

Dear members of the Council on Police Training,

My name is Javonne Rich and I am the policy and advocacy director for the ACLU of Delaware. The ACLU is the nation's oldest defender of civil liberties.

Body-worn cameras when implemented properly, can increase transparency in and accurately document interactions between police and community members. Body-worn cameras can also deter unprofessional, illegal, or inappropriate behaviors, thus protecting both police and community members. BWCs can be a positive tool for both police and communities — in addition to the protections that they can offer community members who encounter police, body-worn cameras also can be used to validate an officer's actions when they are incorrectly accused of misconduct.

Body-worn cameras are only as good as the policies put in place to ensure they live up to their potential as a tool for increased police transparency and accountability.

First, body-worn cameras should be activated whenever a police officer is responding to a call for service or at the initiation of any other investigative encounter between a police officer and a member of the public. The body-worn camera should not be deactivated until the encounter has concluded. And all body-worn cameras should be equipped with a pre-event buffering mode that captures 30 seconds of video and audio prior to the camera's activation. If possible, police officers should notify the member of the public that they are being recorded.

Second, to ensure accountability, any officer who fails to adhere to the recording requirements should have appropriate disciplinary action taken against them.

Third, footage that captures police use of force or is the subject of a police complaint should be released to the public — regardless of any contrary provisions in state open record laws, like Delaware's Law Enforcement-Officers' Bill of Rights (LEOBOR). And it should not be withheld from the public on the basis that it is an investigatory record where the person under investigation is a police officer and the footage relates to on-the-job conduct.

*Spending millions on technology because of its promise to build trust between communities and police, but not requiring departments to use this technology in ways that will actually build trust, would not only squander taxpayer money but also waste a valuable opportunity to change the dynamic of policing in Delaware.*

As COPT continues this process of forming regulations, I strongly encourage COPT to add a virtual option that will allow people to safely participate from their homes. Many governmental bodies have already implemented this additional and necessary way to expand people's ability to engage in their community. I also want to note that the non-law

enforcement members of the council have yet to be affirmed, which is troubling given the need to increase the diversity in thought and voices at the table when crafting these policies. I hope that COPT will be able to provide comments and answers tonight on expanding participation opportunities and the lack of assigned non-law enforcement members.

Thank you for your time.