



ASSEMBLY STANDING COMMITTEE ON CODES
ASSEMBLY STANDING COMMITTEE ON JUDICIARY
ASSEMBLY STANDING COMMITTEE ON GOVERNMENTAL OPERATIONS

NOTICE OF PUBLIC HEARING

SUBJECT: Use of body-worn cameras by law enforcement officials.

PURPOSE: To examine the feasibility and effectiveness of body cameras worn by law enforcement officials.

NEW YORK CITY

Tuesday, December 8th, 2015

10:30 A.M.

Assembly Hearing Room 1923, 19th floor

250 Broadway, New York, NY

ORAL TESTIMONY BY INVITATION ONLY

The Assembly has advanced legislation for many years to encourage greater cooperation among law enforcement agencies and the communities they serve, better protect the police, and ensure equal treatment of all persons under the law. Improved policing requires the trust of the community. Recent events have raised concerns, shaken the confidence of both communities and law enforcement, and led to calls for reform. One such reform that has been embraced by some advocates and law enforcement entities is the use of body-worn cameras by police.

Traditionally, the only way for the public to see video evidence concerning the conduct of its police force has been if an officer or a third party recorded the event. Given recent technological advances, however, it is now feasible for police to be equipped with video cameras in such a way as to not be an impediment to law enforcement activities. These are typically referred to as body-worn cameras which can capture moving images and store them on digital media.

Several studies suggest that the use of body-worn cameras by police can provide transparency for the public, protection for police officers and increase public safety. It has been posited that criminal and other wrongful conduct may be diminished if such actions are recorded and preserved. There have also been various efforts to expand the use of body-worn cameras. In 2013, a federal judge ordered the New York City Police Department to test body-worn cameras for one year in five precincts as a way of evaluating the effectiveness of this technology in curbing potentially unconstitutional stop-and-frisk interactions. Further, the White House has announced plans to invest \$75 million over the next three years to purchase 50,000 body-worn cameras for law enforcement agencies across the country. Further, the fiscal year 2015-2016 state budget included funding for equipment purchases by local police agencies in high crime areas, including funding for new and replacement body-worn cameras.

The issue of whether body-worn cameras should be utilized in this way is not a simple one. Collateral issues are raised by the prospect of having police officers wear cameras, including privacy concerns, data retention and disclosure, and the effects of recording on community-police relations. As police departments across the state and country begin to experiment with body-worn cameras for law enforcement officers, it is important to examine these issues and any related concerns. Therefore, this hearing will examine the effectiveness and feasibility of body-worn cameras by law enforcement officials.

Oral testimony will be accepted by invitation only and limited to TEN (10) minutes' duration. In preparing the order of witnesses, the Committees will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to Committee staff as early as possible.

Twenty (20) copies of any prepared testimony should be submitted at the hearing registration desk. The Committees would appreciate advance receipt of prepared statements.

In order to meet the needs of those who may have a disability, the Assembly, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to Assembly facilities and activities.

JOSEPH LENTOL
Member of Assembly
Chair
Committee on Codes
HELENE WEINSTEIN
Member of Assembly
Chair
Committee on Judiciary
CRYSTAL PEOPLES-STOKES
Member of Assembly
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Committee on
Governmental Operations



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250 Broadway, Room 1923
New York, New York

WITNESS LIST

Witness

Philip K. Eure
Inspector General
Office of the Inspector General for the New York City Police Department, New York City
Department of Investigation

Panel

Edward Thompson
Deputy Chief
New York City Police Department

Josephine Cornier
Captain
New York City Police Department

Joseph Freer
Sergeant
New York City Police Department

Witness

Letitia James
New York City Public Advocate

Witness

Kristin O’Neill
Assistant Director, New York State Committee on Open Government
New York Department of State

Witness

Gerald F. Mollen
President
District Attorney's Association of the State of New York

Panel

Ian Head
Legal Worker
Center for Constitutional Rights

Johanna Miller
Director of Advocacy
New York Civil Liberties Union

Michael Price
Counsel, Liberty and National Security Program
Brennan Center for Justice

Panel

John Aresta
Chief of Police, Malverne Police Department
3rd Vice President, New York State Association of Chiefs of Police

Barry Virts
Sheriff, Wayne County
3rd Vice President, New York State Sheriffs' Association

Panel

Verónica Bayetti Flores
Steering Committee Member
Communities United for Police Reform

Alice Fontier
Vice President
New York State Association of Criminal Defense Lawyers

Sarah Lustbader
Staff Attorney
The Bronx Defenders

Panel

William D. Gibney
Director, Special Litigation Unit
The Legal Aid Society

Cynthia H. Conti-Cook
Staff Attorney, Special Litigation Unit
The Legal Aid Society

Witness

Paul MacMillan

Regional Program Manager

Commission on Accreditation for Law Enforcement Agencies