



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

730 – MOBILE DIGITAL VIDEO / AUDIO RECORDING EQUIPMENT 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

ROLL CALL VERSION

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

730.00 PURPOSE

These procedures provide guidelines for the use of ~~Mobile Digital Video/Audio Recording (MDVR) equipment~~ the Axon in-car camera systems in Milwaukee Police Department vehicles. MDVR 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.

730.0510 APPROPRIATE APPLICATIONS

- A. Police vehicles equipped with an MDVR 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 ~~(audio and video)~~.
 2. Field sobriety road side testing ~~(audio and video)~~.
 3. Field interviews ~~(audio and video)~~.
 4. No-action encounters ~~(audio and video)~~.
 5. Any frisk and/or search taking place during the course of a traffic stop, field interview, or no-action encounter ~~(audio and video)~~.
 6. Vehicle pursuits ~~(audio and video)~~.
 7. When operating as an emergency vehicle ~~(video)~~.
 8. Transportation of subjects who have been arrested or placed in emergency detention ~~(audio and video)~~.
 9. Whenever a person is placed inside a department vehicle ~~(audio and video)~~.
- B. The MDVR In-car camera system may be used to record the following:
6. Any other circumstances in which the member feels that video/audio recording may be of value to the department.

730.1015 MDVR IN-CAR CAMERA OPERATING PROCEDURES

A. GENERAL OPERATION

~~Members with MDVR training should be assigned to vehicles that are MDVR equipped when available while non-trained members should be assigned to non-MDVR equipped vehicles. All members assigned to an MDVR equipped vehicle shall assume responsibility of the MDVR and maintain the equipment as trained.~~ 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 MDVR will automatically activate and record when the vehicle's emergency warning devices are in operation. The MDVR is also equipped with a 30 second pre-event recording system which will capture and store events in temporary memory before the emergency warning devices are activated. Pre-event recording will document the behavior of traffic violators or other situations that led the officer to activate the emergency warning devices. Pre-event recording will capture video only.~~ 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. Post Event Recording

~~The MDVR will continue to record video and audio for 2.5 minutes after the system has been stopped or deactivated. This post-event recording period is set by the department and cannot be adjusted manually by the member.~~

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 members shall conduct an inspection of the MDVR equipment to ensure that it is working properly. Members must ensure:~~ 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 ~~system~~ front and rear camera (if equipped) powers up upon starting the vehicle.
 - b. ~~The cameras and lenses are~~ Each camera is operational, clear of any obstruction and ~~are~~ 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. ~~The correct date and time is shown on the monitor.~~ 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 wireless microphone is synced, operational and turned to the on position.~~
- de. 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 the MDVR (e.g., camera, microphone) an in-car camera system (e.g., camera(s), camera mounts, app malfunctions) is not functioning properly or is damaged, the member that conducted the inspection of the MDVR shall report it to their supervisor as soon as practicable shall follow the procedures set forth in SOP 730.15(G).
3. Members failing to utilize the MDVR system in an MDVR equipped vehicle during their tour of duty for reasons other than non-functioning equipment will be subject to discipline. This includes failing to utilize the portable body microphone. 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 the MDVR any in-car camera system without prior approval from the Information Technology Department. Any member intentionally disabling, removing, or tampering with any component of an MDVR 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 MDVR original (parent video) in-car camera system recordings.

D. TOUR OF DUTY GENERAL MDVR IN-CAR CAMERA OPERATION

1. Microphones

- a. ~~If the police vehicle is equipped with a MDVR system, a working body microphone that is turned on will be worn by the member during the entire shift.~~

Note: Members equipped with a functioning body worn camera in accordance with SOP 747 (Body Worn Cameras) are not required to wear a body microphone during their shift.

- b. ~~Body microphones must be worn on the body of the member in such a position that the device will capture good quality audio during normal circumstances.~~
- c. ~~In two officer units, when a police vehicle is equipped with two body microphones, both members will wear a body microphone. The MDVR system records audio on separate tracks.~~

Note: When played back in the field, the recorded audio may sound distorted or unintelligible. This is not a system malfunction. The audio tracks can later be isolated at desktop terminals.

- d. ~~Body microphones may be exchanged during the course of a shift (e.g., low or depleted battery), but the new microphone must be re-synced to the MDVR system in use.~~
- e. ~~If a member needs to confer with another member or a supervisor while an MDVR is recording, the member should remove the body microphone (left on) and leave the microphone in the vehicle.~~

2. General MDVR Operation

- 3. Members will start recording the rear compartment immediately upon placing a subject in an MDVR in-car camera system equipped vehicle. To initiate a rear camera recording, the vehicle must be started and the MDVR system rear in-car camera must be turned on manually while the vehicle is running 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 MDVR in-car camera system. The MDVR 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 MDVR in-car camera system running and a passenger in the rear compartment.

- d. ~~Members may inform persons they are being audio and/or video recorded. 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 audio and/or video 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 audio or video 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 MDVR in-car camera system may be manually deactivated when:
 - i. ~~A person is arrested and placed into the back of a squad car that does not have rear compartment recording capabilities, however the recording should be continued in the event unusual circumstances are present.~~
 - 1 ii. 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 iii. The camera is active for extended periods of time that serve no evidentiary purpose.

Note: If the audio/video 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 on a ~~Department Memorandum (form PM-9E) addressed to the member's commanding officer on the date of occurrence 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, ~~Members are permitted to~~ the member may review events recorded by their MDVR during their shift 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 video and audio 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 MDVR in-car camera system malfunctions at any time during the shift, the

malfunction shall be immediately reported to a supervisor in accordance with SOP 730.15(G).

E. SUPERVISORS RESPONSIBILITY

- ~~1. Shift commanders will maintain a list of MDVR trained members on their respective shift. Shift commanders are responsible to ensure that non-trained members receive the proper training as soon as practicable.~~
12. Supervisors will give consideration to the following when creating daily duty assignments as it relates to MDVR 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).
23. It is the responsibility of every supervisor to ensure that members assigned to MDVR in-car camera system equipped police vehicles utilize the MDVR are properly utilizing the in-car camera system during their tour of duty.
34. Supervisors shall conduct random audits of members MDVR use via physical inspection of the MDVR and perform occasional review of recordings made utilizing the DP3 In-Car Video Portal System in-car camera recordings utilizing Axon Evidence.
45. Supervisors failing to ensure proper utilization of the MDVR in-car camera system will be held accountable and subject to discipline.
56. Supervisors must ensure that non-functioning MDVR equipment is properly documented and reported for repair immediately. Supervisors will verify a "work order" has been started on all non-functioning MDVR's that a supervisor is cognizant of. If it is determined no "work order" has been started, the supervisor will have one initiated 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).
67. If a supervisor is notified or becomes aware a vehicle has faulty MDVR in-car camera system equipment, the supervisor will evaluate what other police vehicle resources are available for use that have MDVR working in-car camera technology. If police vehicle resources are limited, the supervisor may authorize use of the vehicle with the faulty MDVR 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 MDVR 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 will occur automatically when a vehicle equipped with an MDVR when an in-car camera system is within about 300 feet of a district station, the PAB or Specialized Patrol Division. The uplink modem on the MDVR for either 4G LTE or Wi-Fi will automatically shut down after 30 minutes about 2 hours once the car has been shut off.
2. Occasionally the MDVR may “freeze” or become stuck in a loop during uploading. If this occurs, depress the “F5” key. This will cause the system to reboot and will generally rectify the situation. If the system does not correct itself, follow the procedures in step 4. 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. Members receiving warnings from the MDVR system that the memory is full shall contact their dispatcher and request to return to the station to upload 10-11 (out of service—subject to call).
4. All damages, malfunctions or failures in the upload equipment shall be reported to a supervisor as soon as practicable. Failures of the upload equipment shall also require notification to the Information Technology Department Help Desk at extension [REDACTED] 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.

730.1520 MDVR 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 MDVR Axon in-car camera system. Audio/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. ~~In addition, the member shall also complete the Video File Request Report (form PV-10E) and fax the form to the Open Records Division at extension [REDACTED]. Video files are only retained for 120 days from the date of creation unless the PV-10 is completed and forwarded to the Open Records Division.~~
3. Each work location shall assign a supervisor to oversee the MDVR in-car camera squads assigned to that work location. This supervisor shall inspect squads for damage to MDVR in-car camera systems in accordance with monthly work location squad checks equipment and shall liaison with the mobile digital video recording project coordinator to ensure MDVR-enabled squads are operational and video files are downloaded daily.

B. MDVR 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.

- ~~1. If the video file involves a state criminal case with an arrest, the Open Records Division will inventory the video as evidence and file a supplemental report indicating such. The Open Records Division shall route two (2) DVD copies to the district attorney's office. Members shall attach the original PV-10 to the arrest reports to alert the district attorney that video exists and copies have been requested.~~
- ~~2. If the video file involves a state criminal case without an arrest, a PV-10 should still~~

- ~~be completed. The Open Records Division will inventory the video as evidence and file a supplemental report indicating such. If an arrest is made at a later date, the arresting officer shall order district attorney copies of the video at that time using a standard open records request and referencing the inventory number listed in the open records supplement filed previously.~~
- ~~3. If the video file is intended for use in municipal court, the Open Records Division will inventory the video as evidence and file a supplementary report indicating such. Should municipal court need this video file at a later date, the Open Records Division will provide a copy to the court. The member will be notified by memo of the inventory number. The member should ensure that the fact that there is video evidence is detailed on their citation prior to completion.~~
 - ~~4. If the video file is intended for any other purpose (e.g., personnel investigation, training), The Open Records Division will ensure the video file is retained past 120 days. However, no evidence inventory will be completed unless requested by a supervisor.~~
 - ~~5. The member who completes the PV-10 is ultimately responsible for the status of this evidence once the case has concluded. Those files that are no longer needed shall be removed from storage.~~
 - ~~6. For any questions or clarification, call the Open Records Division during normal business hours at extension [REDACTED].~~

730.2025 CRITICAL INCIDENT PROTOCOLS

- B. In the event of a critical incident, members will refrain from viewing any recorded data captured by mobile digital video/audio recording (MDVR) equipment 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.
- E. This section does not prohibit members in critical incidents with ongoing exigency from viewing MDVR in-car camera recordings that may aid the present investigation (e.g., suspect descriptions, suspect vehicles, direction of travel, etc.).

730.2530 VIDEO FILE CONTROL AND MANAGEMENT

- A. MDVR 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. MDVR 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. MDVR In-car camera files are subject to open records requests. Therefore, all external or public requests for MDVR 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. ~~The Internal Affairs Division shall have the authority to make copies of video files without notifying the Open Records Division.~~
 3. As required by court order or open records request.
 4. As needed by the ~~mobile digital video recording project coordinator~~ 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 ~~MDVR~~ 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 ~~complete form PV-10 and request that the applicable video be retained for an extended period of time~~ notify an Axon system administrator or super user to have the retention period (Category) updated and/or extended.



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