



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

730 – IN-CAR CAMERA SYSTEMS

GENERAL ORDER: 2022-XX
ISSUED: June 27, 2022

EFFECTIVE: June 27, 2022

REVIEWED/APPROVED BY:
Assistant Chief Nicole Waldner
DATE: April 18, 2022

ACTION: Amends General Order 2019-09 (April 8, 2019)

WILEAG STANDARD(S): NONE

730.00 PURPOSE

These procedures provide guidelines for the use of the Axon in-car camera systems in Milwaukee Police Department vehicles. In-car camera equipment shall be used in order to accomplish several objectives that include, but are not limited to:

1. Enhanced officer safety.
2. Maximized effectiveness of officer reporting, evidence collection and court testimony.
3. The ability to review arrests, arrest procedures and officer and suspect interaction.
4. Officer training.
5. The investigation of citizen complaints.

730.05 DEFINITIONS

A. AXON EVIDENCE

A comprehensive Digital Evidence Management System (DEMS) that streamlines data management and electronic sharing within one secure platform. Axon Evidence is a cloud-based system that not only stores digital evidence (videos, audio, images, documents), but also provides advanced tools such as redactions, case building, transcriptions, sharing and various integrations.

B. AXON SIGNAL

A proprietary Bluetooth technology that auto starts Axon body cameras or fleet cameras once the Signal technology is activated. Activation of Signal can come from multiple pre-determined triggers, such as the activation of emergency lighting on a police vehicle. The Bluetooth Signal pulse is active for about 30 seconds and covers a range of about 30 feet from the equipped squad. All vehicles equipped with Axon in-car systems utilize Signal technology.

C. AXON VIEW XL

Software installed on the mobile data computer (MDC), which controls and supports the Axon Fleet cameras.

730.10 APPROPRIATE APPLICATIONS

- A. Police vehicles equipped with an in-car camera system shall record the following when occurring within camera range (Axon in-car cameras were designed to accompany and compliment the use of Axon body worn cameras):
1. Traffic stops.
 2. Field sobriety road side testing.
 3. Field interviews.
 4. No-action encounters.
 5. Any frisk and/or search taking place during the course of a traffic stop, field interview, or no-action encounter.
 6. Vehicle pursuits.
 7. When operating as an emergency vehicle.
 8. Transportation of subjects who have been arrested or placed in emergency detention.
 9. Whenever a person is placed inside a department vehicle.
- B. The in-car camera system may be used to record the following:
1. Circumstances at crime and vehicle crash scenes.
 2. Calls for police service.
 3. Circumstances in which documentation of the suspect or member's actions may prove useful in court.
 4. Incidents that may be of value for training purposes.
 5. Incidents that may have value in a personnel investigation.
 6. Any other circumstances in which the member feels that recording may be of value to the department.

730.15 IN-CAR CAMERA OPERATING PROCEDURES**A. GENERAL OPERATION**

The department operates two versions (Axon Fleet 1 and Fleet 2) of the Axon in-car camera system in its marked patrol fleet.

B. OPERATIONAL FEATURES

1. Pre-Event Recording

The in-car camera systems are equipped with pre-event buffering. Pre-event buffering adds 30 seconds of video before the camera was actually turned on (automatically or manually) to the final video recording. Pre-event buffering is designed to document the behavior of traffic violators or other situations that led the officer to activate the emergency warning devices and/or cameras. Pre-event buffering captures video only (not audio).

2. Auto-Activation of In-Car Cameras (Axon Signal)

Axon's in-car camera systems are designed to auto-activate both Axon in-car and body worn cameras via Axon Signal when the following events occur:

- a. Equipped vehicle's emergency lights are activated.
- b. When equipped vehicle speeds exceed 75 MPH.
- c. The equipped vehicle is involved in a significant deceleration event such as a crash (approximately 3gs of force is required).

C. START OF SHIFT (MEMBER RESPONSIBILITIES)

1. Prior to each shift, absent priority or exigent circumstances, members operating an Axon in-car camera equipped vehicle shall log into the Axon View XL app on their MDC using their Axon Evidence.com credentials prior to driving the vehicle. Members shall then conduct an inspection of the in-car camera system to ensure:
 - a. The front and rear camera (if equipped) power up upon starting the vehicle.
 - b. Each camera is operational, clear of any obstruction and is pointed so as to record a field of view that includes any autos being stopped for traffic violations as well as the rear passenger compartment of the squad car.
 - c. Using the Axon View XL app, members must ensure there is adequate recording time remaining on each camera, there are no errors indicated with the cameras or app (e.g., cameras buffering), and the system has Bluetooth connectivity.

Note: Lack of WiFi connectivity within the Axon View XL app will not affect general operation of the system, however, it will delay offloading of recorded video from the car to Evidence.com and will prevent review of video from the MDC. Members shall report this condition as specified in SOP 730.15(G) so the condition can be corrected. The lack of WiFi does not prevent use of the vehicle.

- d. The system is tested for proper video and audio functionality. This is done by

turning on the emergency lights or manually activating cameras and then verbally indicating you are conducting a system test (this test will usually take 5-10 seconds). Once the video and audio test is completed, members will review what was recorded on the Axon View XL app to be sure the system is in good working order and then tag the test video(s) as follows in the Axon View XL app:

ID = 000000000

Title = Test

Category = 08 Testing

2. If any component of an in-car camera system (e.g., camera(s), camera mounts, app malfunctions) is not functioning properly or is damaged, the member shall follow the procedures set forth in SOP 730.15(G).
3. Members failing to utilize the the in-car camera system as required by this policy or any other policy where recordings are required for reasons other than a reported non-functioning in-car camera system will be subject to discipline.
4. Members (unless assigned to the Information Technology Division) are not authorized to disable, remove or tamper with any in-car camera system. Any member intentionally disabling, removing, or tampering with any component of an in-car camera system without the prior approval of the Information Technology Department will be subject to discipline. Additionally, members shall not attempt to alter any original (parent video) in-car camera system recordings.

D. GENERAL IN-CAR CAMERA OPERATION

1. At no time should the safety of the member or other persons be sacrificed to capture video evidence.
2. Members will consider vehicle positioning during traffic stops, field interviews, and no-action encounters in order to fully frame the vehicle or persons involved. A minimum of one car length distance should be maintained between the target vehicle and the police vehicle.
3. Members will start recording the rear compartment immediately upon placing a subject in an in-car camera system equipped vehicle. To initiate a rear camera recording, the vehicle must be started and the rear in-car camera must be turned on by one of the following methods:
 - a. Manually using the Axon View XL App to trigger the camera on.
 - b. Depressing the camera event button.
 - c. Activating the light bar. This is not the preferable option as using this method will activate both the front and rear vehicle cameras via Signal technology and will cause nearby body worn cameras to be activated as well.

Note: The vehicle may be shut down if necessary after starting the in-car

camera system. The in-car camera system will record up to two hours (depending of vehicle battery reserves). Consideration to battery condition should be given when shutting the vehicle down for extended periods with the in-car camera system running and a passenger in the rear compartment.

- d. While not required by policy or state law, members may inform other parties that they are being recorded. This has proven to be influential in garnering cooperation of subjects and has been shown to reduce incidents of use of force.
- e. Members will not cease recording until an incident is complete. For the purposes of this directive, an incident is considered complete when a reasonable and prudent person would consider the recording was stopped at a logical point. Recording of a traffic stop, field interview, no-action encounter, frisk, or search, however, is not complete until the encounter has concluded.
- f. The in-car camera system may be manually deactivated when:
 - 1. At the scene of a traffic crash or while directing traffic and the scene has stabilized to the point where there is no possibility of an arrest.
 - 2. The camera is active for extended periods of time that serve no evidentiary purpose.

Note: If the recording is stopped at any point before the conclusion of an event, documentation is required to explain why the recording was stopped. This will be documented by the involved member in the Notes section of the video once it has been uploaded to Axon Evidence.

- g. If the member using the in-car camera system is logged on to the Axon View XL app, the member may review events recorded by the in-car camera system for up to 2 hours after the recording is complete on their MDC before being auto cued for upload into Axon Evidence. Members can prioritize the upload of videos in the Axon View XL app for immediate upload to Axon Evidence if necessary. Reviewing the recordings in the vehicle can ensure the system is working properly, may help a member correct known deficiencies in system performance, and can aid in remembering details of an event for the purposes of proper documentation in official written police reports.
- h. If the in-car camera system malfunctions at any time during the shift, the malfunction shall be immediately reported in accordance with SOP 730.15(G).

E. SUPERVISORS RESPONSIBILITY

- 1. Supervisors will give consideration to the following when creating daily duty assignments as it relates to in-car camera system equipped police vehicles:

- a. The anticipated frequency based on a particular assignment that a member will have encounters with persons or vehicles.
 - b. The anticipated frequency the member based on a particular assignment that a member may encounter higher risk situations (e.g., in-progress calls, felony encounters).
2. It is the responsibility of every supervisor to ensure that members assigned to in-car camera system equipped police vehicles are properly utilizing the in-car camera system during their tour of duty.
3. Supervisors shall conduct random audits of members' in-car camera recordings utilizing Axon Evidence.
4. Supervisors failing to ensure proper utilization of the in-car camera system will be held accountable and subject to discipline.
5. Supervisors informed of, or become aware of, malfunctioning in-car camera system equipment shall ensure either he or she or the reporting member report the malfunction as specified in SOP 730.15(G).
6. If a supervisor is notified or becomes aware a vehicle has faulty in-car camera system equipment, the supervisor will evaluate what other police vehicle resources are available for use that have working in-car camera technology. If police vehicle resources are limited, the supervisor may authorize use of the vehicle with the faulty in-car camera system equipment; however, use of the vehicle will be documented in the CAD system by either the car operator or by the dispatcher. The entry into CAD must include:
 - a. That the in-car camera system equipment is not functioning.
 - b. The car number involved.
 - c. The name of the supervisor authorizing the cars use.

F. VIDEO UPLOAD

1. In-car camera systems use 4G LTE for in the field uploading and high speed video uploading when an in-car camera system is within about 300 feet of a district station, the PAB or Specialized Patrol Division. The uplink modem for either 4G LTE or Wi-Fi will automatically shut down after about 2 hours once the car has been shut off.
2. In order for video to upload from the in-car camera system to Axon Evidence, the member must be logged on. Failure to log on will cause video tagging issues, failure to get notified of faulty equipment, and will cause recordings to store on the cameras for extended periods.
3. All damages, malfunctions or failures in the upload equipment shall be reported as specified in SOP 730.15(G).

G. SYSTEM MAINTENANCE AND TROUBLE SHOOTING

1. Properly functioning equipment is vital not only to the safety of officers, but ensures accountability and transparency regarding police/citizen interactions. It is the responsibility of every member to ensure malfunctioning, faulty or inadequate performing hardware/software is reported so timely repairs can be made.
2. If a member encounters an in-car camera system that is malfunctioning or has broken hardware, the member shall:
 - a. Verbally notify their supervisor as soon as practicable.
 - b. Email that same supervisor with a carbon copy (cc) to the Field Technology Unit at [REDACTED] concerning the issue no later than the end of their tour of duty. This email should include the squad number, date and time of the issue, as well as describing the encountered problem.
3. A member of the Field Technology Unit will follow up with a return email and/or contact an on-duty supervisor from the reporting work location during regular business hours (Monday -Friday with some exceptions for holidays) to make arrangements to resolve the issue.

730.20 IN-CAR CAMERA EVIDENCE

A. MEMBER'S RESPONSIBILITIES

1. When video and/or audio evidence is captured during an incident, including any traffic stop, field interview, and no-action encounter regardless of whether a warning, citation, arrest, or any other enforcement action follows, members shall document such in any report or citation supplement written. In addition, the box labeled "Video Evidence Ordered" in the TriTech Inform RMS report supplemental tab must also be marked. Members shall insert the following paragraph into their TriTech Inform RMS report when documenting a recording:

"On (date) at (time) I was operating vehicle number _____, while assigned to squad _____. This vehicle is equipped with an Axon in-car camera system. Video evidence was recorded which pertains to this incident."
2. Members are to notify their supervisor if a video recording documents an arrest, a pursuit, use of force, evidence collecting or some other incident in which the video file may be required as evidence, an official department report, or would be appropriate for training purposes.
3. Each work location shall assign a supervisor to oversee the in-car camera squads assigned to that work location. This supervisor shall inspect squads for damage to in-car camera systems in accordance with monthly work location squad checks.

B. IN-CAR CAMERA FILES

Members have an obligation to ensure that their recordings are properly retained for any criminal offenses referred for charging (whether state or municipal) or for potential liability claims. Although auto tagging applies retention to videos, officers are expected to verify proper retention categories were applied to videos they create and if incorrect, add the appropriate category.

730.25 CRITICAL INCIDENT PROTOCOLS

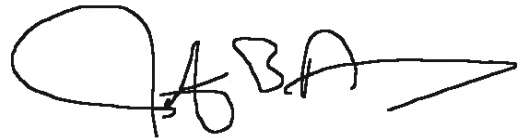
- A. A critical incident for the purpose of this SOP is any police action or activity that directly or indirectly results in great bodily harm or death to a department member and/or a citizen.
- B. In the event of a critical incident, members will refrain from viewing any recorded data captured by in-car camera systems until the investigative entity responsible for the investigation arrives on scene subject to sections C-E in this section. Compliance with this directive can be determined by reviewing the audit logs of the video from within Axon Evidence.
- C. If the critical incident is investigated by an outside agency, the outside agency lead investigator shall make the determination if the involved-officer(s) will be permitted to view the recorded data.
- D. If the critical incident is investigated by the department, the Chief of Police, or his designee, shall make the determination if the involved-officer(s) will be permitted to view the recorded data.
- E. This section does not prohibit members in critical incidents with ongoing exigency from viewing in-car camera recordings that may aid the present investigation (e.g., suspect descriptions, suspect vehicles, direction of travel, etc.).

730.30 VIDEO FILE CONTROL AND MANAGEMENT

- A. In-car camera files are the property of the Milwaukee Police Department. Dissemination outside of the agency is strictly prohibited without specific authorization from the Chief of Police or designee.
- B. In-car camera files related to a personnel investigation shall not be released without approval from the Internal Affairs Division and the Chief of Police.
- C. In-car camera files are subject to open records requests. Therefore, all external or public requests for in-car camera files shall be directed to the Open Records Division, who shall be responsible for determining if the recording can be released. However, with the proper Axon Evidence role, recordings may be duplicated or shared with criminal justice agencies and law enforcement partners for official purposes only or when otherwise authorized by the Chief of Police, or his/her designee.
- D. Digital copies for purposes not associated with the investigation or prosecution of a

violation of law shall only be made or created subject to one of the following:

1. With permission of a commanding officer, their designee or higher.
 2. As needed for investigations by the Internal Affairs Division.
 3. As required by court order or open records request.
 4. As needed by the Field Technology Unit or Axon system administrator.
 5. As requested by any outside consultant retained to conduct an audit of MPD policies and procedures, pursuant to SOP 990.10(C) and/or any court order.
- E. Non-evidentiary recordings not scheduled for court proceedings or for department use shall be maintained as required by the current retention schedule with the following exception: all non-evidentiary in-car camera system recordings of traffic stops, field interviews, no action encounters, frisks, and searches, shall be retained for two (2) years. If a member becomes aware that a previously recorded video may be needed beyond pre-established retention periods, he/she shall notify an Axon system administrator or super user to have the retention period (Category) updated and/or extended.

A handwritten signature in black ink, appearing to read 'J.B. Norman', with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN
CHIEF OF POLICE

JBN:mfk