

**City of New Haven**  
**Meeting Minutes (Short)**  
**Public Safety Committee**

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**Wednesday, January 7, 2009**

**6:30 PM**

**Aldermanic Chambers**

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ALDERMANIC NOTICE - NEW HAVEN

The Public Safety Committee of the New Haven Board of Aldermen will hold a public hearing at 6:30 p.m. on Wednesday, January 7, 2009 in the Aldermanic Chamber of City Hall, 165 Church St., re

For a disability-related accommodation, please call 946-6483 (V) or 946-8582 (TTY) at least one business day prior to the meeting.

RESOLUTION OF THE NEW HAVEN BOARD OF ALDERMEN  
AUTHORIZING THE APPLICATION TO AND ACCEPTANCE OF 2008  
REGIONAL HOMELAND SECURITY GRANT FUNDS IN THE AMOUNT OF  
\$65 PER PERSON FOR THE PURPOSE OF INSTITUTING A CITY OF NEW  
HAVEN COMMUNITY EMERGENCY RESPONSE TEAM (CERT)

These items are on file and available for public inspection in the Office of the City Clerk, Room 202, 200 Orange Street, New Haven. Per order: Alexander Rhodeen, Chairman; attest: Ronald Smith, City Clerk.

ORDER OF THE NEW HAVEN BOARD OF ALDERMEN CONCERNING THE  
AUTHORITY OF THE CITY TO REGULATE ELECTRONIC MONITORING OF  
PUBLIC SPACES AND TO DETERMINE UNDER WHAT CIRCUMSTANCES  
THE USE OF VIDEO AND OTHER SURVEILLANCE DEVICES ARE  
PERMITTED IN PUBLIC SPACES.

## MEETING MINUTES

## MINUTES

Public Safety Committee

January 7, 2009

Chairman Alexander Rhodeen called the meeting to order at 6:35 p.m. in the Aldermanic Chamber. Present were Alderpersons, DePino, Antunes, Silverman, Lehtonen, Paolillo. Also present were non-member Alderpersons Goldfield, Sturgis-Pascale, Calder, and Clark.

(1) From the Chief Administrative Officer submitting a resolution authorizing the application to and acceptance of 2008 regional homeland security grant funds for the purpose of instituting a Community Emergency Response Team (CERT). (Submitted 12/1/08).

Appearing on behalf were Robert Smuts, Chief Administrative Officer, and Rick Fontana Deputy Director of Emergency Management. Smuts described the \$1,950 grant that will train 30 community volunteers at a cost of \$65 each. One key are for them to work in will be emergency shelter operations as well as disaster medical operations, handheld fire-extinguishers, CPR. He said there is no cost to the city. In response to Alderwoman Silverman, Fontana said enough people have applied to fill two classes.

(2) From Alderpersons Goldfield, Calder and Castro submitting an order concerning the authority of the city to regulate electronic monitoring of public spaces and to determine under what circumstances the use of video and other surveillance devices are permitted in public spaces. (Submitted 11/17/08)

Alderman Goldfield, co-sponsor of the resolution, raised privacy concerns about the proliferation of security cameras. He asked whether the government should be putting cameras in many public places for no particular reason. He cited an ACLU report that says cameras make people feel less safe, not more.

Alderwoman Calder, another co-sponsor, said she is in favor of electronic surveillance for public-safety reasons. She said there needs to be official oversight by some sort of city entity.

Robert Smuts, Chief Administrative Officer, came to the table. He called the committee's attention to the list he submitted of various surveillance cameras the city has currently. They are on public facilities, such as public works, as well as the harbor and the Long Wharf war memorial. He said the city has fewer cameras than many municipalities, mainly due to the lack of a broadband wireless network, though one is being installed. The other issue is monitoring of the cameras, which is expensive. He said the city has no desire to go on fishing expeditions. They hope to install red light cameras. He also noted the Shotspotter system the city is installing, which calculates the location of guns being fired. In response to Alderman Goldfield, he said he believes most of the cameras make tapes, which are stored for a certain amount of time, then reused. Alderman Antunes asked if anyone has checked to see if the city is following records-retention or FOI laws.

John Ward, Corporation Counsel, came to the table. He said the city will have to

look into what the records retention and FOI requirements are for surveillance videos.

Ward said that the Board of Aldermen can regulate, at least to some extent, the surveillance done by the city. However, the city cannot regulate the monitoring of public places by private entities, based on the Constitutional right to photograph people in public places where there is no expectation of privacy. In response to Ald. Goldfield, he said he believes most anti-paparazzi laws are based on harassment, not privacy. Ward also said he wants to research the board of aldermen's authority to regulate the city's surveillance activities. He wants to look at this in light of state and federal laws, police powers, etc. He agreed to report back to the committee.

Police Chief James Lewis came to the table. Said the police have the right to look at and photograph people in public places, so long as their movement is not impeded. There are some restrictions, such as random photographing of political gatherings.

He said it is difficult to quantify whether cameras prevent crimes, but they do help solve crimes. He sees value in taking video of dense urban areas, but not residential neighborhoods. They currently do not have cameras in cruisers. Police like them because they tend to reduce internal affairs complaints, but they are expensive. Regarding traffic monitoring cameras, he said there are both advantages and disadvantages. They can greatly reduce accidents. Some cities have lost money on these cameras system, as they are very expensive.

Jonathan L. Matthews, legal director for the ACLU-CT. He said there are legitimate reasons for people not wanting to be observed while doing everyday legal activities, such as going to AA, a fertility clinic, a gay bar, or a psychiatrist. He said there is great potential for abuse of the systems. A UK study showed that 1 in 10 women were photographed by authorities for voyeuristic purposes. Government cameras mounted in public places can be used to peep into private residences or for racial profiling. They can be a form of intimidation and retaliation for people involved in free speech or political activities. Using cameras in these ways can also open the city to substantial liability. He said studies in the UK where there are many cameras show little or no reduction in crime as a result of them. He said the wireless system is a huge cause for concern, as even well-secured wireless transmissions are easy to intercept and hack by unauthorized persons. He offered to assist the city in any regulations that may be proposed. He agreed to email some model regulations.

He also said it is important for personnel involved in surveillance to be trained and supervised. He said it should be deployed only for specific purposes.

Brian McGrath and several officials of the Chapel West Special Services District came to the table. McGrath said 200 property owners are in the district. He produced a sheave of 181 letters in favor. He also produced a map of the property owners in the district who favor the cameras. They spent \$60,000 of the district's money to put up the cameras and the majority of their property owners are pleased.

He noted that an AIDS clinic there opposes the cameras for legitimate reasons. The camera does not monitor the AIDS building as a result, they said. They submitted a legal opinion from their attorney saying what they are doing is legal. He said they give the images to the city to aid in its law enforcement efforts. He said the traffic department took down their video monitoring signs, but they don't know why. McGrath said the video are encrypted so they cannot be viewed

without a password.

Alderman Clark said she supports the Chapel West district's efforts. However, there is an opening for tremendous abuse by the government.

Schneur Katz, owner of various properties in New Haven, including 1184 Chapel St. Due to crime and graffiti at his buildings, he supports electronic surveillance. He installed a system in an apartment building he owns in another part of town and it has been effective in reducing crime and damage there.

Arnie Lehrer, landlord, (and commissioner of Chapel West Special Services District).

He said he is concerned with his tenants' safety. The tenants support the cameras.

Diane McCarthy-Bercury, brought a laptop computer to the table and read an article about a California Supreme Court opinion. She supports the cameras.

Edward Anderson, downtown resident, used to be upset by the cameras but crime has convinced him otherwise. He also now favors traffic cameras.

Robert Smuts, CAO, came back to the table and asked for input on the electronic surveillance guidelines he is working on. He said the Chapel West signs were removed by the city until after this hearing was held. Alderman Clark said she was shocked that they removed the signs. He said the cameras became a controversial issue and likened it to removing an offensive poster from a public pole. He said there may have been a miscommunication.

Alderman Silverman went around the table to testify. She said she studied similar issues at an NLC panel. She said red light enforcement reduced car accidents and injuries by 35 to 78 percent. She said there are various ways to pay for the cameras. She discussed enforcement issues for the traffic cameras.

**COMMITTEE ACTION:**

(1) CERT: On a motion by Paolillo, seconded Silverman, the committee voted by voice to issue a favorable report.

(2) ELECTRONIC URVEILLANCE: No action. Alderman Goldfield urged the committee to keep an open mind toward regulating cameras in the future. He said crime prevention should not be the driving force toward widespread surveillance. Ald. Calder said the BOA has a responsibility to set guidelines. Ald. Sturgis Pascale said she supports cameras in public spaces, despite some privacy concerns, because public spaces are being degraded by crime

Adjourn: 8:45 p.m.

Respectfully submitted,

Michael Mercier  
Legislative Aide