. Capt. Tyler addressed each of her questions

Mrs. Downing followed up regarding storage for each of the officers, specifically, if the Department were paying for a subscription for each officer, even after they retire. Capt. Tyler explained that they have to maintain records from each retired officer for 7 years.

Commissioner Zoril inquired into how much storage the Department is utilizing overall and per year. Capt. Tyler stated that they are around 33T and explained the process for retaining data tagged as evidence and data not tagged as evidence. Capt. Tyler also explained the average of data obtained each year and the demographics of the officers who are more and less comfortable using the video segments. The younger officers are more comfortable with technology than the older officers.

Mrs. Downing asked for clarification on the tagging process. Capt. Tyler explained that typically the supervisor has to tag the evidence with the case number so that it does not get recycled.

Commissioner Zoril inquired into the amount of discretion officers have in terms of when recording takes place. Captain Tyler stated that there is some flexibility for an officer to turn it on. In an enforcement situation it is not an option for the officer, in a non-enforcement situation there are some options.

Commissioner Zoril followed up with questions regarding which camera and microphone is turned on during an enforcement stop as well as the ability to turn off the video and microphone off remotely.



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Capt. Tyler answered that the car camera is the one he is referring to and also explained that the microphones on their bodies have a button to activate the video in the squad car. The officers are also unable to remotely turn off the video/mic; there is a process the officer has to complete before shutting down the device.

Commissioner Howland mentioned that he believes Janesville has body cameras. Capt. Tyler refrained from speaking on their behalf but did acknowledge that they have similar issues.

Commissioner Howland brought up a Times Article by David Brooks in which the author explored both the pros and cons of having body camera. Capt. Tyler mentioned similar issues as Mr. Brooks' article, namely concerns with privacy and discretionary issues. Mr. Brooks' article also suggested that video evidence would be beneficial if there were a question of discrimination or falsifying evidence.

Capt. Tyler explained that only a small percent of the videos retained are from high risk, high stress situations such as officer shootings. The large majority of the interactions between officers and citizens are not in any way similar to that. Capt. Tyler explained the policy regarding discretion on recording non-enforcement stops. In order to avoid pushback from individuals who feel that their rights are being encroached upon, the officers are able to use their discretion for non-enforcement stops. For a traffic stop, an officer is able to explain why their camera is on.

Commissioner Howland inquired as to how/if the videos have shed light on how officers are interacting with citizens and if they could be used to enhance training. Capt. Tyler answered that the video evidence was used to justify the force used in the recent downtown shooting, that they officers acted with as they should have. He also explained that having body cameras on an officer's body isn't necessarily a failsafe. The camera could always be on, but it's not recording until the officer activates it. That is where the camera in the squad car proves to be a more reliable recording device.

Councilor De Forest inquired into whether or not the Department uses the videos to improve policing standards. Capt. Tyler responded that the videos have been used as such for years. The Beloit Police uses the videos for new field officers to ensure that they are employing the correct tone of voice. He also said that the videos are used when there is a question of force. The individual officers are able to review their own videos as well.

Councilor De Forest asked if the videos would be used when the Department receives several complaints regarding a specific officer. Capt. Tyler explained that the Administrative Staff has done this many times to determine if there is a trend or a pattern.

Mrs. Downing asked if videos would be subject to release if an individual approaches an officer with the wish to remain confidential while offering testimony on crimes that have been committed in the community. Capt. Tyler answered that it would depend on the level and type of contact.

Commissioner Perreault inquired into whether or not an individual would be aware if a camera were on. Capt. Tyler stated that you may or may not be able to tell. There is a device clipped on their belt that blinks when it is recording.



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Councilor De Forest asked if an officer is able to lie to an individual about whether or not the camera is on. Wisconsin operates under the single party consent law in which only one person needs to give permission. Captain Tyler stated that yes; an officer can lie about whether or not the camera is on.

Commissioner Zoril inquired into situations in which officers demand that they not be recorded by individual citizens. Capt. Tyler explained that the standard is each party can record and neither parties can demand the recording to stop. The only time an officer can arrest an individual for recording is when they are obstructing justice.

Commissioner Zoril asked if there have been any complaints made against the Police Department in terms of individuals being harassed or arrested for recording officers. Capt. Tyler stated that he is not aware of any such cases.

Chairperson Sloniker asked if Capt. Tyler was aware of any cases in which an officer informs a parent not to record when dealing with difficult child exchanges. He answered that if they have occurred, he is unaware of it happening. There have been times where divorcing parents attempt to use video evidence of a fight against the other parent in court. The officers attempt to diffuse the situation and not let it escalate.

Commissioner Hansen returned to the subject of the cost of storage. He asked where the force predicts the cost of storage to go. Capt. Tyler explained that the storage companies lure the clients in with an introductory offer and once the client is committed, the rates change and prices raise exponentially. He offered the glasses camera as an example; each set up costs around \$1,000 per camera. Capt. Tyler also explained a brief history of losing Shot Spotter due to maintenance costs.

Capt. Tyler also explained that in some states, due to the Freedom of Information Act, videos that are not tagged as evidence can be requested and shared either via the news or YouTube. This is something the Department is trying to avoid.

Commissioner Hansen asked about the time commitment of officers regarding deleting videos. Capt. Tyler explained that individual officers cannot delete video/audio. If something is not tagged as evidence, it will be expunged.

Commissioner Sloniker asked for more information and clarification regarding the single party consent law. Capt. Tyler explained that if the recording took place in a public area, no notification is required. In a private home, there would be some issues.

Commissioner Hansen asked Capt. Tyler for his personal opinion regarding what he would like to see for cameras. Capt. Tyler explained that he would prefer that everybody receives a camera that needs one. He also explained that the Department has been working on a policy regarding cameras for over ten months and that the Department has to collaborate with other agencies to ensure that they are following the law and City expectations.

Commissioner Zoril inquired into the price of the system and a general break down of what's been purchased. Capt. Tyler explained all the costs that are associated with the cameras; including, but



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not limited to: Wi-Fi, download, software maintenance, licensing issues, access points, and server storage. Capt. Tyler estimated that a total of \$30-40,000 has been invested into the program.

Councilor De Forest asked if there were any options existing or on the horizon in which the Police Department would be able to purchase body cameras and connect to their own storage to avoid high fees. Capt. Tyler explained that right now all of the companies are making their products proprietary. Each camera only works with that specific company. He also explained other avenues of storage the Department had explored, specifically burning the videos to discs, which are not suitable for long term storage. The Department also faces the challenge of maintaining the equipment to play the audio/video from VHS to discs.

Mrs. Downing asked if the videos that had been recorded prior to 2004 had been converted to digital format. Captain Tyler stated that there was lack of time and personnel to do so. He also explained a bit more in detail the ideas behind best practice for storing evidence. If a company goes bankrupt, the evidence is lost. If a company has a new model and the old is no longer supported, any evidence obtained after the new model is introduced is subject to questioning.

Commissioner Zoril asked the Commission how they would feel about putting together a resolution to inform the City Council how the Commission feels regarding body cameras.

Commissioner Perreault inquired what the purpose was of having Capt. Tyler speak to the Commission.

Commissioner Howland answered that it had been prompted by the events in Ferguson. There has been concern about whether the Police utilized necessary force or excessive force. Video evidence provides the clarification testimony cannot. He also offered the question of would spending more money on training be more beneficial than spending more money on video. Commissioner Howland stated that the police have been very receptive to receiving additional training on dealing with mental health issues as well. At this time, Commissioner Howland is unsure of his opinion.

Councilor De Forest suggested that the EOC recommend the City Council explore the pros and cons of the body cameras based on racial bias. She also mentioned the possibility of having cultural competency training through the use of the videos. With the videos, the officers may be able to see whether unintentional bias exists, even in day to day interactions. Councilor De Forest also weighed the pros and cons financially as spending the money on body cameras would mean the City would be unable to hire another officer. Commissioner Weaver agreed with Councilor De Forest, stating that it would be a reasonable approach, instead of suggesting the Council just move forward with the body cameras.

Commissioner Sloniker asked Councilor De Forest when the study of the Police Department would be completed. Councilor De Forest indicated that investigating firm informed the Council it would take 2-3 months to complete interviews, and then they would need additional time after that to complete the thorough report the Council requested, and include recommendations on ways to improve the Department.

Commissioner Sloniker agreed to make suggestions, although she does believe that the report by the investigating firm would be helpful in determining what to do with the body cameras.



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Commissioner Howland concurred with Councilor De Forest regarding the usefulness of the videos for ongoing cultural competency training for the day to day occurrences. Commissioner Zoril asked the Commission what the most effective way to move forward with recommending the City Council move forward with body cameras would be.

Councilor De Forest suggested the Chair person address the City Council as to make it clear the entire commission supports the proposal. She also suggested that the Commission wait until they have the recommendations from the Fair Housing Education/Analysis RFP to present to the City Council. In that way, the Commission is bringing everything they would like to see be done to the Council at one time. Commissioner Hansen agreed with Councilor De Forest and also stated that there was evidence the Police Department supported this as well.

Commissioner Sloniker suggested that the Commission does its own part and offer training as well, similar to the Homeowner's seminar.

Commissioner Hansen brought up the issue of having more bilingual City staff and the difficulties faced there. Councilor De Forest mentioned that the School District of Beloit hires a translator for parent-teacher conferences and that is something the City might need to look into doing. Commissioner Perreault mentioned the language line that is utilized at the clinic.

Commissioner Sloniker asked how the Commission wanted to proceed with the body cameras. Councilor De Forest stated that there would be value in waiting until the recommendations from the investigating firm were obtained. Mrs. Downing explained that they were still waiting on the final rule from HUD due to a rule change and the format of the analysis. She suggested ways in which the Commission could still move forward with Outreach and Education segment.

Commissioner Zoril asked how to move forward now with the annual strategy. Mrs. Downing explained that the Commission could change how they reported their findings.

Commissioner Howland suggested that one or two Commissioners work on coming up with something for the next meeting. Councilor De Forest and Commissioner Zoril volunteered to prepare something for the next meeting.

4: Update Annual Strategy to Address Impediments to Fair Housing

Mrs. Downing summarized the report.

The Commission discussed promoting the upcoming event via handouts, word of mouth, agencies, electronic means, and newspapers/shoppers.

Commissioner Hansen mentioned the Section 8 Homeowner program. He stated that there is an existing program run by Section 8 that gives those individuals the opportunity to learn the process of becoming a homeowner, just like the upcoming seminar. Section 8 will also pay part of the loan for 15 years for the non-elderly, non-disabled and infinite for elderly. He stated that tenants start the program, but do not complete the program.



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Mrs. Downing explained that there has been a turnover in the Housing Authority Program as well as a lack of certified credit counselors. This has affected the participants because they are unable to complete the education in the office; they have to go elsewhere for that. She also stated that she knows of an individual who has purchased a home utilizing that program in the last eight months.

Commissioner Zoril inquired as to whether or not the Commission could create a monetary incentive program for homeownership, which he points out would be beneficial to the City and homeowners. Mrs. Downing explained that Fair Housing money could not be used. There are restrictions on the use and distribution of the funds.

Commissioner Hansen stated that there is an existing grant available for low-income housing. The loan officers had mentioned that you can receive up to \$6-8,000 for the down payment if you live there for a couple years for the income qualified person.

Commissioner Zoril stated that those loans are not pushing businesses/realtors to help low-income people qualify as the money does not benefit the businesses/realtors. He suggested finding a way to allocate funds in a way that would incentivize businesses/realtors to actually assist low-income families become home-owners.

Councilor De Forest stated that she believes it would be more helpful to do an incentive program through the CDBG program. If that were the case, the commission could find an agency that would be willing to step up and work towards that goal.

Councilor De Forest requested that the RFP be added as an agenda item for the next meeting as she had a few comments regarding information included in the RFP.

Mrs. Downing stated she will add the RFP to the next meeting. The commission discussed additional items they would like added, including, but not limited to outreach/education services as well as items in the public sector and Section 8 landlords.

Mrs. Downing also explained that the RFP is not a requirement, rather an idea from a previous commission. If the current commission so chooses, they could change their strategy.

5. Commissioner Comments and Upcoming Events

Chairperson Sloniker distributed flyers for the upcoming event. Mrs. Downing gave suggestions as to which neighborhoods to place flyers, focusing on the areas of Beloit with the largest concentration of minorities as well as strategic locations such as apartment complexes or laundry mats.

Mrs. Downing reminded the Commission that the Housing Authority will be attending the meeting in June to discuss payment standards.

The commission decided to wait until the August meeting to elect a new chair and a vice chair due to Chairperson Sloniker being elected to the City Council. Commissioner Zoril, in the interim, will act as Chair.



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6. Next Meeting Date: June 17, 2015
Chairperson Sloniker announced the date of the next meeting.

7. Adjournment
Commissioner Howland made a motion to adjourn and Commissioner Weaver seconded. The meeting was adjourned at 7:45PM.