

December 2008

Open letter to Board of Selectmen regarding proposed 24/7 public video surveillance

The makers of our Constitution ... conferred, as against the government, the right to be let alone – the most comprehensive of rights and the right most valued by civilized men. ... Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding...

—Louis Brandeis

In Brookline, occasional issues are important enough that Town Meeting asserts its right to decide them, guided by the recommendations of the selectmen and the Advisory Committee. In the recent past, for example, it has reclaimed its ultimate authority over transportation policies; successfully urged the setup of a permit system to replace the indiscriminate ticketing of residents for parking in front of their homes for two hours or more; declared the Town's sanctuary status for undocumented immigrants; and, just this month, urged that police step up the issuance of warnings and citations to increase residential sidewalk shoveling.

In this context, we are currently witnessing an unseemly rush toward a quiet decision by your board regarding the establishment of 24/7 police video surveillance at a dozen of the Town's major traffic intersections – a number of which happen to be among its primary public gathering places. This is taking place so quickly that members of Town Meeting are barely aware of what's happening, let alone the leaders and members of various citizen groups and Town agencies, local religious leaders, legal professionals and the broad public.

The proposal before you brings forcibly to mind the imposition of a repressive system of governmental surveillance foreseen by Orwell sixty years ago. His vision was of course seen as foolishly paranoid by many authorities at the time. But the distastefulness of this image in the public mind is reflected today by common use of the terms *Big Brother* and *Orwellian*. And the author's fiction has in fact become a stark reality: his native England is overlain by a public surveillance system so pervasive that it causes Americans of all stripes to shake their heads in wonder.

Since 1984 was penned, of course, much turbulent water has flown under the bridge. The CIA and FBI were shown by the Church Committee in 1975 to have committed breathtakingly widespread abuse of their powers – mostly surveillance in the FBI's case – and Congress put in place many curbs to prevent its reoccurrence. But most of those prohibitions have been removed in recent years, and the restored potential for abuse has been significantly expanded by the consolidation of the FBI, the CIA and many other federal agencies into a Department of Homeland Security, which to an increasing degree works collaboratively with state and municipal police forces to collect and disseminate "intelligence." The surveillance of peaceful individuals and groups opposing this administration's policies and the dead-of-night deportation of thousands of mid-Eastern ethnicity in just the last few years remind us that such occurrences

aren't just dusty bits of history.

Big things often start small. It shouldn't take a skiing expertise to recognize the breadth and length of the slippery slope extending away from us into the future.

The privacy and dignity of our citizens [are] being whittled away by sometimes imperceptible steps. Taken individually, each step may be of little consequence. But when viewed as a whole, there begins to emerge a society quite unlike any we have seen... — William Douglas

A hastily conducted e-mail poll shows that at least 45 Town Meeting members already share our view that your board appears to be proceeding without sufficient regard for the wide-ranging ramifications of this decision, and that Town Meeting is the proper forum for its consideration.

How many of the Town's residents – or you, yourselves – have had the opportunity to read the British Foreign Office report, unmatched in its comprehensiveness, *Assessing the Impact of CCTV*? Of the thirteen representative public surveillance systems it evaluated, containing as many as 600 video cameras per system, *only two* showed statistically significant crime reduction, and even one of those could be explained by the presence of uncontrolled variables. Crime *increased* in more than half of the thirteen areas. The study concludes that “the review of previous work does not offer conclusive evidence that CCTV ... impacts positively on crime levels.”

Police Chief O'Leary has consistently emphasized the central importance of improving future emergency evacuations; live monitoring of the cameras would enable rapid dispatch of police officers to critical points of congestion. Although we suspect that in an actual metro evacuation it would take a police cruiser forever to reach such a location, we would have less objection to a surveillance system turned on only for such grave emergencies. Why not authorize it for this purpose alone until Town Meeting has had a wide-ranging, previously thoroughly studied debate? **(OR, IN PLACE OF LAST SENTENCE: But as indicated above, we would prefer to place such preliminary thoughts as this into a wide-ranging, previously thoroughly studied debate at Town Meeting.)**

Frank Farlow, TMM-4, and Marty Rosenthal, TMM-9
December 2, 2008