
Body Worn Camera's (BWC)

705.1 PURPOSE

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

705.2 POLICY

It is the policy of this department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations. This policy institutes the guidelines set forth in WI Act 108; ss165.87.

705.3 PROCEDURES

- (a) This agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:
 - (a) BWC's allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
 - (b) Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
 - (c) The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- (b) When and How to Use the BWC
 - (a) Officers should activate the BWC to record contacts with citizens in the performance of official duties the officer feels may result in court action. It is understood; however, that not all situations will be readily identifiable as resulting in court action. Additionally, our resources do not allow for the recording and storage of video for every contact an officer may have. This section is not intended to limit the officer from using discretion to activate the BWC as he/she deems necessary to document facts at any scene.
 - (b) If an officer fails to record an entire contact, or interrupts the recording, the officer shall document why a recording was interrupted or was terminated. It is permissible for an officer to mute the camera during discussions with other officers are occurring regarding investigatory or other misc matters; however, the recording shall not be terminated and the camera mute function shall be turned off upon re-contact with involved parties.
 - (c) Civilians shall not be allowed to review the recordings at the scene.

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- (d) Recording shall be commenced on the BWC units per WI Act 108; ss165.87 during the following circumstances:
 - (a) Any "Terry Stop" related search or action.
 - (b) Any situation that requires the use of force. It is understood that the use of force by law enforcement officers is seldom known in advance and can occur unpredictably; however, officers must activate their respective BWC upon arriving at a situation where an arrest or use of force can be anticipated.
- (c) Procedures for BWC Use
 - (a) BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
 - (b) Police personnel shall use only BWC's issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
 - (c) Police personnel who are assigned BWC's must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
 - (a) Necessary training will also be provided to those employees responsible for the release of BWC data.
 - (d) BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible.
 - (e) Officers shall inspect and test the BWC periodically in order to verify proper functioning and shall notify their supervisor of any problems.
 - (f) Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the chief executive officer (CEO) or his or her designee. It is permissible for officers to duplicate recordings for addition into evidence/property entry.
 - (g) Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
 - (h) If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.
 - (i) Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the chief executive officer or his or her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.

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- (j) Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.
- (d) Restrictions on Using the BWC
 - (a) BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:
 1. Communications with other police personnel without the permission of the Chief, Captain or Lieutenant;
 2. Encounters with undercover officers or confidential informants;
 3. When on break or otherwise engaged in personal activities; or
 4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.
 - (e) Privacy
 - (a) State Statute 165.87(3) requires the department to maintain the privacy of a recorded subject who is a victim of a sensitive or violent crime or who is a minor. Access to data from a body camera used on a law enforcement officer that record such a subject shall be provided only if the public interest in allowing access is so great as to outweigh that public policy.
 - (a) In that case, the recorded subject's face and anything else that would allow the subject to be identified may be redacted using pixelization or another method of redaction.

705.4 STORAGE

- (a) All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, case number and assigned officer.
- (b) All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
- (c) All access to BWC data (images, sounds, and metadata) must be specifically authorized by the Chief, Captain or Lieutenant and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes. Officers may review stored recordings for investigatory purposes.
- (d) Officers shall upload the entire recording onto the Central Square Digital Evidence Management System (DEMS).
- (e) BWC files will be securely stored in accordance with state records retention laws and pursuant to WI Act 108, ss165.87 and no longer than 121 days if not related to a case.