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The purpose of this policy is to establish guidelines to be followed during the use of mobile audio and video recording equipment.

## I. POLICY

All sworn officers on patrol will wear department issued mobile audio/video recording equipment at all times unless unavailable.

## II. DISCUSSION

## III. DEFINITIONS

- A. **USE OF FORCE INCIDENT:** Any amount of force beyond cooperative handcuffing used by an officer to control an uncooperative person.
- B. **MOBILE AUDIO/VIDEO RECORDING EQUIPMENT:** Portable, wireless, electronic devices designed for capturing audio and/or video recordings. This includes mobile audio/video recording equipment s.

## IV. PROCEDURE

- A. Care and use of the mobile audio/video recording equipment is the responsibility of the officer assigned to that equipment and shall be used in conformity with LLLEP policy and training.
- B. Prior to each shift, officers shall determine whether their recording equipment is working properly and shall report any problems to a Sergeant as soon as practical.
- C. Mobile audio/video recording equipment should generally be worn on or near the officer's chest and worn near the officer's centerline.
  - 1. The purpose is to put the camera in the best position to record as much audio/video information as possible.
  - 2. Officers are not expected to jeopardize their safety in exchange for obtaining better audio/video recordings.
- D. The mobile audio/video recording equipment shall be turned on prior to contacting the public. Officers shall record their interactions while in direct or indirect (telephonic) contact with the public. Continuous, non-stop recording during all official citizen contacts or incidents of an enforcement nature is required. Examples include but are not limited to:
  - 1. All officer/subject contacts during traffic stops.
  - 2. All officer/subject contacts during an arrest including approach, custody, statements, transportation, police department booking process and release.
  - 3. All officer/subject contacts of arrested subjects taken to the

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- Walworth County Jail. Recordings will cease upon entry to these facilities unless approved by facility staff.
4. Any other contacts with persons under circumstances that lead the officer to believe that the specifics of the contact may need to be retrieved or reviewed.
  5. When responding "Lights and Siren" to any call.
  6. All official telephonic conversations.
- E. Unless in conflict with Section D, the mobile audio/video recording equipment may be deactivated during non-enforcement activities such as:
1. Officer-to-officer conversations about items such as charging issues and other general conversations,
  2. Protecting accident scenes from other traffic,
  3. Conducting extended traffic or crowd control,
  4. Awaiting a service vehicle,
  5. Rescue calls not of enforcement nature,
  6. Other routine non-official citizen contact incidents.
  7. During attendance at public functions or meetings.
- F. Officers shall document in all pertinent reports whenever recordings are made during an incident.
- G. Each officer equipped with a mobile audio/video recording equipment shall record enforcement contacts they are participating in. If multiple officers are involved in an enforcement contact, all officers will record the contact. Officers are encouraged to inform supervisory staff of any recorded sequences that may be of value for training purposes.
- H. Officers shall not intentionally alter recordings in any way.
- I. Officers shall not use mobile audio/video recording equipment to record personal conversations, i.e. disciplinary actions, administrative discussions, union discussions, supervisor's directives, or talks between employees.
- J. Use of mobile audio/video recording equipment for on-duty, official police business only.
1. Officers are reminded of the restrictions in Wisconsin State Statute 175.22 prohibiting audio or video recording in locker rooms. In the event of such recording being created, those recordings may be

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deleted by the Chief of Police prior to 120 days.

V. RECORDING CONTROL AND MANAGEMENT

- A. Recordings are subject to existing State of Wisconsin open records laws.
  - 1. A reproduction fee for the duplication of recordings will be established by LLE, the Lauderdale Lake District and/or Town of LaGrange.
  - 2. Recordings may be duplicated for another criminal justice agency when required for trial, or otherwise authorized by the Chief or the Chief's designee.
- B. Recordings may be shown to LLE employees for training, quality assurance and evaluation purposes.
  - 1. Recordings may be shown to persons other than LLE employees provided prior approval is obtained from the Chief or the Chief's designee.
  - 2. Recordings will be provided to the respective District Attorney's Offices for purpose of evidence and upon mutual aid requests from other law enforcement agencies.
- C. There are four levels of recording control and management located within the digital storage system.
  - 1. Download Folder
    - a. All video files will be downloaded automatically to this folder.
    - b. This folder is for immediate downloads and temporary storage only until the officer determines the proper storage of the video file.
    - c. Officers will need to review these files as soon as possible to determine if the files need to be saved, downloaded to other saved locations and/or placed in the appropriate folders. All files in this folder need to be addressed in some manner within fourteen (14) days of download.
    - d. Officers will have 120 days to determine if the video files need to be saved and take proper filing action.
  - 2. General Folder
    - a. All video files of contact with the public that have no immediate evidentiary value at the time they were taken will be saved in this file.

- b. This file will be purged only when deemed appropriate by the Chief of Police or designated Sergeant.

3. Evidence Folder

- a. Evidentiary recordings will be saved in the "Video Evidence" file and maintained as required by law and subject to corresponding open record requests.
- b. All recordings that have the potential for use in court will be saved in the evidence folder under the appropriate file number and deleted as per open records policies only by the Chief or appointed Sergeant.
- c. All recordings of use of force incidents, pursuits and arrests will be maintained as evidence.

4. Administrative Hold Folder

- a. Recordings not otherwise denoted above may be placed on administrative hold by a supervisor.

5. 120 Day Hold

Recordings in the "Download" file will be saved for 120 days.