# MILWAUKEE POLICE DEPARTMENT

**STANDARD OPERATING PROCEDURE**

747 – BODY WORN CAMERAS (BWC)

| | | |
|---|---|---|
| **GENERAL ORDER:** 2019-XX<br>**ISSUED:** February 12, 2019 | **EFFECTIVE:** February 12, 2019 | **REVIEWED/APPROVED BY:**<br>Director Regina Howard<br>**DATE:** December 12, 2018 |
| **ACTION:** Amends General Order 2016-34 (July 15, 2016) | | **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 policy, see SharePoint.**

## 747.15 GENERAL INFORMATION

Each BWC system will be used to document various events that occur during the duty shift of the assigned member. Upon completion of the assigned member's shift, all captured data will be preserved in a secure recording storage location. Upon captured, these recordings are protected with multiple layers of encryption and cannot be altered. BWC technology facilitates the department's objectives to collect evidence for prosecutions, ensure both officer and ~~citizen~~ civilian accountability, facilitate administrative inspection functions, and provide a valuable training aid by allowing for the evaluation of officer and ~~citizen~~ civilian behavior.

## 747.20 GENERAL GUIDELINES

A. ASSIGNMENT

All non-supervisory officers assigned to the Patrol Bureau shall be assigned a BWC. Non-supervisor officers transferred to the Patrol Bureau shall be assigned a BWC within three (3) weeks of the effective date of the transfer.

B~~A~~. TRAINING

C~~B~~. CARE AND EQUIPMENT

D~~C~~. REPAIR / REPLACEMENT

## 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

2. Use of and Recording with the BWC

a. A member assigned a BWC must wear it at all times when on duty ~~in uniform~~ and performing or likely to perform enforcement duties, including traffic stops, field interviews, no-action encounters, frisks, or searches.

c. ~~The department recognizes that officer safety is paramount.~~ Members with a BWC who arrive on a scene or engage in investigative or enforcement contacts shall activate their BWC for recordable events including, but not limited to: ~~or enforcement contact must start recording as soon as it is safe and practical to do so~~

1. Vehicle stops
2. Impaired driver investigations
3. Field interviews and pedestrian stops
4. Transporting citizens or prisoners
5. Searches of persons or property
6. Dispatched calls for service
7. Crime scenes
8. Crash scenes (may be turned off if member is waiting on a tow truck and no additional enforcement activity is likely)
9. Advising a subject of Miranda warnings (in the field or without MediaSolv)
10. Suspect/witness statements and interviews
11. Vehicle and foot pursuits
12. Emergency response to critical incidents

If multiple members are on scene with a BWC, all members with a BWC will record.

**Note: The department recognizes that officer safety is paramount. In urgent or rapidly developing circumstances, members shall activate their BWC for a recordable event as soon as it is safe and practical to do so.**

~~d. Members with a BWC shall make every effort to activate their BWC for all investigative or enforcement contacts including, but not limited to:~~

~~1. Vehicle stops~~
~~2. Impaired driver investigations~~
~~3. Field interviews and pedestrian stops~~
~~4. Transporting citizens or prisoners~~
~~5. Searches of persons or property~~
~~6. Dispatched calls for service~~
~~7. Crime scenes~~

~~8. Crash scenes (may be turned off if member is waiting on a tow truck and no additional enforcement activity is likely)~~
~~9. Advising a subject of Miranda warnings (in the field or without MediaSolv)~~
~~10. Suspect/witness statements and interviews~~
~~11. Vehicle and foot pursuits~~
~~12. Emergency response to critical incidents~~

d~~e~~. Members assigned a BWC and with a prisoner in an MPD booking room will record until either the booker releases the member or the prisoner is put into a cell.

e~~f~~. Recording at the Criminal Justice Facility (CJF) will cease upon entry to the facility unless approved by CJF staff.

f~~g~~. Once a BWC is recording, members must continue to record until either the completion of the event or until they leave the scene and their involvement in the event ceases.

g~~h~~. While not required by policy or state law, members assigned a BWC ~~may find it valuable to~~ 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.

h~~i~~. A BWC is not specifically designed to log evidence or to be used for any situation where fine detail and resolution is necessary. Members ~~are encouraged, however, to~~ 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.

i~~j~~. For efficiency, members assigned a BWC can view and tag captured video via the Axon mobile smartphone app or by using Sync prior to uploading to Evidence.com.

F. CRITICAL INCIDENT PROTOCOL

1. 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~~ civilian.

2. In the event of a critical incident, members assigned a body worn camera will refrain from viewing the recorded data until the investigative entity responsible for the investigation arrives on scene subject to sections 3-5 in this section.

G. IMPOUNDING OF DATA, DATA UPLOADING AND VIDEO CATAGORIZATION

2. Recording Management Categories

a. The following recording categories are to be used.

1. Uncategorized

   b. Retention of video ~~is~~ in this category is 130 days from the date of recording.

2. Incident - No Official Police Action Taken / Call Advised

   c. Files retained in this category will be preserved for 130 days 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.

7. Officer Injury

   a. All recordings in which a member is ~~becomes~~ injured will be retained in this category.

9. Training

   This category will be used by supervisors to permanently save recordings that can be used for teaching or training other members. Recordings placed in this category should also be retained in one of the other descriptive categories.

12. Administrative Hold

   a. Any recording can be placed on administrative hold by a supervisor. Recordings placed in this category should also be retained in one of the other descriptive categories.

H. REPORTING / DOCUMENTATION

1. The use of a BWC will be documented in the opening paragraph of ~~an ARS incident~~ TriTech Inform RMS or supplemental report, as well as in the narrative portion of any documentation for a traffic stop (TraCS), field interview (RMS), no-action encounter (CAD), frisk (TraCS or RMS as appropriate), and search (TraCS or RMS as appropriate).

2. When a BWC records an incident resulting in either an arrest or citation, the use of the BWC will be documented in the citation and/or the ~~ARS~~ TriTech Inform RMS narrative. If a citation is issued, the words “On Officer Video” will be written in the lower right hand corner of a paper citation or typed in the Agency Notes section when using TraCS.

I. DEPARTMENT REVIEW / TRAINING

1. All recordings made with a BWC are the property of the Milwaukee Police Department.

Recordings may be reviewed:

b. By a police member viewing their individually assigned recordings to assist with writing a report, supplement, citation, memorandum or court case preparation with the exception that the procedures set forth in 747.25(F) shall be followed before a member is permitted to review any critical incident recording.

h. 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.

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 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) 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.

4. Members will not allow ~~citizens~~ civilians to review video captured by a BWC unless there is an investigative reason to do so and such viewing has been approved by a supervisor. Members shall advise ~~citizens~~ civilians that they may request a copy of the recording through the public records process.

ALFONSO MORALES
CHIEF OF POLICE

AM:mfk

# MILWAUKEE POLICE DEPARTMENT

**STANDARD OPERATING PROCEDURE**

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| **GENERAL ORDER:** 2019-XX<br>**ISSUED:** February 12, 2019 | **EFFECTIVE:** February 12, 2019 | **REVIEWED/APPROVED BY:**<br>Director Regina Howard<br>**DATE:** December 12, 2018 |
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## 747.00 PURPOSE

The purpose of this policy is to establish guidelines for the use, management, storage and retrieval of recordings from the department's body worn camera (BWC) system.

BWC's will be used to support the mission of the department and assist department members in the performance of their duties by providing an accurate and unbiased recording of interactions between police members and the public.

## 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 DP3 in-car video system that is permanently mounted in police vehicles.

## 747.10 DEFINITIONS

A. AXON MOBILE SMARTPHONE APPLICATION

A smartphone application (app) that allows for a Bluetooth connection from the camera to a supported smartphone device. The app will allow a member to view live or recorded video stored on the camera. Video cannot be altered or modified, but members can tag the video in the field while the video is still stored on the camera. Tagging videos in the field will eliminate the need to tag videos after uploading at the work location.

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 DP-3 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.

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.

## 747.15 GENERAL INFORMATION

Each BWC system will be used to document various events that occur during the duty shift of the assigned member. Upon completion of the assigned member's shift, all captured data will be preserved in a secure recording storage location. Upon capture, these recordings are protected with multiple layers of encryption and cannot be altered. BWC technology facilitates the department's objectives to collect evidence for prosecutions, ensure both officer and civilian accountability, facilitate administrative inspection functions, and provide a valuable training aid by allowing for the evaluation of officer and civilian behavior.

## 747.20 GENERAL GUIDELINES

A. ASSIGNMENT

All non-supervisory officers assigned to the Patrol Bureau shall be assigned a BWC. Non-supervisor officers transferred to the Patrol Bureau shall be assigned a BWC within three (3) weeks of the effective date of the transfer.

B. TRAINING

Members will receive prescribed training prior to being assigned a BWC. Any training provided will be commensurate with the level of participation in the BWC program (e.g., camera wearer, detective, administrator, etc.)

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.

2. All BWC's and related equipment will be issued to individual members by the BWC program administrator or his/her designee.

3. A record of inventory will be maintained by the BWC program administrator.

4. Only members that have received the prescribed training will be assigned or permitted to wear a BWC.

5. Members assigned a BWC are responsible for the proper care of the equipment.

6. Any BWC that is lost or stolen will be reported as required by SOP 340.75.

D. REPAIR / REPLACEMENT

1. Replacement video cords will be available in the lieutenant's office of each deploying work location.

2. 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).

3. BWC replacement parts and/or systems are available by contacting the Field Technology Unit or the BWC program administrator. 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 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.

B. WORKING REPLACEMENT SHIFTS

Members assigned a camera and working a uniformed patrol replacement at a work location other than where normally assigned will utilize a spare BWC kept at the work location where the replacement is being worked.

1. Before using the spare camera, a supervisor with Evidence.com access will need to assign the camera to the member.

2. If a supervisor is not immediately available, the member can use the camera, but should locate a supervisor with Evidence.com access before the end of their shift so the camera can be properly assigned.

3. If a spare BWC is not available, the shift commander will be notified.

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.

2. Use of and Recording with the BWC

a. A member assigned a BWC must wear it at all times when on duty and performing or likely to perform enforcement duties, including traffic stops, field interviews, no-action encounters, frisks, or searches.

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.

c. Members with a BWC who arrive on a scene or engage in investigative or enforcement contacts shall activate their BWC for recordable events including, but not limited to:

1. Vehicle stops
2. Impaired driver investigations
3. Field interviews and pedestrian stops
4. Transporting citizens or prisoners
5. Searches of persons or property

6. Dispatched calls for service
7. Crime scenes
8. Crash scenes (may be turned off if member is waiting on a tow truck and no additional enforcement activity is likely)
9. Advising a subject of Miranda warnings (in the field or without MediaSolv)
10. Suspect/witness statements and interviews
11. Vehicle and foot pursuits
12. Emergency response to critical incidents

If multiple members are on scene with a BWC, all members with a BWC will record.

**Note: The department recognizes that officer safety is paramount. In urgent or rapidly developing circumstances, members shall activate their BWC for a recordable event as soon as it is safe and practical to do so.**

d. Members assigned a BWC and with a prisoner in an MPD booking room will record until either the booker releases the member or the prisoner is put into a cell.

e. Recording at the Criminal Justice Facility (CJF) will cease upon entry to the facility unless approved by CJF staff.

f. Once a BWC is recording, members must continue to record until either the completion of the event or until they leave the scene and their involvement in the event ceases.

g. While not required by policy or state law, members assigned a BWC 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.

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.

i. For efficiency, members assigned a BWC can view and tag captured video via the Axon mobile smartphone app or by using Sync prior to uploading to Evidence.com.

D. EXCEPTIONS TO RECORDING

1. Police members have discretion in whether or not to record potentially sensitive events or circumstances (e.g., victims of a sexual assault, child victim statements / interviews, nude persons who are not the target of enforcement action, or a citizen victim/witness who requests they not be recorded while giving a statement, or

where otherwise authorized in this policy).

2. Police members may deactivate BWC's during non-enforcement activities such as:

   a. Member to member conversations about crime charging issues or other general conversations.

   b. Traffic control at fires, crime scenes, or crash scenes when the member's likelihood of being involved in enforcement activities is low.

   c. Lengthy hospital stays awaiting medical clearance (unless enforcement actions are likely, the likelihood of additional criminal activity or escape attempt is high, the suspect is making voluntary statements, or the member is gathering additional evidence (e.g., OWI blood draws).

3. Members shall make a verbal notation on the recording anytime he or she plans to intentionally stop a recording prior to the completion of an event or incident. The verbal notation must include the reason why the member is stopping the recording.

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:

1. BWC's will not be activated in a place where a reasonable expectation of privacy exists, such as dressing rooms, locker rooms and restrooms (Wis. Stat. § 175.22). Any purposeful or accidental recordings made under these circumstances may be deleted prior to the standard 130 day retention period at the direction of the Chief of Police or his/her designee.

2. 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).

3. BWC's will not be intentionally activated to record conversations of fellow members without their knowledge during routine and non-enforcement activities. This includes while a member is on a rest break, while report writing, attending roll calls, general discussions with other members, discussing a case with another member, or performing other administrative functions.

4. BWC's will not be utilized to surreptitiously record conversations of the public and/or other members of the department.

5. Members utilizing a BWC will not knowingly record undercover officers or confidential informants.

6. BWC's will not be utilized to record any off duty or personal activity.

F. CRITICAL INCIDENT PROTOCOL

1. 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 civilian.

2. In the event of a critical incident, members assigned a body worn camera will refrain from viewing the recorded data until the investigative entity responsible for the investigation arrives on scene subject to sections 3-5 in this section.

3. 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.

4. 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.

5. This section does not prohibit members in critical incidents with ongoing exigency from viewing body worn camera recordings that may aid the present investigation (e.g., suspect descriptions, suspect vehicles, direction of travel, etc.).

6. If there are BWC's in use during a critical incident, a police supervisor assigned to the Criminal Investigation Bureau and not involved in the actual critical incident will take physical custody of any BWC's that may have captured the incident and deliver them to the nearest police district where the same police supervisor will immediately upload them into Evidence.com by placing the camera device into a camera charging/download port.

G. IMPOUNDING OF DATA, DATA UPLOADING AND VIDEO CATAGORIZATION

1. 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: CAD(nine digit cad number) e.g., CADXXXXXXXXX
         IR number: IR(nine digit CAD number) e.g., IRXXXXXXXXX

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

b. Title field:

Provide a brief explanation of what is recorded.

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

c. Category fields:

There are 13 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 are for administrative purposes and required by Taser. Categories 9, 10, 11 and 12 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.

1. Uncategorized

a. Used when the video contains no discernable incident or activity.

b. Retention of video in this category is 130 days from the date of recording.

2. Incident - No Official Police Action Taken / Call Advised

a. All video files that have contact with the public having no immediate evidentiary value at the time of recording will be saved in this category.

b. Any file not tagged into another category by a member will be placed into this category.

c. Files retained in this category will be preserved for 130 days 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

a. All recordings that have potential use in Milwaukee Municipal Court will be retained in this category.

b. Files retained in this category will be preserved for 3 years from the date of recording.

4. State Traffic Citations & Misdemeanor or Felony Arrests

    a. All recordings associated with circuit court will be retained in this category.

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

5. Emergency Detentions

    a. All recordings associated with emergency detentions (ED's) will be retained in this category.

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

6. Active Investigation / Evidence

    a. All video files associated with an active or open investigation without an arrest or citation will be saved in this category.

    b. Evidentiary recordings will be maintained as required by law, and subject to record requests.

7. Officer Injury

    a. All recordings in which a member is injured will be retained in this category.

    b. Files retained in this category will be preserved for 2 years from the date of recording.

8. Testing

    a. Recordings made in order to test equipment.

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

9. Training

    This category will be used by supervisors to permanently save recordings that can be used for teaching or training other members. Recordings placed in this category should also be retained in one of the other descriptive categories.

10. Use of Force

    a. All recordings in which a member is involved in a use of force not rising

to the level of a critical incident will be retained in this category.

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

11. Critical Incident

a. For the purpose of this SOP, a critical incident 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. All recordings of critical incidents will be placed in this category by supervisors or command staff only.

c. Incidents in this category are only viewable by command staff and the Internal Affairs Division – Risk Management, who may share the recordings with other members as determined by a member of the Internal Affairs Division – Risk Management.

d. Once videos are placed in this category they may only be reassigned to a different category or deleted at the direction of the Chief of Police or his/her designee.

e. Retention of critical incidents is permanent.

12. Administrative Hold

a. Any recording can be placed on administrative hold by a supervisor. Recordings placed in this category should also be retained in one of the other descriptive categories.

b. Recordings on administrative hold will be retained as required by law.

13. Pending Review

This folder is populated when there is a technical issue with a recording. Files with technical issues are forced into this folder automatically until reviewed by a department administrator and/or a Taser Corporation administrator. Once the technical issues with a recording are resolved, it will be re-categorized as appropriate.

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.**

4. The recorded data is considered to be impounded once uploaded. Upon upload to Evidence.com, the BWC will be cleared of existing data and ready for use during the member's next shift.

H. REPORTING / DOCUMENTATION

1. The use of a BWC will be documented in the opening paragraph of TriTech Inform RMS or supplemental report, as well as in the narrative portion of any documentation for a traffic stop (TraCS), field interview (RMS), no-action encounter (CAD), frisk (TraCS or RMS as appropriate), and search (TraCS or RMS as appropriate).

2. When a BWC records an incident resulting in either an arrest or citation, the use of the BWC will be documented in the citation and/or the TriTech Inform RMS narrative. If a citation is issued, the words "On Officer Video" will be written in the lower right hand corner of a paper citation or typed in the Agency Notes section when using TraCS.

I. DEPARTMENT REVIEW / TRAINING

1. All recordings made with a BWC are the property of the Milwaukee Police Department.

   Recordings may be reviewed:

   a. By a department member to ensure a BWC system is working properly.

   b. By a police member viewing their individually assigned recordings to assist with writing a report, supplement, citation, memorandum or court case preparation with the exception that the procedures set forth in 747.25(F) shall be followed before a member is permitted to review any critical incident recording.

   c. By authorized persons for the purpose of reviewing evidence and processing records requests.

   d. By a supervisor to investigate a specific act or allegation by another member or by a member of the public. While recorded data shall not be routinely or randomly viewed by supervisory members for the sole purpose of enforcing policy violations, the Chief of Police or his/her designee may order periodic integrity inspections of recordings to be conducted by the Administration Bureau.

   e. By authorized department personnel participating in an official investigation, such as a citizen complaint, administrative inquiry or criminal investigation.

f. By others with permission of a supervisor if they are participating in an official investigation.

g. By members of the Milwaukee Fire and Police Commission (FPC) pursuant to Milwaukee City Ordinance 314, that are participating in an official investigation or review of a citizen complaint, alleged misconduct of a police member, or for a member's appeal of discipline rendered by the Chief.

h. 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.

2. BWC recordings may be used for the purposes of training. Members aware of BWC recordings that may serve as a training aid for other members should notify a supervisor who will review the recording to determine its feasibility as a training aid.

a. Members involved in a recording that has been deemed a training aid will be notified by a supervisor of the intent to use the recording for training purposes.

b. Members objecting to the display of a recording will submit their written objection on a *Department Memorandum* (form PM-9E). The member's commanding officer will determine if the training value outweighs the member's objection.

c. Supervisors having received the involved member's permission to use a video for training or when a member's objection for use has been overruled by the commanding officer shall categorize the video as a category 9 (training) video.

3. BWC recordings will never be used with the intent of belittling, ridiculing or embarrassing any member of the department, nothwithstanding the potential use of BWC recordings in disciplinary matters.

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 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) 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.

2. Unauthorized accessing, copying, or releasing captured video without the approval of the Chief of Police or his/her designee is strictly prohibited. Members are prohibited from making copies of a BWC audio/video recording by using another recording device such as a cell phone.

3. With the proper Evidence.com permission level, recordings may be duplicated or shared with criminal justice agencies or when otherwise authorized by the Chief of Police or his/her designee.

4. Members will not allow civilians to review video captured by a BWC unless there is an investigative reason to do so and such viewing has been approved by a supervisor. Members shall advise civilians that they may request a copy of the recording through the public records process.

5. The release of video requested through a public records request will be handled in accordance with existing policy and public records laws. Reproduction fees for duplication of recordings will be established by the City of Milwaukee. See SOP 265 Open Records for additional information.

6. Prior to the release of any BWC recording to the public, the Open Records Division will ensure that proper redactions have been made in accordance with state law.

ALFONSO MORALES
CHIEF OF POLICE

AM:mfk