



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

747 – BODY WORN CAMERAS (BWC)

GENERAL ORDER: 2023-59
ISSUED: November 9, 2023

EFFECTIVE: November 9, 2023

REVIEWED/APPROVED BY:
Assistant Chief Nicole Waldner
DATE: October 9, 2023

ACTION: Amends General Order 2021-28 (October 8, 2021)

WILEAG STANDARD(S): 1.2.5, 6.3.6, 6.6.4, 10.2.1

ROLL CALL VERSION

**Contains only changes to current policy.
For complete version of SOP, see SharePoint.**

747.05 POLICY

This policy establishes standards and guidelines related to the capture and use of audio and video recordings produced by ~~Taser~~ Axon Flex body worn cameras.

This policy applies to all members assigned a BWC, and any members, investigative personnel, and support staff responsible for preparing cases for criminal prosecution and the release of public records. This policy does not apply to the use or management of the Axon Fleet in-car video system that is permanently mounted in police vehicles.

747.10 DEFINITIONS

B. 30 SECOND PRE-EVENT BUFFERING

The Axon Flex BWC is continuously recording video in 30 second looped increments. This is sometimes known as a pre-event 30 second buffer and works similar to the Axon Fleet in car video buffer. Audio is not recorded until the member begins a recording. Once the member begins to record, the previous 30 seconds of video is included in the evidentiary recording.

C. BODY WORN CAMERA (BWC)

A BWC is the ~~two piece Taser Axon Flex camera system that includes the camera and the Tactical Controller (TC). One cannot function without the other.~~

D. EVIDENCE.COM

Web-based, secure, offsite storage solution for the management and storage of audio/video recordings produced by each BWC **and to import digital evidence.**

E. EVIDENCE SYNC

A desktop-based application that allows Taser CEW logs and Axon Flex video to be annotated with meta-data in the same fashion as the AXON Mobile smartphone

application prior to uploading to Evidence.com. SYNC streamlines video uploads from the field when you connect AXON cameras to an MDC or at a work location desktop computer.

F. EVIDENCE TRANSFER MANAGER (ETM)

Docking station that uploads data from a BWC to Evidence.com. ~~The ETM also recharges the TC.~~

~~G. TACTICAL CONTROLLER (TC)~~

~~The camera control module and battery that is attached on a belt, placed in a holster, a pocket or otherwise attached to the member's uniform.~~

747.20 GENERAL GUIDELINES

C. CARE AND EQUIPMENT

1. The only BWC authorized by the Milwaukee Police Department is the department-issued Taser Axon Flex BWC. Personal video recording devices are prohibited.
6. Any BWC that is lost or stolen will be reported as required by SOP 340.7565.

D. REPAIR / REPLACEMENT

- ~~1. Replacement video cords will be available in the lieutenant's office of each deploying work location.~~
12. When a BWC is in need of repair or replacement due to damage (~~other than for a video cord~~), the member assigned the camera must notify a supervisor. The member shall detail the circumstances leading to the damage in an official police incident report if the damage occurred during an incident. If the damage did not occur during a reportable incident, the member shall detail the circumstances in a *Department Memorandum* (form PM-9E).
23. BWC replacement parts and/or systems are available by contacting the Field Technology Unit or the BWC program administrator(s). The proper documentation, outlined above, must have been filed with a copy made available for review by the Field Technology Unit or the BWC program administrator(s) before replacement parts or systems will be issued.

747.25 OPERATIONAL GUIDELINES (WILEAG 1.2.5, 6.3.6, 6.6.4, 10.2.1)

A. PRE-SHIFT INSPECTION

Prior to each shift, members assigned a BWC will ensure the unit is adequately charged. Further, members will inspect their ~~charging and camera cables as well as the camera~~ to ensure there is no visible damage and the device is in good working order. Any visible damage or concerns about the functionality of the equipment will be

brought to the attention of the member's immediate supervisor as soon as it is practical to do so. The member and supervisor shall make every effort to procure a replacement BWC and/or equipment as soon as practicable.

C. AUDIO / VIDEO RECORDING

1. Wearing Position of the BWC

~~The camera mounted on a pair of glasses or on the head with the low rider head mount is the preferred mounting location. The adjustable collar mount, the vest mount, brim of a department issued ball cap, or motorcycle helmet are secondary mounting options for the member. The camera should generally be worn on or near the member's head and worn on the member's strong side.~~ Members shall only mount the BWC on mounts authorized by the BWC program administrator and shall ensure the BWC is positioned to capture the event.

2. Use of and Recording with the BWC

- b. In car video and body cameras are each considered a tool in the performance of law enforcement duties. When a member is assigned a BWC and operating a vehicle equipped with in-car video, ~~both the in-car video body microphone and the BWC will be worn.~~
- h. A BWC is not specifically designed to log evidence or to be used for any situation where fine detail and resolution is necessary. Members should use their assigned BWC to record crime scenes prior to the arrival of crime scene technicians or forensic investigators, especially if the scene may change or be compromised.

Note: The use of the BWC to record crime scenes prior to the arrival of crime scene technicians, crime scene investigators, or forensic investigators does not remove the responsibility of the member to have the scene eventually photographed, if required, in accordance with SOP 725 Crime Scene Investigations.

E. PROHIBITED RECORDINGS

In keeping with the department's core values of respect and integrity, members assigned a BWC will adhere to the following guidelines:

- 2. **BWC's shall not be used to record a strip search.** BWC's shall not be used to record a body cavity search, which are only allowed to occur in a hospital or medical setting. BWC's will be used to record searches done by officers in the field (e.g., pat-downs, vehicle searches).

G. IMPOUNDING OF DATA, DATA UPLOADING AND VIDEO CATAGORIZATION

- 1. **The auto-tagging process will typically assign the appropriate category, ID and title to each individual recording after the member docks their BWC at the end of their**

tour or duty. However, not all individual recordings may be captured by the auto-tagging process and prior to the end of the member's next tour of duty they shall ensure all individual recordings from their prior tour of duty are assigned the appropriate category, ID and Title. ~~Prior to docking their TC or camera, members should use the Axon Mobile smartphone App or Sync to assign the appropriate category, ID and Title to each individual recording. For efficiency, members should make an effort to tag and categorize their videos throughout their shift using the Axon mobile app or Sync when possible.~~ Instructions for categorizing, titling and identifying each individual recording follow:

a. ID field: Enter the CAD number ~~or IR number (when applicable).~~

1. Members should use the following formats in the ID field:

CAD number: ~~GAD~~(nine digit CAD number) e.g., ~~GADXXXXXXXX~~

~~IR number: IR~~(nine digit CAD number) e.g., ~~IRXXXXXXXX~~

2. Incidents which involve an incident number should be tagged with the incident **CAD** number in the ID field ~~rather than the CAD number.~~

b. Title field:

1. Provide a brief explanation of what is recorded.

2. For BWC videos, allow the auto-tagging process to complete the title field.

3. For other imported non-BWC evidence, include the case number and a brief description of the evidence (e.g., 230010001 PHOTOGRAPHS).

~~Examples: DV, suspect interview, T.S., arrest for POCS, FI, etc.~~

c. Category fields:

There are 13 **several** category choices for each individual recording. ~~Members will primarily use only seven of the categories (categories 2-8).~~ If multiple categories apply to an event, members should choose the category with the highest retention period available to them. ~~Categories 1 and 13~~ **The pending review and uncategorized categories** are for administrative purposes and required by Taser Axon. ~~Categories 9, 10, 11 and 12~~ **The training, use of force, critical incident, and administrative hold categories** are reserved for supervision and command staff. If a member has recorded what would be considered a ~~category 9 (training), 10 (use of force), or 11 (critical incident)~~ event, they should notify their supervisor or the program administrator for permission to have the item categorized as such.

2. Recording Management Categories

a. The following recording categories are to be used. **Retention times beyond the limits listed below may be required if the department receives a directive to**

preserve the video within 120 days after the date of recording in accordance with [Wis. Stat. § 165.87\(2\)\(c\)](#).

1. Uncategorized
 - b. Retention of video in this category is ~~130 days from the date of recording~~ permanent unless deleted at the direction of the Chief of Police or his/her designee.
2. Incident - No Official Police Action Taken / Call Advised
 - c. Files retained in this category will be preserved for ~~130 days~~ 10 years from the date of recording with the following exception: all non-evidentiary recordings of traffic stops, field interviews, no action encounters, frisks, and searches, shall be retained for two (2) years.
3. Municipal Traffic and Ordinance Citations and/or Arrests
 - b. Files retained in this category will be preserved for ~~3~~ 7 years from the date of recording; or until the final disposition of the case, including appeals, a determination from the court or hearing examiner that the data are no longer needed, or an order from the court or hearing examiner, whichever is longer, in accordance with [Wis. Stat. § 165.87\(2\)\(d\)](#).
4. State Traffic Citations & Misdemeanor or Felony Arrests
 - b. Files retained in this category will be preserved for 7 years from the date of recording; or until the final disposition of the case, including appeals, a determination from the court or hearing examiner that the data are no longer needed, or an order from the court or hearing examiner, whichever is longer, in accordance with [Wis. Stat. § 165.87\(2\)\(d\)](#).
5. Emergency Detentions
 - b. Files retained in this category will be preserved for 7 years from the date of recording; or until the final disposition of the case, including appeals, a determination from the court or hearing examiner that the data are no longer needed, or an order from the court or hearing examiner, whichever is longer, in accordance with [Wis. Stat. § 165.87\(2\)\(d\)](#).
7. Officer Injury
 - b. Files retained in this category will be preserved for ~~2~~ 10 years from the date of recording.
10. Use of Force
 - b. Files retained in this category will be preserved for ~~7~~ 10 years from the

date of recording or until the final disposition of the investigation, case, or complaint, whichever is longer, in accordance with [Wis. Stat. § 165.87\(2\)\(b\)\(4\)](#). The recording does not need to be kept longer than 10 years if the only use of force was the use of a firearm to dispatch an injured wild animal.

14. All Imported Digital Evidence

- a. This is any imported digital evidence to Evidence.com.
- b. Retention of imported digital evidence is permanent unless deleted at the direction of the Chief of Police or his/her designee.

15. Open Records Hold

- a. All recordings associated with holds placed by the Open Records Division.
- b. Files retained in this category will be preserved for 5 years from the date of the recording.

16. Conducted Energy Weapon (CEW) Firing Log

- a. All records related to CEW firing logs.
- b. Files retained in this category will be preserved permanently unless deleted at the direction of the Chief of Police or his/her designee.

17. Civil Litigation Hold

- a. All recordings associated with holds placed by the Civil Investigations Section.
- b. Files retained in this category will be preserved for 7 years from the date of the recording; or until the final disposition of the case, including appeals, a determination from the court or hearing examiner that the data are no longer needed, or an order from the court or hearing examiner, whichever is longer, in accordance with [Wis. Stat. § 165.87\(2\)\(d\)](#).

18. Crash

- a. All recordings associated with a crash that do not involve a squad crash, are property damage only, and do not include personal injury, are not serious in nature, or involve a fatality.
- b. Files retained in this category will be preserved for 5 years from the date of the recording.

19. Crashes – Personal Injury, Serious, Fatal

- a. All recordings associated with a crash that involve personal injury, are serious in nature, or involve a fatality.
- b. Recordings will be retained as required by state law.

20. Homicide – Deaths

- a. All recordings associated with a death investigation not related to a crash.
- b. Recordings will be retained as required by state law.

21. Inspections Hold

- a. All recordings associated with holds placed by the Inspections Section.
- b. Files retained in this category will be preserved for 7 years from the date of the recording.

22. Missing Persons

- a. All recordings associated with a missing persons investigation.
- b. Files retained in this category will be preserved 2 years from the date of the recording.

23. Operating While Intoxicated

- a. All recordings associated with an operating while intoxicated investigation.
- b. Files retained in this category will be preserved 7 years from the date of the recording.

24. Public Information Officer / Positive Encounters

- a. All recordings associated with holds placed by the Public Information Officer.
- b. Files retained in this category will be preserved permanently unless deleted at the direction of the Chief of Police or his/her designee.

25. Sensitive Crimes - Restricted

- a. All recordings associated with a sensitive crimes investigation. These recordings are restricted from viewing.

b. Recordings will be retained as required by state law.

26. Sex Crime

a. All recordings associated with a sensitive crimes investigation.

b. Recordings will be retained as required by state law.

27. Signal Accidental Activations

a. All recordings associated with an unintentional camera activation due to the Axon Sidearm Signal device.

b. Files retained in this category will be preserved for 130 days from the date of recording.

28. Squad Accident

a. All recordings associated with a squad accident.

b. Files retained in this category will be preserved for 7 years from the date of recording.

29. Traffic / Field Interview Stops

a. All recordings associated with a traffic stop or field interview including all non-evidentiary recordings of traffic stops, field interviews, no action encounters, frisks, and searches.

b. Files retained in this category will be preserved for 7 years from the date of recording. In the case of a search during an authorized temporary questioning as provided in [Wis. Stat. § 968.25](#), all recordings shall be retained for 7 years or until the final disposition of the investigation, case, or complaint, whichever is longer, in accordance with [Wis. Stat. § 165.87\(2\)\(b\)\(3\)](#).

30. Vehicle Pursuit

a. All recordings associated with a vehicle pursuit.

b. Files retained in this category will be preserved for 7 years from the date of recording.

3. At the end of each shift, members assigned a BWC will place their ~~TC~~ and camera into the ETM for automatic uploading of all recorded data from the BWC into Evidence.com.

Note: Due to the unique nature of their assignments (i.e., take-home vehicles), motorcycle and K9 officers are exempt from charging and

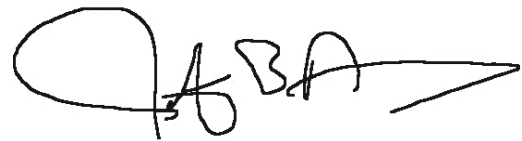
uploading cameras at a dock connected to Evidence.com after each shift. These members will be responsible for uploading their camera video via Sync from their vehicle-mounted MDC prior to the beginning of their next shift. Extra care will have to be used to ensure the camera is downloaded and charged prior to beginning their next shift.

I. DEPARTMENT REVIEW / TRAINING

1. All recordings made with a BWC are the property of the Milwaukee Police Department. Recordings may be reviewed:
 - j. By a supervisor to investigate whether a member activated both a BWC and, if applicable, the MDVR in-car camera system at the initiation of any traffic stop, field interview, no-action encounter, frisk, or search and did not deactivate the camera(s) until the encounter has concluded, with specific exceptions to protect privacy rights as set forth in 730.10 and 747.25.

J. DATA PRIVACY / RETENTION OF RECORDINGS / RECORDS REQUESTS

1. All digital media that is captured with a BWC is the property of and will be retained by the Milwaukee Police Department in accordance with [Wis. Stat. § 165.87](#) and for a minimum of 130 days following the date it is recorded with the following exception: all non-evidentiary recordings of traffic stops, field interviews, no action encounters, frisks, and searches, shall be retained for ~~two (2)~~ 7 years. Captured video may be retained for longer periods in the event the video is the subject of a litigation hold, a criminal case, part of discovery, etc.



JEFFREY B. NORMAN
CHIEF OF POLICE