ST Meeting #50 – 07/25/2023

**Participants:**  
Nico Diaz   
Valerie Didamo  
Daniel Schwarz  
Maya Moskowitz  
Jason Scharf  
Johannes Himmelreich  
Bradford Morse  
Michelle Sczpanski   
Tim Liles  
1st Deputy Chief Shoff  
Deputy Mayor Sharon Owens  
Jennifer Tifft  
Adam Wiley, Code Enforcement Official (Guest)  
Michael Morarity, Communication/Code Enforcement Manager (Guest)  
  
**Absent**  
Martha Grabowski (Excused)  
Mark King (Excused)  
Chief Tim Gleeson (Excused)  
Ocesa Keaton  
Jawwaad Rasheed  
  
**Agenda/Notes:**

* Corte Madera, CA – Body Worn Camera Discussion
  + Mike Morarity – Code Enforcement and Communications Manager
    - Corte Madera, CA is 15 miles north of San Fransisco
    - Population of 10,000 people
    - Relatively affluent community
    - Two Code Enforcement Staff
    - Adam does Code Encorcement – Quality of Life issues for the Juristiction
    - Michael has an extensive history in Law Enforcement
    - Town Manager was a previous Chief of Police
    - Felt that preserving the interactions between investigators and residents was very important.
    - Discussed small level zoning, dogs off the leash
      * Any type of enforcement interaction involves potential negative interactions
      * The cameras protect the Inspectors
      * Different Codes is recording in a public place rather than a home
      * Cannot do surrupticious recordings in a home
      * In the event that Adam is at a park, and needs to interact with someone for a violation, he needs to let them know that he is recording the interaction
      * Wears Axon body camera, tried to put insignia’s stating that recording is in progress, thought about wearing a bright vest, but in a public place he has to make that disclosure.
      * If he needs to go inside of the home, he needs to make it very clear that he is wearing a body worn camera and asks for permission to record the camera.
      * Only been two or three where someone stated that they preferred not to be recorded. In that case, Adam does not record, and maintains professional standards.
      * They spend 90% of the time dealing with 3% of the population.
      * Some of the accusations come from landlords deflecting accusations to the Code Enforcement.
        + Then Michael can review the footage before responding to the individual.
        + Residents can call and make a complaint. Michael states that he is going to listen to the recording, listens to the accusation, then can tell the individual that the interaction was being recorded for accountability purposes.
        + Individual may have forgot this was recorded. Will invite them in to come in and listen to the monitored recording.

In all of those instances, except for a couple, they have retracted their statements.

Michael was a police officer for 20+ years

* + Adam Wiley, Code Inspector
    - In his work there has been many issues during the pandemic, he shared that they were getting more involved in issues that could be contentious.
    - Had discussed body-worn cameras at that point
      * Reviewed information from their police department
      * Had to consult with their attorneys to review the issues at hand
      * A lot of differences between Code Enforcement and police using this, with them being non-sworn officers
      * When it went to Town Council, believes that it was a unanimous vote
    - They added decals to the camera’s stating “Recording In Process” in Yellow Text.
    - Made sure that the red recording light is on high contrast and is always turned on.
    - When people have commented on the camera’s, the comments have been primarily positive.
    - Needs for what he does to be up to legal standards.
    - Biggest challenges they have had, are sometimes if he is caught off guard, he may forget to announce that he is recording the interaction.
    - Adam stated that it takes approximately, 10-15 minutes a week to categorize and log his videos
    - Non incident storage time is a 60-day minimum
    - If there is an incident, it can be stored for one year.
    - Any active code case, the video remains active until the Code Case is opened
      * Deleted a year after the case is closed.
  + Question and Answer:
    - Who has access to these recordings?
      * Michael: Recordings are maintained on the Cloud storage system through evidence.com (same program their police use to categorize and maintain police conduct).
        + District Attorneys can get permission to view and download.
      * There is no way to manipulate the data once it is in the cloud, can be tagged
      * Supervisor Michael has access to view the video footage but cannot change this.
    - How long are you keeping the data for?
      * 1 year
    - Are recordings subject to FOIL?
      * Yes, if an individual requested this, they would have to oblige.
      * Attorney would first review the videos before release.
    - Is the data stored in Axon's cloud system?
      * Subsidiary of Axon, evidence.com
      * Downloads directly from a docking station at the end of the shift
    - What are the yearly costs of the system? (if you are able to share)
      * Two Codes staff, opted for higher level of storage
        + $300/camera
        + $800/year for storage
        + Believe spent $2,500 for the cameras
    - Deputy Mayor: When asked who has the responsibility to redact the videos?
      * Michael stated that he was not certain, and they have not had to do that yet.
      * Stated that there might be children.
      * Adam stated that he has done inspections where there are children. He has had to notify each of the units that they are recording the inspection. Adam stated that Axon has the capability to edit or blur footage. They have not had to use this, but the capability does exist.
      * Believe that in their policy, the FOIA requests go to the Town Attorney.
    - Deputy Mayor: If refuses video, do you still conduct the inspection?
      * Adam and Michael: Yes
    - Michelle S: Asked if someone denies permission to record the interaction, can they deny that they denied this?
      * Michael stated that they record the walk up to the property and the beginning of the interaction. If they say that they don’t want it recorded, that then he will stop recording.
    - DM Owens: Adam stated that, he does not think that he has ever gone back over to an inspection to specifically look at the video to try to pinpoint a specific thing.
      * Adam Will typically go back to the notes that he took, the photos that he took. Doesn’t go through video as part of the inspection. Thinks that this would make more work for him. Would rather just go through his photos and notes.
  + DM Owens asked if they had to do this over, would they do anything different.
    - Michael stated that he wouldn’t do anything different.
    - Adam stated that he wouldn’t do anything different either.
      * Made a time that he had a complaint a little less stressful
      * Keeps him and the residents accountable.
  + Michael asked what purposes Syracuse is looking at this for:
    - DM Owens stated that this is primary being looked at for Code Enforcement inspectors
    - Complaints made against code inspectors
    - Threats made to Code Inspectors also.
    - For Commercial permits, she can see the benefit of video documentation of that also.
    - Discussed concern of using phones for videos, their phones can be subpoenaed.
    - It’s going to mitigate false claims.
  + Bradford asked: What is the frequency/week of code violations and the burden of the process?
    - Michael stated that Adam will go out and monitor potential zoning violations.
    - When you are driving around the town, you get a pulse of what’s happening in the community.
    - It’s about safety in the community. Will often see them before they are reported.
    - Will typically see a couple Code Violations every single day.
      * Start with education, then verbal warning, then a written warning, before they give an administrative citation.
      * Also doing Parking Enforcement for ADA.
      * They live in a high fire zone, there is a hill that needs to have 15 feet of room.
    - Adam stated that he has tried to transition to be more pro-active.
      * Adam has his route and tries to drive down most of his city streets every single day.
      * Schedules appointments based on his route for where he is going to be.
      * Also interacts with the public talking with contractors, homeowners and residents, trying to be more of a community relationship representative.
      * Typically, doesn’t record casual conversations with residents.
    - Michael mentioned that there is another municipality in Florida that is using these also.
* Body Worn Camera
  + Nico asked if he received any response from Code Enforcement on the questions yet.
  + Jason S. shared that we have not.
  + Bradford asked how many Codes inspectors the City of Syracuse has.
  + Michelle said approximately 11 residential housing inspectors and around 10 commercial inspectors.
* Coming Up
* Questions

**Previous Action Items:**

* Send email to Jake that I would like 30 minutes to go through the questions, CC the Deputy Mayer. Ask if he needs assistance. - [@Scharf, Jason](mailto:jscharf@syr.gov)
* Invite Jake to 7/25 Meeting - [@Scharf, Jason](mailto:jscharf@syr.gov)
* Ask Corte Madero if they would be comfortable with this at our next meeting - [@Scharf, Jason](mailto:jscharf@syr.gov)

**New Action Items:**

* Discuss what to do with BWC Technology and the lack of responses from Codes at next meeting