

MEMORANDUM

Amended
Agenda Item No. 11(A)(13)

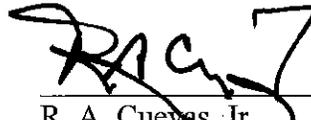
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 2, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution setting policy for
Miami-Dade County related to
police officer body-worn
cameras; directing the Mayor to
conduct a study and prepare a
report on the benefits and
concerns associated with police
officer body-worn cameras
specifically as they relate to
Miami-Dade County
Resolution No. R-1078-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 2, 2014

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R. A. Cuevas, Jr.
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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor Amended
Veto _____ Agenda Item No. 11(A)(13)
Override _____ 12-2-14

RESOLUTION NO. R-1078-14

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY RELATED TO POLICE OFFICER BODY-WORN CAMERAS; DIRECTING THE MAYOR OR DESIGNEE TO CONDUCT A STUDY AND PREPARE A REPORT ON THE BENEFITS AND CONCERNS ASSOCIATED WITH POLICE OFFICER BODY-WORN CAMERAS SPECIFICALLY AS THEY RELATE TO MIAMI-DADE COUNTY

WHEREAS, in recent years, technological advances have redefined several aspects of policing; and

WHEREAS, technology increasingly has been used as a mechanism for surveillance and observation both by law enforcement and private entities; and

WHEREAS, in the early 1990s, dashboard cameras emerged as a new method for capturing the real-time encounters between police and citizens; and

WHEREAS, the latest technological development for law enforcement in the area of surveillance involves police officer body-worn cameras; and

WHEREAS, such body-worn camera systems include:

1. A small camera worn by the officer on a shirt lapel, hat, or sunglasses that captures what the officer sees;
2. A device, such as a smartphone, that records and stores the video; and
3. A battery pack that lasts typically from 12 to 14 hours and that includes an on/off switch for recording; and

WHEREAS, the Fiscal Year 2014-15 proposed budget includes \$1 million for the purchase of body-worn camera equipment and related technology for use by Miami-Dade Police officers; and

WHEREAS, there will be additional ongoing costs associated with operating the body-worn camera equipment; and

WHEREAS, earlier this year, the Office of Community Oriented Policing Services in the United States Department of Justice (DOJ) released a report entitled *Police Officer Body-Worn Cameras: Assessing the Evidence* by Michael D. White, PhD; and

WHEREAS, the report indicated that, while there have been dozens of media reports describing law enforcement use of body-worn cameras, there have been few balanced discussions of the merits and drawbacks of police officer body-worn cameras and even fewer empirical studies of the technology in the field; and

WHEREAS, the DOJ report identified both perceived benefits and concerns associated with body-worn cameras, including the following:

A. Perceived benefits:

1. Body-worn cameras increase transparency and the public's view of police legitimacy;
2. Body-worn cameras have a civilizing effect, resulting in improved behavior among both police officers and the public;
3. Body-worn cameras have evidentiary benefits that expedite resolution of public complaints or lawsuits and that improve evidence for arrest and prosecution; and
4. Body-worn cameras provide opportunities for police training; and

B. Perceived concerns:

1. Body-worn cameras create public privacy concerns;
2. Body-worn cameras create concerns for police officer privacy;
3. Body-worn cameras create concerns for police officer health and safety;
4. Body-worn cameras require investments in terms of training and policy development; and
5. Body-worn cameras require substantial commitment of finances, resources, and logistics; and

WHEREAS, the DOJ report also indicated that law enforcement agencies should proceed cautiously in implementing a program for police officer body-worn cameras; and

WHEREAS, this Board would like to heed the recommendation of the DOJ report and proceed with caution in the implementation of a program of body-worn cameras for police officers; and

WHEREAS, this Board would like to request that the Mayor or designee conduct a study and prepare a report on both the benefits and concerns associated with police officer body-worn cameras,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the Mayor or designee to conduct a study and prepare a report on the benefits and concerns associated with police officer body-worn cameras specifically as they pertain to Miami-Dade County. The study and report shall also include, but not be limited to, an analysis of police officer body-worn camera systems that are currently being used by other local law enforcement departments, costs associated with the use of camera recordings in court proceedings, and the ongoing operating costs associated with police officer body-worn camera systems. The study shall be done in consultation with representatives of the County's law enforcement bargaining units. Said report shall also include guidelines for the use of video obtained by body cameras in disciplinary proceedings. The Mayor or designee is further directed to consider implementing a requirement for legal review of stored video to minimize departmental exposure to civil liability, ensure quality control, and facilitate ongoing police training. The Mayor or designee shall provide the report to this Board within 90 days of the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman and the Co-Sponsor is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Sally A. Heyman** who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman		aye
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr.	aye
Daniella Levine Cava	aye	Jose "Pepe" Diaz	aye
Audrey M. Edmonson	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Jean Monestime	aye
Dennis C. Moss	absent	Sen. Javier D. Souto	absent
Xavier L. Suarez	aye	Juan C. Zapata	aye

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of December, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "JMM".

Jess M. McCarty