

	WHITEWATER POLICE DEPARTMENT POLICY	TITLE:  Body Worn Camera Guidelines	
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TEXT NAME:  <b>CAM</b>	SPECIAL INSTRUCTIONS:		TOTAL PAGES:  6
STANDARD:			

I. PURPOSE

The purpose of this policy is to establish guidelines to be followed during the use of mobile audio and video recording equipment.

II. POLICY

All sworn officers on patrol will wear a department issued body worn camera at all times unless unavailable.

III. DISCUSSION

IV. DEFINITIONS

A. USE OF FORCE INCIDENT: Any amount of force beyond cooperative handcuffing used by an officer to control an uncooperative person.

B. BODY WORN CAMERA: A portable audio and/or video recording device which can be worn on an officer's body.

C. MOBILE AUDIO/VIDEO RECORDING EQUIPMENT: Portable, wireless, electronic devices designed for capturing audio and/or video recordings. This includes body worn cameras.

V. PROCEDURE

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- A. Care and use of the mobile audio/video recording equipment is the responsibility of the officer assigned to that equipment and shall be used in conformity with police department policy and training.
  - B. Prior to each shift, officers shall determine whether their recording equipment is working properly and shall report any problems to the Shift Supervisor as soon as practical.
  - C. Body worn cameras should generally be worn on or near the officer's head and worn on the officer's strong side.
    1. The purpose is to put the camera in the best position to record as much audio/video information as possible.
    2. Officers are not expected to jeopardize their safety in exchange for obtaining better audio/video recordings.
  - D. The Axon unit shall be turned on prior to making contact with the public. Officers shall record their interactions while in direct or indirect (telephonic) contact with the public. Examples include but are not limited to:
    1. All officer/subject contacts during traffic stops.
    2. All officer/subject contacts during an arrest including approach, custody, statements, transportation, police department booking process and release.
    3. All officer/subject contacts of arrested subjects taken to the Walworth/Jefferson County Jail. Recordings will cease upon entry to these facilities unless approved by facility staff.
    4. Any other contacts with persons under circumstances that lead the officer to believe that the specifics of the contact may need to be retrieved or reviewed.
    5. When responding "Code 2" to any call.

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6. All official telephonic conversations.
- E. Continuous, non-stop recording during all official citizen contacts or incidents of an enforcement nature is required.
  - F. The equipment may be deactivated during non-enforcement activities such as:
    1. Officer-to-officer conversations about items such as charging issues and other general conversations,
    2. Protecting accident scenes from other vehicular traffic,
    3. Conducting extended traffic control,
    4. Awaiting a tow truck,
    5. Rescue calls not of enforcement nature,
    6. Other routine non-citizen contact incidents.
  - G. Officers shall document in all pertinent reports whenever recordings are made during an incident in question.
  - H. Each officer equipped with a body worn camera shall record enforcement contacts they are participating in. If multiple officers are involved in an enforcement contact, all officers will record the contact. Officers are encouraged to inform their supervisors of any recorded sequences that may be of value for training purposes.
  - I. Officers shall not intentionally alter recordings in any way.
  - J. Officers shall not use mobile audio/video recording equipment to record personal conversations, i.e. disciplinary actions, administrative discussions, union discussions, supervisor's directives, or talks between employees.
  - K. Use of body worn cameras or recording equipment is for on-duty, official police business only.

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- L. Officers are reminded of the restrictions in Wisconsin State Statute 175.22 prohibiting audio or video recording in locker rooms. As such, only items pertaining to these accidental recordings may be deleted by the Captain, Lieutenant, or the Chief of Police prior to 120 days.

## VI. RECORDING CONTROL AND MANAGEMENT

- A. Recordings are subject to existing State of Wisconsin open records laws.
  - 1. A reproduction fee for the duplication of recordings will be established by the City of Whitewater.
  - 2. Recordings may be duplicated for another criminal justice agency when required for trial, or otherwise authorized by the Chief or the Chief's designee.
- B. Recordings may be shown to Whitewater Police Department employees for training, quality assurance and evaluation purposes.
  - 1. Recordings may be shown to persons other than Whitewater Police Department employees provided prior approval is obtained from the Chief or the Chief's designee.
  - 2. Recordings will be provided to the respective District Attorney's Offices for purpose of evidence and upon mutual aid requests from other law enforcement agencies.
- C. There are four levels of recording control and management located in the "V" drive.
  - 1. Download Folder
    - a. All video files will be downloaded automatically to this folder.
    - b. This folder is for immediate downloads and temporary storage only until the officer determines the proper storage of the video file.

- c. Officers will need to review these files as soon as possible to determine if the files need to be saved, downloaded to beast and/or placed in the appropriate folders.
- d. Officers will have 120 days to determine if the video files need to be saved and take action. After 120 days, the file will automatically be deleted.
- e. All files in this folder need to be addressed in some manner within four days of download. If not, this folder will fill up quickly and make it hard to find new downloads.

## 2. General Folder

- a. All video files of contact with the public that have no immediate evidentiary value at the time they were taken will be saved in this file.
- b. This file will be purged only when deemed appropriate by the Captain, Lieutenant or the Chief of Police.

## 3. Evidence Folder

- a. Evidentiary recordings will be saved in the "Video Evidence" file and maintained as required by law and subject to corresponding open record requests.
- b. All recordings that have the potential for use in municipal court will be saved in the evidence folder and deleted as per open records policies only by the Lieutenant, Captain or Chief. All video files associated with circuit court shall be saved in the evidence file and burned to disc and placed into evidence under the appropriate file number.
- c. All recordings of use of force incidents, pursuits and major crimes will be maintained as evidence.

4. Administrative Hold Folder
  - a. Recordings can be placed on administrative hold by a supervisor.
  - b. Recordings on administrative hold shall be saved in the "Administrative Hold" file and secured as required by law.

D. 120 Day Hold

1. Recordings in the "Download" file will be saved for 120 days per authorization of City Ordinance and the Wisconsin Department of Administration.