



## SHOREWOOD HILLS POLICE DEPARTMENT STANDARD OPERATING PROCEDURES

### Body-Worn Cameras

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#### **Purpose**

To provide officers of the Shorewood Hills Police Department (SHPD) with direction for the use of body-worn cameras (BWC). The use of department approved BWC systems can provide powerful evidence of criminal activity and has proved to be a valuable tool for law enforcement in documenting officers' honesty, integrity, and professionalism.

#### **Policy**

Officers shall use their BWC systems in compliance with the manufacturer's operational guidelines, department training and this policy. It is the policy of the SHPD to authorize use of BWCs to collect audio-visual evidence of criminal activity, to evaluate officers' performance, and as a training tool for members.

#### **Objectives**

The SHPD has adopted the use of body worn camera equipment to accomplish the following objectives:

- Accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents to enhance officer reports, collection of evidence, and testimony in court.
- The enhancement of the department's ability to review probable cause for arrest, arrest procedures, officer/suspect interaction, evidence for investigative purposes, as well as officer evaluation, and training.
- Protect officers from false allegations of improper police conduct.

#### **Operating Procedures**

- Only sworn members of the department shall be authorized to utilize BWCs as a part of their duties.
- BWCs are to be utilized by officers assigned to patrol as their primary assignment.
- Officers shall only use the issued equipment to record encounters between citizens and the police.
- No personal devices may be used.
- Care and use of the equipment is the responsibility of the officer assigned to that equipment and it shall be used in conformity with department policy and training.
- At the beginning of each shift, officers shall determine whether their BWC is working properly and shall report any problems to a supervisor as soon as practical.
  - Officers will power on the BWC and ensure it is functioning properly throughout their shift.
  - Officers shall log onto the BWC with their personal logon information.
  - The officer shall ensure the encoded date/time is accurate.
  - Officers shall wear the BWC on the front of their upper body, so that it has a clear view to the front.
  - Officers shall ensure that the BWC view is not blocked by other items.
  - Officers shall sync the BWC with the in-car video camera system. See the SOP titled "In-Car Video Cameras."
  - Any malfunction shall be reported to a supervisor as soon as practicable.

## **Operating Guidelines**

The BWC should be activated when an officer is engaging in an official law enforcement action. The device may be manually activated or activated using the trigger from the patrol vehicle in-car camera.

There are circumstances when utilizing a BWC may hinder an investigation including, but not limited to interviewing a victim of a crime, confidential informants, juveniles, or situations involving medical treatment or care. In these types of situations, officers should ask involved individuals for consent to record the interaction. If the individual does not want the interaction recorded, the officer will comply with the request and document in the incident report that the BWC was not activated and the reason why. In locations where individuals have a reasonable expectation of privacy, such as a residence or medical setting, they may decline to be recorded unless the recording is being made pursuant to official law enforcement duties.

Requests to have recordings deleted from the video server must be made to the Chief or designee in writing. All requests for deletion and the decision regarding the request will be kept for the duration the video would have been maintained under WI open records laws.

Once recording has begun it shall remain on until the incident has reached its conclusion, or the officer has left the scene. Exceptions to this requirement are when:

- The incident or event is of such duration that the camera may be deactivated to conserve recording times.
- The officer does not reasonably believe that deactivation will result in the loss of critical documentary information.
- The intention to stop recording has been noted by the officer either verbally or in a written notation.

Manual activation is required for any citizen contact, and automatic activation does not occur. Manual activation is also required in any situation where there is potential evidence to be recorded or when directed to do so by a supervisor. Manual activation is not required for:

- Lunch breaks; non-meal breaks
- Foot patrols
- Non-investigative contacts

Officers shall document in all incident reports if recordings were made during the incident. This should be done at the beginning of the report.

Officers are encouraged to inform their supervisors of any recorded sequences that may be of value for training purposes, court, or unusual circumstances or events.

Officers shall not intentionally alter or attempt to alter recordings in any way.

Use of BWCs is for on-duty, official police business only.

## **Prohibited Use of BWC**

BWCs shall not be used to gather intelligence information based on First Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative encounter between an officer and a member of the public.

The department shall not utilize any biometric technology, such as facial recognition, to conduct searches of video files or passive searches of the public. Stored video and audio data from a BWC shall not:

- Be used to create a database or pool of mug shots.
- Be used as fillers in photo arrays.
- Be searched using facial recognition software.

Audio or video recording devices shall not be used in department locker rooms, restrooms, or any other intimate places where there would be a reasonable expectation of privacy.

Generally, officers will not record interactions with confidential informants or undercover officers. If a conversation needs to be recorded it is encouraged to capture the audio portions only.

Officers will not activate their BWC to record a trial or portions of a trial in court.

Officers shall not record tactical planning briefings.

Officers shall not access, obtain, or view video footage from another officer without the permission of a supervisor after demonstrating a reasonable need to do so. This does not preclude a Training Officer or supervisor from reviewing recordings of individuals they are training/supervising for the purpose of coaching/mentoring.

Employees shall not convert, obtain, or copy any BWC footage for personal use. No images, footage or BWC information will be released to any social media site without the permission of the Chief of Police.

Officers are expressly prohibited from viewing the video file until after an initial incident report is complete when:

- An officer is suspected of wrongdoing.
- An officer is involved in a critical incident, such as an officer involved shooting or other serious use of force.

### **Recording Control and Management**

Recordings are subject to existing State of Wisconsin open records laws. The Records Custodian will establish a reproduction fee for the duplication of recordings. The fee will include the cost of storage media and the actual necessary costs of the reproduction effort. Recordings may be duplicated for another criminal justice agency when required for trial, or otherwise authorized by the Chief of Police or designee.

Recordings may be shown to Shorewood Hills Police Department employees for training and evaluation purposes.

Recordings may be shown to persons other than Shorewood Hills Police Department employees provided prior approval is obtained from the Chief or designee.

### **Storage of Media**

BWC video files will be downloaded utilizing the BWC docks in the SHPD squad room. The server for the video system will be secured in the secure server room at SHPD.

### **Storage of Media Held As Evidence**

Recorded video files will be saved as evidence when any of the following events are captured:

- Operating while intoxicated arrests.
- Physical altercation(s).
- Patrol vehicle collision.
- Injury to officer or citizen.
- Pursuit.
- Use of force incidents.
- Incident involving citizen complaint.
- Any other incident in the officers or supervisors' judgment that should be secured as evidence.

These recordings will be kept until the case has been adjudicated and time limits for appeal have expired or 180 days from the creation of the recording, whichever is greater. Once the time limits have been met, the recordings may be deleted.

### **Storage of Media Not Held as Evidence**

Recordings not held as evidence recordings will be stored in files identified in weekly increments. After 180 days, the recorded data will be deleted. See the SOP titled "Retention of Records." All recordings will be saved a minimum of 180 days.

### **Recordings used for training purposes.**

When an incident that is recorded that is perceived to be of value as training aid, the officer responsible for the recording will notify his/her supervisor.

- The supervisor will review the recording to determine the value for training.
- The supervisor will obtain expressed permission from the Chief of Police or designee to use the recording for training.
- No recording shall be used or shown for the purpose of officer ridicule or embarrassment.

### **Media Integrity**

All BWC recordings generated are property of the SHPD. No recording shall be released, shared, duplicated, or distributed without authorization from the Chief of Police.

BWC recordings are subject to Wisconsin Open Records Laws.

- Release of copies of recordings for prosecution shall be coordinated through the District Attorney and/or the Village Attorney's Office.
- Release of copies of recordings for civil proceedings shall be coordinated through the Village Attorney's Office.

No employee shall attempt to erase, alter, or cause to be erased or altered, any BWC media.

### **Supervisor Responsibilities**

- Supervisors will coordinate the repair or replacement of BWC equipment.
- BWC recordings may be routinely or randomly reviewed by supervisors to monitor officer performance.
- Supervisors will ensure officers follow established procedures for the use and maintenance of BWC equipment and the proper documentation of its use.

### **Technician Responsibilities**

A designated officer or other employee shall be responsible for the ordering, issuance, repair, and administrative functions of the in-car camera system. They shall also be responsible for duplication of recordings related to fulfilling open records requests.

End.

Initial: 03/15/2018  
Revised: 04/24/2022