

Minnesota Law Enforcement Coalition



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May 25, 2016

Governor Mark Dayton
Office of the Governor and Lt Governor
116 Veterans Service Building
20 W 12th Street
St. Paul, MN 55155

Dear Governor Dayton:

On behalf of more than more than 10,000 sworn law enforcement administrators and officers in communities large and small across the state of Minnesota, we are writing to express our collective support of Senate File 498, which classifies police body-worn camera data, and respectfully request that you sign the bill into law.

We believe it effectively addresses three important issues around body-worn cameras:

1. Personal privacy
2. Officer accountability
3. Public transparency

This bill protects the privacy of citizens and victims who come in contact with police officers wearing body cameras. Unlike police squad car cameras, body-worn cameras collect video footage inside people's homes, schools and medical facilities where there is a reasonable expectation of privacy. Body-worn cameras capture incidents up-close, in real time and the data subjects are often people in the midst of traumatic circumstances or embarrassing situations.

The data classification in this bill protects the privacy of crime victims, witnesses to crime and even the average Minnesotan who might ask a police officer for directions or gets ticketed for speeding.

As police chiefs, sheriffs and police officers, we work hard to build and maintain trust with our citizens. We know their willingness to talk to us is crucial to solving crimes and arresting

suspects. If we don't protect their privacy and the sanctity of those conversations, our jobs will only become more difficult and our ability to solve crimes will become more challenging.

Secondly, this bill holds officers accountable for what's on the video. People in body-worn camera videos will be able to obtain the footage and distribute it in whatever way they choose. If someone feels they were treated unfairly, inappropriately or unconstitutionally, they have the legal right, under this bill, to obtain the footage and post it on their social media pages and give it to the traditional news media. The bill also allows for a representative to access the data if an individual is killed in an encounter with police.

Which leads to our third point – public transparency. The bill classifies any video captured of a police/citizen encounter that results in substantial bodily harm as public information. In other words, video from officer-involved shootings, or any other event causing substantial bodily harm, will be available to the public and the news media.

Over the past 18 months, we've been working with lawmakers, privacy advocates, crime victim groups, the Department of Administration and citizens to come to a thoughtful consensus on body-worn cameras, particularly the proper classification of the data. We believe the bill before you is a compromise. It balances the privacy interests of individuals who have contact with law enforcement with the equally compelling interests of our communities to ensure trust in our police officers.

If body-worn camera video remains classified as public data under Minnesota law, we also anticipate more bulk or blanket data requests, as seen in other states, and legal challenges. For example, data subjects may bring an action against the government, claiming invasion of privacy while members of the public denied access to the data may bring an action claiming a violation of Chapter 13 amid allegations of police misconduct or cover-up.

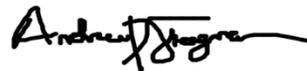
As you are aware, many law enforcement agencies across the state and the country are either currently using or are exploring the possibility of using body-worn cameras in the near future as a means to collect key evidence, improve tactics and practices through training and maintain trust with the citizens they have been sworn to protect and serve.

That's why we stand in support of Senate File 498. We believe the bill's passage will encourage more police agencies to use body worn cameras and still protect people's privacy and safeguard the public's right to know.

Sincerely,



**James Franklin, Executive Director
Minnesota Sheriffs' Association**



**Andy Skoogman, Executive Director
Minnesota Chiefs of Police**



**Dennis Flaherty, Executive Director
Minnesota Peace & Police Officers Association**