



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

January 21, 2021

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Ben Ewen-Campen	Ward Three City Councilor	Present	
Matthew McLaughlin	Ward One City Councilor	Present	
Jesse Clingan	Ward Four City Councilor	Present	

Others present: Lt. Jeff DiDregori - SPD, David Shapiro - Law, Khushbu Webber - Director of Governmental Affairs, Lauren Racaniello - Legislative Liaison, Rose Durham - Clerk of Committees, Peter Forcellese - Legislative Clerk.

The meeting took place virtually via GoToWebinar and was called to order at 6:04 PM by Chair Davis and adjourned at 7:22 PM on a roll call vote of 5 in favor (Councilors Clingan, McLaughlin, Ewen-Campen, Niedergang and Davis), none against and none absent.

Councilor Ewen-Campen spoke generally about the impact reports saying that they have been updated to reflect feedback from the community and the Council. He said that there is a nuanced legal issue regarding the differences between the impact reports and the use policy and suggested that there needs to be a policy document within the general use policy that is much more explicit about the actual individual surveillance technologies the administration wants to use. Councilor Ewen-Campen said that this information is already contained in the impact reports, so it's just a matter of organizing the data. Ms. Webber stated that, in theory, she understands what Councilor Ewen-Campen is looking for but writing it may take several attempts.

Chair Davis noted that the use policy is a base line, but either way, the details are here. He's open as to how to incorporate things and he pointed out that this needs to be completed by February 15th of this year, (which is 60 days from the December 17, 2020 date of submission). That means that the last opportunity for approval by the City Council will be on February 11th. Ms. Webber said that the administration would strive to meet that timeline and would notify Chair Davis if it's going to take longer. She thinks that for clarity, the documents should be included in the use policy. Councilor Ewen-Campen will make himself available to assist the administration in this effort.

Chair Davis believes that everyone is headed in the same direction and said that these surveillance items might be on agenda for next committee meeting on February 4th. He also

asked the administration to inform the committee where this surveillance information will reside for availability to the public.

Approval of the December 17, 2020 Minutes

RESULT:	ACCEPTED
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210788: Requesting approval of the Surveillance Technology Impact Report for Homeland Security Cameras.

This item was withdrawn.

RESULT:	WITHDRAWN
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210789: Requesting approval of the Surveillance Technology Impact Report for GLX Cameras.

This item was withdrawn.

RESULT:	WITHDRAWN
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210790: Requesting approval of the Surveillance Technology Impact Report for 911.

This item was withdrawn.

RESULT:	WITHDRAWN
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210791: Requesting approval of the Surveillance Technology Impact Report for ShotSpotter.

This item was withdrawn.

RESULT:	WITHDRAWN
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210906: Requesting approval of the Surveillance Technology Impact Report for BriefCam.

This item was withdrawn.

RESULT:	WITHDRAWN
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210907: Requesting approval of the Surveillance Technology Impact Report for Covert Device Cameras.

This item was withdrawn.

RESULT:	WITHDRAWN
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210908: Requesting approval of the Surveillance Technology Impact Report for GPS and

Monitor.

This item was withdrawn.

RESULT:	WITHDRAWN
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210909: Requesting approval of the Surveillance Technology Impact Report for GreyKey.

This item was withdrawn.

RESULT:	WITHDRAWN
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210910: Requesting approval of the Surveillance Technology Impact Report for License Plate Readers.

This item was withdrawn.

RESULT:	WITHDRAWN
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210911: Requesting approval of the Surveillance Technology Impact Report for Pole Cameras.

This item was withdrawn.

RESULT:	WITHDRAWN
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210912: Requesting approval of the Surveillance Technology Impact Report for the SPCD Drone Camera.

This item was withdrawn.

RESULT:	WITHDRAWN
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210963: Digital Fourth submitting comments re: the 4 Surveillance Technology Impact Reports submitted on October 22 and the 7 STIRs submitted on November 12.

RESULT:	PLACED ON FILE
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210973: Ulysses Lateiner submitting comments re: Digital Fourth's comments on the Surveillance Technology Impact Reports.

RESULT:	PLACED ON FILE
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211103: Requesting approval of the Surveillance Technology Impact Report for Pole Cameras.

Councilor Ewen-Campen said that this modified report addressed his concerns. He pointed out that when a private residence is involved, a warrant is required. He would like to see more information regarding training, not only in the use of the equipment, around privacy concepts as well. Additionally, he asked that language be included pertaining to login information, .e.g., that logins could be audited at

any time. Training should be general across all technologies, so it should be included in the use policy and surveillance policy.

With regard to the Biased Based Policing (BBP) Policy, Councilor Ewen-Campen asked if it needed to be explicitly part of the use policy. He feels that it should call out surveillance and should be part of the general use policy. Chair Davis asked if there plans to issue a revision of this BBP policy and Lt. DiGregorio replied that he wasn't aware of any, adding that it makes sense to update it with an acknowledgment of the surveillance policy.

RESULT:	KEPT IN COMMITTEE
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211104: Requesting approval of the Surveillance Technology Impact Report for Homeland Security Cameras.

Councilor Ewen-Campen would like to see more information regarding training, not only in the use of the equipment, around privacy concepts as well. Additionally, he asked that language be included pertaining to login information, .e.g., that logins could be audited at any time. Training should be general across all technologies, so it should be included in the use policy and surveillance policy.

RESULT:	KEPT IN COMMITTEE
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211105: Requesting approval of the Surveillance Technology Impact Report for GLX Cameras.

Councilor Ewen-Campen commented that the list of camera locations is exemplary. He would like to see more information regarding training, not only in the use of the equipment, around privacy concepts as well. Additionally, he asked that language be included pertaining to login information, .e.g., that logins could be audited at any time. Training should be general across all technologies, so it should be included in the use policy and surveillance policy. Lt. DiGregorio clarified, for the record, that the screen-shots of the playground and private residence included with this item were based on threat investigations.

RESULT:	KEPT IN COMMITTEE
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211106: Requesting approval of the Surveillance Technology Impact Report for Covert Device Cameras.

This item references an existing video surveillance policy which would need to be approved. Councilor Ewen-Campen feels that this is a strong policy and he would like to include a requirement that a warrant be obtained if it's used to surveile a private residence. Ms. Rancaniello said the revised general use policy will include this.

Councilor Ewen-Campen also would like a more explicit explanation of when images may be shared. Lt. DiGregorio said that he doesn't see an issue with that.

RESULT:	KEPT IN COMMITTEE
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211107: Requesting approval of the Surveillance Technology Impact Report for GPS and Monitor.

Councilor Ewen-Campen acknowledged that all of the issues raised have been resolved and he noted that a warrant is required when the technology used on private property.

RESULT:	KEPT IN COMMITTEE
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211108: Requesting approval of the Surveillance Technology Impact Report for GreyKey.

Councilor Ewen-Campen explained that this technology is used to by-pass passwords and can only be used by obtaining a warrant from the Attorney General.

RESULT:	KEPT IN COMMITTEE
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211178: That the City Solicitor draft a home rule petition to change all pronouns in the City Charter and the City Ordinances to gender-neutral.

Chair Davis pointed out that there is a different process for making these changes in the City Charter vs. City Ordinances and Mr. Shapiro explained that a Home Rule Petition is needed to make changes to the charter, whereas ordinances may be changed by the City Council. To that end, Chair Davis requested ***that the City Solicitor draft language to change all pronouns in the city's ordinances to gender-neutral.*** Chair Davis stated that it's important that municipal laws aren't written in a manner that might not recognize some members of society and Mr. Shapiro said he doesn't see any legal reason why non-binary terms couldn't be used. Ms. Webber stated that the administration is supportive of these changes. It's not known if any other communities have taken this step.

RESULT:	KEPT IN COMMITTEE
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