

JEFFERSON POLICE DEPARTMENT POLICY		TITLE: MOBILE VIDEO RECORDING (MVR) SYSTEMS	
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SPECIAL INSTRUCTIONS: Amends:			

I. PURPOSE

The purpose of the Mobile Video Recording (MVR) Systems Policy is to provide Jefferson Police Officers with guidelines for the use, management and retrieval of audio-visual media recorded on in-car and body camera recording systems. These systems generate an accurate, unbiased audio/visual recording of citizen interactions that will enhance criminal prosecution and limit civil liabilities.

II. POLICY

It is the policy of the Jefferson Police Department to employ the Mobile Camera System to utilize an MVR system to provide documentary evidence. This evidence may be useful in criminal, traffic, or civil proceedings. The use of an MVR system also helps protect the officer in cases of civil litigation and evidence of officer misconduct. Officers shall adhere to the guidelines and procedures delineated within this policy.

Recording will be conducted in a professional, ethical, and legal manner. Officers involved in the use of the camera system will be appropriately trained and supervised in the responsible use of the camera.

Information obtained through recording may be used for security and law enforcement purposes and for compliance with department policy. Information obtained through camera recording will only be released when authorized by the Chief or the Chief's designee according to the procedures established in this policy.

Recording for law enforcement purposes will be conducted in a manner consistent with all existing relevant (local, state, federal) laws (statutes and policies,) including those concerning Non-Discrimination and Sexual Harassment. Camera recordings may not be done based on the characteristics and classifications contained in the Non-Discrimination Policy (e.g., race, gender, sexual orientation, national origin, disability, etc.)

Officers are prohibited from using or disseminating any of the information acquired from the camera except for official purposes. All information and/or observations gathered by the use of the camera are considered confidential and can only be used for official law enforcement business unless authorized by the Chief or the Chief's designee.

The Mobile Video Recording (MVR) System may be operated either overtly or covertly depending on the circumstances required in their use.

III. DISCUSSION

- A. The Jefferson Police Department has adopted the use of the in-car and body camera audio/visual recording systems in order to accomplish the following objectives:
 - 1. Accurate documentation of events, actions, conditions, and statements made during arrests and incidents so as to enhance officer reports, collection of evidence and testimony in court.
 - 2. The enhancement of the police 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.
 - 3. Protect officers from false allegations of improper police conduct.

IV. DEFINITIONS

- A. Recorded Media: In the case of this policy, refers to audio-visual signals recorded on digital tape (DVD) or other portable digital storage devices such as CD's, DVD,'s, hard disk drives or internet/cloud-based storage.
- B. In-Car Camera System and Mobile Video Recorder (MVR): In this policy are like terms and refer to any system that captures audio and video signals, is capable of installation in a vehicle and at minimum includes a camera, microphone, recorder and monitor.
- C. Body Worn Camera System (BWC) and Mobile Video Recorder (MVR): In this policy are like terms and refer to any system that captures audio and video signals, is capable of being worn on the person of a Jefferson Police Officer and at a minimum includes a camera, microphone and recorder.
- D. MVR Technician: Personnel trained in the operational use and repair of MVR's, duplicating methods, storage and retrieval methods and procedures for those personnel who possess knowledge of video evidentiary procedures.

- E. Degaussing: The electronic cleansing of analog or digital recording media and returns the media to its original state, where it is ready for imprinting of new images.
- F. Video Redacting: The process by which a video is modified to redact certain video and audio images relative to an open records request. Only an authorized MVR Technician authorized by the Chief of Police is permitted to redact any Jefferson Police Department video and audio images.
- G. Archive Video: A file contained within the program of the MVR computer or internet cloud-based storage whereby the video is retained either on an in-house computer system or on a separate drive, including an internet cloud based storage solution. Files in the archive files are still degaussed according to the record retention schedule found in Administration Records Retention Policy #A12a.

V. PROCEDURE

A. Training

1. Department personnel will not use the MVR camera systems until they have been completely trained in the proper use of the equipment. The training will consist of the following:
 - a. Viewing training videos on correct use of the MVR systems.
 - b. Attending orientation and hands-on training sessions provided by the department field trainer officers (FTO's) or MVR Technicians who shall sign off on successful completion of the training indicating an understanding of the proper use and procedures utilizing the MVR systems.
 - c. A demonstration by the trainee of their understanding of the utilization and the proper procedure when approaching an incident.
 - d. A review of the Department Policies and Procedures on the use of the camera systems.
 - e. A review by FTO's with a trainee following any incident reviewing the application of the MVR system utilized throughout their FTO training period.

B. Officer Responsibilities

1. Care and use of the cameras is the responsibility of the officer assigned to that equipment and shall be used in conformity with police department policy and training.
2. Prior to each shift, officers shall determine whether their recording equipment is working properly and shall report any problems to a supervisor as soon as practical.
3. The MVR system shall be turned off when not recording.
 - a. This will limit the number of video files the department must tag, mark, and store to include only files in which an actual incident, event, or interaction between an officer and someone else is taking place.
 - b. Your BWC shall be docked and charged at the end of your shift.

VI OPERATING PROCEDURES

Body Worn Cameras (BWC)

1. Officers shall wear the camera in the center of their torso in line with their uniform badge, on their glasses or on the lapel of their shirt as recommended by the manufacturer. Officers should remember to avoid sudden jerking movements, and to employ your flashlight if at all possible, in extreme low light conditions (use the halo of the beam to illuminate the subject). When making a traffic stop, and requiring the subject to exit the vehicle, your headlights or light bar or takedown light will be more than adequate to illuminate the scene.
2. Officers assigned a BWC shall activate the device to record all contacts with a citizen. Activation of the BWC during telephone contacts may be beneficial but is left to the discretion of the officer.
3. When making a citizen contact, turn on the camera and enable the recorder just before the contact is made. Turn off the camera as soon as the contact is cleared. Likewise, when making a traffic stop, turn on the unit and enable the video recorder at the time you activate your emergency equipment so that you will be recording the context even before you exit the vehicle. Turn off the unit as soon as you have cleared your stop.
4. Officers will be provided discretion in stopping a BWC recording in the following situations:

- a. A Jefferson Police Department closed circuit video is capturing the interaction with a subject in either an interview or interrogation room set up for recording.
 - b. During a prolonged transport where the prisoner is being cooperative.
 - c. In a hospital setting during an extended event where, based on the non-communicative, unresponsive, or unconscious condition of the patient, the BWC recording would not produce any video recording which would be of an evidentiary value.
 - d. During activities such as protecting accident scenes or perimeter assignments at crime scenes.
5. Officers are not expected to jeopardize their safety in exchange for obtaining better audio/visual recordings.
 6. Officers shall document in all pertinent reports whenever recordings are made during an incident or why a recording was not made. Officers shall make an extra notation in the incident report that the BWC was active during any custodial interrogations.
 7. Each officer equipped with a camera shall record contacts they are participating in. If multiple officers are involved in an enforcement contact, all officers will record the contact.
 8. Officers shall not use the camera audio/visual recording equipment to record administrative conversations, i.e. disciplinary actions, supervisor's directives, or knowingly use the camera to covertly record police personnel.
 9. Use of camera audio/visual recording equipment is for on-duty, official police business only.
 10. Department personnel shall not in any manner attempt to modify, alter, erase, or tamper with any portion of camera recordings. Any attempt to do so will be subject to investigation and possible termination. At the conclusion of a recording officers shall properly categorize the video and assign an incident report number or call for service number when one is generated regarding the contact.
 11. Officers are only enabled to title and categorize their own videos due to

permissions granted to them by the system manager.

11. Officers are reminded of the restrictions in Wisconsin State Statute 175.22 prohibiting audio or video recording in locker rooms.
12. Cameras and all recordings are proprietary. No release of any audio or video recording is permitted without the permission of the Chief of Police. Under no circumstances are any audio or video recordings permitted for release to any social media site without permission from the Chief of Police.

In-Car Cameras

1. In-car camera recordings are mandatory, for squad cars equipped with an in-car camera MVR system, in the following situations:
 - a. Traffic stops (to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops.)
 - b. Priority emergency responses.
 - c. Vehicular pursuits.
 - d. Detainee transports for non-compliant detainees. Officers should ensure the rear-facing camera on the in-custody individual is activated and recording.
 - e. Crimes in progress.
 - f. Any situation or incident that the officer, through training and experience, believes should be audibly and visually recorded.
2. Occasions and incidents will occur when an officer is unable to or does not activate recording, or if already activated, must temporarily mute or suspend recording.
 - a. Protect the anonymity of an informant or other confidential source of information.
 - b. Officer safety concerns.
 - c. Administrative conversations.
 - d. Conversations involving law enforcement sensitive information.

3. Start of Shift:
 - a. Officers shall login into the In-car camera by utilizing the manufacturers procedures as trained by department FTO's or MVR Technicians.
 - b. Officers shall turn on and attach the wireless microphone to their person.
 - c. After each event, officers shall categorize video in the squad on the rearview mirror camera and assign an incident report number if one was generated for the contact.
4. End of Shift
 - a. At the end of the shift, officers shall turn off the wireless microphone and place it in the cradle in the squad room to maintain adequate charging of the device.
 - b. Officers shall login into a desktop computer in the squad room and categorize all videos appropriately and as trained.
5. Officers shall document in all pertinent reports whenever recordings are made during an incident or why a recording was not made when the recording was mandatory and an in-car camera was available.

VII RECORDING CONTROL AND MANAGEMENT

- A. Recordings are subject to existing State of Wisconsin open records laws.
 1. Officers who are assigned BWC cameras shall transfer all the files to the designated computer themselves by docking their BWC in the charging port in the squad room at the end of each shift. The officer will assign a "Category" from a drop box and "Title" each file as trained. Recordings will be automatically deleted pursuant to policy A12a Records Retention Policy. In-car recording files retention is the same as that for BWC and found in Policy A12a - Records Retention Policy.
 2. Department personnel may review their own or other officer's recording files for training and/or report writing purposes. A supervisor may review a specific incident recording for the purpose of training, critique, addressing a personnel complaint, or for verification of facts in criminal complaints. The AXON Evidence.com system will log each of these

viewings. The viewer of any video downloaded in the Axon Evidence.com system shall make a note in the notes field for the purpose of the viewing.

- a. Officers shall not review any video files if involved in a deadly force situation until the lead investigating agency authorizes same.
 3. In no event shall any recording files be used or shown for the purpose of officer ridicule or embarrassment. This includes submission of any portion of an audio/visual recording to a media organization, unless previously authorized by the Chief or the Chief's designee.
 4. Only a copy of a recording file of a specific incident may be released. The original file shall not be transferred to another system unless such transfer is ordered by a valid court order and only after review of that order by the Chief or the Chief's designee. In such a case, a copy of the original file shall be made and retained on the departmental system.
 5. If a member of the department requests a copy of recording file of a specific incident for court purposes, the request shall be made to a supervisor who is the custodian of the camera files. Absent extenuating circumstances, the request shall be made at least three (3) days in advance.
- B. Recordings may be shown to Jefferson Police Department employees for training and evaluation purposes.
1. Recordings may be shown to persons other than Jefferson Police Department employees provided prior approval is obtained from the Chief or the Chief's designee.
- C. There are three levels of recordings control and management
1. Evidence.
 - a. Recordings that have evidentiary value will be marked with the appropriate category.
 - b. Security restrictions and chain of evidence safeguards should be applied as with any other form of evidence.
 - c. Evidentiary recordings will be maintained as required by policy and procedures.
 2. Administrative Hold.

- a. Recordings can be placed on administrative hold by a supervisor.
 - b. Recordings on administrative hold shall be marked and kept in the “Restricted” file. Those recordings will be retained until released by the Chief or the Chief’s designee.
3. 121 Day Hold.
- a. Recordings that are not property tagged as evidence and are not on an Administrative Hold will be saved for 121 days and then automatically deleted or held as outlined in Policy A12a Records Retention Policy.

Kenneth M. Pileggi
Chief of Police

06-14-2021
Date