

Policy – Wauwatosa Police Department

POLICY:	Police Digital Records Policy
CHAPTER & SECTION:	8.1.3
DISTRIBUTION:	All Sworn Personnel
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I. INTRODUCTION

Police Digital Records (PDR), including Body-Worn Cameras (BWC), Fleet squad cameras, stationary cameras, and digital photographs, can help improve the high-quality public service expected of police officers and promote transparency in the execution of the Wauwatosa Police Department's mission and values. PDRs will be used to support department members in the performance of their duties by providing an accurate and unbiased recording of interactions of police members and the public.

The purpose of this policy is to establish guidelines for the use, management, storage and retrieval of records from the department's digital records systems in compliance with Wis. §165.87.

This policy applies to all members who use Departmental cameras and any staff members, investigative personnel or support staff responsible for preparing cases for criminal prosecution and the release of PDR public records.

This policy rescinds and replaces the following three policies and procedures:

- 8.1.3 BWC policy 20-10
- Squad Camera OP 18-01
- 1.4.7 Digital Camera – Patrol OP 22-17

II. DEFINITIONS

- A. **Body-Worn Camera (BWC):** A portable audio/video recording device which can be worn on the officer's body.
- B. **Front Squad Camera:** This is the primary squad camera located inside the squad near the rear-view mirror that records a view out of the front of the vehicle.
- C. **Back-Seat Squad Camera:** This is the secondary squad camera for recording the back-seat passenger compartment.
- D. **Fleet System:** The Fleet system is comprised of the individual squad cameras and mounts and the Axon Fleet Power Unit. Data is stored locally on the individual camera then offloaded via Wi-Fi or LTE (long term evolution) cellular connection to the digital evidence management system (evidence.com).
- E. **Wireless Hotspots:** Uploading mechanisms located at the police station or other City sites. Allows for the wireless upload of recordings from Fleet cameras of the vehicle to the police department server.
- F. **Stationary Cameras:** fixed cameras equipped with audio/visual recording capabilities which are located at the Wauwatosa Police Department Booking Room, Detective Bureau Interview Rooms, or Mayfair Mall Booking Room.
- G. **Patrol Compact Camera:** a small digital camera provided by the Department for Officers and Detectives to photograph evidence. Images will be uploaded to Evidence.com.
- H. **Axon View Smartphone Application:** A smartphone application (app) that allows for a Bluetooth connection between the body camera and a supported smartphone device. The app will allow a member to view live or recorded video stored on the body camera. The video footage cannot be edited, altered or modified with the use of this application, but members can "tag" or add required metadata to the video in the field while the video is still stored on the camera. Users may also adjust certain settings of the body camera through the app.
 - 1. Tagging videos in the field will eliminate the need to tag videos after uploading at a work location. No video or metadata files are ever stored on the smartphone as the phone acts only as a viewer. The use of the application will be optional for members to download onto their personal smartphone.
- I. **Axon ViewXL Desktop Application:** A desktop application (app) that allows for a Bluetooth connection between the body camera and Fleet cameras through the mobile computer in the squad car. The app will allow the user to review recorded

video stored on the body or Fleet cameras and add metadata to those videos. Users can also adjust certain settings on the cameras through the app.

- J. Axon Capture Smartphone Application:** A smartphone application (app) that allows the user to capture photographs and video with their smartphone device and then upload the photographs/video to the Department's cloud storage. The app does allow access to the device's camera; however, administratively, the Wauwatosa Police Department does not allow unselected photos, audio, or video to be transferred through the app and does not allow the import of photos and videos from the device's library to the app. Axon Capture users (Officers) are able to send Axon Community Request invitations to witnesses through the app. A Community Request allows a citizen to securely and wirelessly upload video, photo, and audio files to the digital evidence management system.
- K. Tagging:** Tagging is the process of adding metadata to each video recording either manually by the user or automatically through Computer Aided Dispatching (CAD) integration. Tagging includes, at a minimum, adding the CAD number, title, and retention category to each video.
- L. 30 Second Pre-Event Buffering:** The Axon body-worn camera 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 squad video buffer. Audio is not captured until the member begins to record, however, the previous 30 seconds of *visual content* of the video is included in the evidentiary recording.
- M. Digital Evidence Management System - Evidence.com:** Web-based, secure, offsite storage solution for the management and storage of audio/video recordings.
- N. Officer Involved Death:** An incident that involves a death of an individual that results directly from an act of a law enforcement officer while the law enforcement officer is on duty or while the law enforcement officer is off-duty, but performing activities that are in the scope of his/her law enforcement duties (§ 175.47(1)(c)).
- O. Other Critical Incident:** An incident involving a law enforcement officer that results in death or injury which may result in death to a person that is caused by a member's actions, or inaction, occurring while in police custody; or any incident that the Chief of Police or his designee declares a critical incident. An injury to a person as a result of a firearm discharge by a law enforcement officer, not resulting in death, shall also be considered a critical incident.
- P. Redaction:** A process, conducted by specific authorized personnel, for limiting a part of a written, audio, and/or video media for legal, security or privacy purposes.

- Q. Axon System Program Administrators:** Select Administrative Supervisors responsible to implement, support, troubleshoot and maintain the Axon camera software and hardware.

III. DIRECTIVES

A. Training the Use of Video Recording Systems

All sworn members will receive prescribed training on PDR equipment prior to being assigned a BWC or using any other recording equipment. Any training provided will be commensurate with the level of use of available cameras (e.g., patrol officer, detective, administrative officer, community service officer, etc.).

B. Care and Equipment

1. All cameras and related equipment will be issued to an individual member by the Axon program administrator or his/her designee.
2. A record of inventory will be maintained by the Axon program administrator.
3. Only members that have received the prescribed training will be assigned or permitted to use cameras or be given access to Evidence.com.
4. Members assigned to use cameras are responsible for the proper care and safeguarding of their assigned or departmental equipment.
5. Any BWC that is lost or stolen shall be reported as soon as possible to a supervisor.
6. The Police Administrative and City's IT Divisions are responsible for the care and maintenance of all cameras.

C. Repair / Replacement

1. When any police camera needs repair or replacement due to damage, the member assigned the camera shall notify a supervisor as soon as practical.
2. The member shall detail the circumstances leading to the damage in an official police incident report if the damage occurred during a police incident. If the damage did not occur during a police incident, the member shall detail the circumstances on a department memorandum and provide it to their immediate supervisor.
3. Camera replacement parts and/or systems can be made available by contacting the Axon program administrator.

IV. OPERATIONAL GUIDELINE

A. Pre-shift Inspection

Prior to each shift, members who use PDR equipment will verify the equipment is adequately charged and inspect the equipment 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 a supervisor as soon as practical.

As part of their pre-shift Fleet check, members will test the PDR equipment to ensure that it is functional, has batteries, they can sign in to the management programs and pair their equipment.

B. Patrol Compact Camera Use

1. When using a patrol compact camera, the officer should take a test photo to ensure proper compact camera operation. The test photo standard is a Sirchie brand photo scale, located in the Crash Investigation Unit (CIU) office. While taking the test photograph the officer should:
 - (a) ensure they have an SD card(s) for the camera
 - (b) Set the camera flash to automatic
 - (c) Preview photograph taken to ensure correct operation
2. When using the compact camera for an assignment, the officer should:
 - (a) Write their name, the case's primary Officer name, and case number on the memory card envelope.
 - (b) Remove the memory card from the camera and place it in the memory card envelope.
 - (c) Place the used memory card envelope in the **Used Memory Card** box in the Crash Unit office.
 - (d) Replenish the patrol camera case with a memory card from the **New Memory Card** box.
3. It is important that only **one** incident is recorded on each memory card and the **correct** incident report number is listed on the memory card envelope.

4. The patrol compact cameras will be kept in multiple front-line squads. If the rechargeable batteries in the camera are low or run out of power, contact any CIU Specialist or Supervisor. The rechargeable batteries for the patrol cameras are stored in the CIU Office.
5. CIU member responsibilities include:
 - (a) Maintain the memory cards, rechargeable batteries, and uploading of digital photographs.
 - (b) Upload photos from the memory cards placed in the **Used Memory Card** box as soon as possible.
 - i. Log into your Axon Evidence.com account, click on “IMPORT EVIDENCE.” Drag and drop the photos from the camera SD card.
 - ii. Edit all of the file ID’s, Title, and Categories fields and click the “Upload” button.
 - iii. From the “MY EVIDENCE” tab, select the photographs that were uploaded and click “MANAGE ACCESS” and add the names of the officer who took the photographs and the case’s primary officer. This allows those officers access to view the photos from their Evidence.com accounts.
 - (c) Format and place the empty memory cards into a new memory card envelope and place them into the **New Memory Card** box.
6. Officers also have the option of using the Axon Capture app on digital devices to take photographs of evidence during their investigations. During this process the officer will:
 - (a) Open the Axon Capture app on their digital device
 - (b) Tap the “Photo” icon which opens the camera
 - (c) When the officer is done taking photos, tap on the small photo preview which also displays the number of photographs taken
 - (d) Edit the ID, Title, and Categories fields of the photos with the appropriate information
 - (e) Tap “Upload” to transmit the photos directly to Evidence.com

7. Any damage, malfunction, or missing equipment that is discovered must be reported to the CIU Sergeant, in writing, as soon as practical.
8. Distribution of any new equipment for patrol use will be done by a CIU Supervisor.

C. BWC Audio / Video Recording Requirements

1. Wearing Position of the BWC

- (a) The BWC must be worn above the waist, but below the collar bone, between the shoulders, facing forward with the use of department approved mounting accessories and can be adjusted depending on the individual officer's body size, clothing, and/or assignment.
- (b) The purpose is to place the camera in the best position to record as much audio/video information as possible.
- (c) Officers are not expected to jeopardize their safety in exchange for obtaining better audio/video recordings.

2. Use of and Recording with the BWC for Uniformed Personnel

- (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.
- (b) BWCs are considered a tool in the performance of law enforcement duties and should be employed in accordance with policy and procedure.
- (c) The department recognizes that officer safety is paramount. In urgent or rapidly developing circumstances, members shall activate their BWC as soon as it is safe and practical to do so. Absent exigency, the BWC shall be turned on between the time of being dispatched and prior to arriving on scene. If multiple members are on scene with a BWC, all members with a BWC shall record.
- (d) Members with a BWC shall make every effort, minus exigent circumstances, to activate their BWC for all investigative or enforcement contacts including, but not limited to:
 - i. Vehicle Traffic Stops
 - ii. Impaired Driver Investigations
 - iii. Field Interviews or Pedestrian Stops
 - iv. Searches of persons or property
 - v. Dispatched calls for service
 - vi. Crime Scenes

- vii. Crash Scenes (may be turned off if member is waiting on a tow truck and no additional enforcement activity is likely)
- viii. As soon as practical after a squad involved crash
- ix. Advising a subject of Miranda warning (in the field or absent other in room/in car recordings)
- x. Suspect/witness statements and interviews
- xi. Vehicle and foot pursuits
- xii. Emergency response to critical incidents
- xiii. When an officer deems it appropriate
- xiv. At the direction of a supervisor

- (e) Recording within the Police Department will cease upon entry to the building if interacting with the public in the front lobby, booking room, and interview room where stationary cameras are operating and recording.
- (f) Recording at the Criminal Justice Facility (CJF) will cease upon entry to the facility unless approved by CJF staff.
- (g) Members will turn off their body worn camera at the direction of a supervisor.
- (h) Members assigned to a specialized Federal or State Task Force operate under the guidelines of the host agency, which may not permit the use of body worn cameras in certain circumstances.
- (i) Once a BWC is activated, members must continue to record until their involvement in the event ceases, their investigatory or enforcement duties related to the event ceases, or an exception to the use of BWC's occurs.
- (j) There is no requirement that officers notify a citizen that they are being recorded; however, if a person expresses a desire to know whether or not the officer is recording, the officer shall respond truthfully.
- (k) When the use of a BWC is related to an event which is documented in an incident report, the incident report must indicate that BWC footage was captured and the officer must briefly summarize what the footage is expected to contain.

3. BWC Use by Investigation Division Personnel

- (a) It is the assumption of this agency that sworn-members assigned to the Investigative Division (Detective Bureau, Special Operations Group) operate in civilian attire in the course of their regularly assigned duties.

- (b) Sworn-members of the investigative division will wear and utilize their assigned BWC in the following situations, at a minimum. Members are encouraged to utilize their BWC anytime they have contact with the public.
 - i. When responding to a crime in progress
 - ii. When there is a reasonable belief that they will be taking enforcement action.
 - iii. When the potential exists for interacting with large gatherings of people
- (c) Sworn-members of the investigative division will potentially not utilize their BWC in the following situations. This section is not intended to limit the situations that members may use their cameras, but is intended to provide examples of when BWC use would not be expected.
 - i. While performing normal functions within the police department.
 - ii. While processing safe or secure scenes.
 - iii. While interviewing victims of sensitive crimes.
- (d) Members should use their discretion when deciding whether an interview should be recorded via BWC. It is preferable to record all interactions with the public, and should a victim interview be recorded that is later determined to be sensitive, members should notify a supervisor of the recording. That supervisor shall work with the Administrative Division to secure the recording.
- (e) Members of the investigative division should not use BWCs for the following purposes.
 - i. As a replacement for proper evidentiary photography. BWCs may be utilized to document a scene, but should not be considered the primary source of photography.
 - ii. As a replacement for interview room recordings. Members may utilize their BWCs during a custodial interrogation, but those BWCs should not replace the use of stationary cameras.
- (f) Sworn-members of the investigative division are expected to have their BWCs available for their immediate use at all times while on duty. If not being worn, the camera (and mount) must be available for use.

4. BWC's used in Training

- (a) BWCs may be used for departmental training in order to provide coaching and feedback to members. These recordings will not be released to the public under a records request without redaction due to the police tactics that they may contain.

(b) Training video records will be retained for a minimum of 120 days as required by WI SS 165.87(2)(a), and will not be deleted during the period specified in s. 19.35(5).

(c) Records requests will be reviewed and fulfilled following WI SS 19.31-19.39.

- i. Any redactions or denials will be made in consultation with Departmental lead tactics instructor(s) and the records custodian.

5. Specialty Units' Use of BWCs

(a) Special Response Team (SRT)

Members of the SRT will activate their BWCs when on-scene of any high-risk operation and will not deactivate their BWC until told to do so by the Team Commander or designee, unless that member is directly interacting with a citizen or prisoner.

(b) Critical Incident Response Team (CIRT)

Members of the CIRT will activate their BWCs when deployed in an enforcement or protective capacity and in direct view of the public. Members will not deactivate their BWC until told to do so by the Team Commander or designee, unless that member is directly interacting with a citizen or prisoner.

(c) Motor Unit

Refer Police Motorcycle OP 5.6.1 for guidance on the use of BWCs by Motor Officers.

(d) K9 Units

- i. K9 Handlers drive to/from work in their assigned marked squad and in full uniform.
- ii. When driving a marked squad coming to/from work, the BWC & BWC mount must be in the squad for potential use.
- iii. Leave the BWC powered on until arriving at home/work in case a police incident were to occur that you assist with.
- iv. Charge the BWC in the squad or at home with the provided cable to assure it is ready for use.

D. Fleet Camera Recordings

1. Fleet Camera Locations

- (a) Two cameras are located in all patrol squads. The forward-facing camera records through the front windshield of the vehicle and captures what is in front of the vehicle. The rear-facing camera captures the back-seat and any occupants or prisoners.

2. Use of and Recording with Fleet Cameras

- (a) Squad cameras are considered a tool in the performance of law enforcement duties and should be employed in accordance with policy and procedure.
- (b) Squad cameras will automatically activate and begin recording when an officer activates the emergency lights of the vehicle. In the event that emergency lights are not activated or necessary, members shall make every effort, minus exigent circumstances, to activate the squad cameras for the following investigative or enforcement contacts including, but not limited to:
 - i. Transport of any citizen or prisoner
 - ii. A squad involved in a motor vehicle crash
 - iii. When an officer deems it appropriate
- (c) Members who use a patrol squad for their daily duties are required to ensure that the squad cameras are working properly at the start of their shift.
- (d) Once a squad camera is activated, members must continue to record until their involvement in the event ceases, their investigatory or enforcement duties related to the event ceases, or an exception to the use of squad cameras occurs.
- (e) There is no requirement that officers notify a citizen that they are being recorded; however, if a person expresses a desire to know whether or not the officer is recording, the officer shall respond truthfully.

E. Stationary Camera Recordings

1. Camera Locations

- (a) Stationary cameras are fixed cameras, typically used for custodial booking processes, interviews, and facility security. Cameras are located at the Wauwatosa Police Department and Mayfair Mall Booking Room.

2. Use of and Recording with Stationary Cameras

- (a) Stationary cameras are considered a tool in the performance of law enforcement duties and should be employed in accordance with policy and procedure.
- (b) Members are required to activate stationary cameras prior to escorting a prisoner into the booking room for processing or prior to conducting a custodial interview.
- (c) Once a stationary camera is activated, members must continue to record until their prisoner is released, the interview is concluded, or the prisoner is secured in a holding cell located inside the Wauwatosa Police Department Booking Room, or an exception to the use of stationary cameras becomes present.
- (d) There is no requirement that officers notify someone they are being recorded; however, if a person expresses a desire to know whether or not the officer is recording, the officer shall respond truthfully.

F. Exceptions & Prohibitions for Recording

1. Exceptions to Recording with BWC's and Fleet Cameras

- (a) Police members have discretion in whether or not to record potentially sensitive events or circumstances (e.g., victims of sexual abuse, 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.)
- (b) Police members may deactivate BWC's or Fleet Cameras during non-enforcement activities such as:
 - i. Member to member conversations about case status or other general conversations.
 - ii. BWC may be off while transporting citizens or prisoners if the transport is being made in a department owned vehicle equipped with squad camera equipment it is activated.
 - iii. Members do not need to record their interactions with citizens or prisoners while in the police station if they are in rooms equipped with stationary cameras and such equipment is activated.

- iv. Traffic control at fires, crime scenes, or crash scenes when the member's likelihood of being involved in enforcement activities is low.
- v. Lengthy hospital stays awaiting medical clearance (unless enforcement action is 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).
- vi. At the discretion of a Unit Supervisor (SRT, CIRT, etc.)

(c) Members should make a verbal notation on the recording anytime he or she plans to intentionally stop a BWC recording prior to the completion of the event or incident. The notation should explain the reason why the member is stopping the BWC recording, i.e. an officer has finished speaking with Witness #1 and is now enroute/traveling to speak with Witness #2. The officer does not need to record the time while he/she is traveling from one location to another as he/she is not actively interacting with an individual and should annotate as such.

2. Prohibited Recordings for BWC's, Fleet and Stationary Cameras

- (a) In keeping with the department's core values of respect and integrity, members assigned cameras will adhere to the following guidelines:
- i. BWC's will not be activated in a place where a reasonable expectation of privacy exists, such as dressing rooms, locker rooms and restrooms.
 - (a) Cameras shall not be used to record a strip search or body cavity search.
 - (b) Cameras will not be intentionally activated to record conversations of fellow members (including partner law enforcement or public safety agency members) without their knowledge during routine and non-enforcement activities.
 - (c) Cameras will not be utilized to covertly record conversations of the public and/or other members of the department.
 - (d) Cameras will not knowingly record undercover officers or confidential informants.
 - (e) Cameras will not be utilized to record any off-duty or personal activity.

- ii. BWCs should not be activated while inside a medical facility unless directly relevant and necessary to a law enforcement investigation; caution should be used to record only the parties involved in the event being investigated.
- iii. BWCs should not be activated while on the grounds of any public, private or parochial elementary or secondary school unless the officer is responding to suspected criminal activity that could result in an arrest or instances that involve or are likely to involve disruptive, adversarial or confrontational behavior.

3. Critical Incidents

- (a) Officers involved in a critical incident and/or officer involved death (refer to Definitions section) should cease recording once it is determined the scene is secured or when directed by a supervisor. BWCs shall be given to an on-scene supervisor who will maintain chain of custody. The supervisor shall ensure that all BWC, Fleet and Stationary camera recordings are uploaded and/or archived as directed by the designated investigators.
- (b) Involved officer(s) and/or witness officer(s) shall not review any camera recording prior to providing a formal statement to the designated investigators unless specifically authorized by a Wauwatosa Police Supervisor.
- (c) This section does not prohibit officers/investigators assisting in a critical incident with ongoing exigency from viewing body worn camera recordings that may aid the investigation (e.g., suspect descriptions, suspect vehicles, direction of travel, etc.).

G. PDR Categorization

- 1. CAD/RMS exports a database to Axon which compares the Officer Badge ID, Officer Dispatched Date/Time, and Officer Cleared Date/Time to search for footage that an officer uploaded or recorded which occurred during the call for service's timeframe. If evidence is found that correlates between an officer's recordings and a call for service, the system automatically applies a "Case ID#" to the evidence. Officers are ultimately responsible for the metadata applied to any piece of digital evidence for which they downloaded. No retention category is automatically applied, and must be done by the Officer and/or Supervisors on each case.
- 2. All members assigned a BWC and using a vehicle equipped with Fleet cameras, shall ensure they sign into CAD via Dispatch. Multiple officers

assigned to a squad (e.g., two-person car) will both be placed “on duty” with dispatch.

3. Officers may still use the Axon View smartphone App or the Axon ViewXL desktop application to assign the appropriate category, ID and Title to each individual recording if they wish and as according to the following notation:

(a) ID Field: Enter the call/case number (2-digit year, hyphen, 6-digit call/case number); e.g.: “20-001234”

(b) Title Field: Brief explanation of what is recorded, e.g., DV investigation, suspect interview, T.S., FI, arrest for POCS, front/dash, rear, BWC, etc.

(c) Category Field: There are various category choices that can be used for each individual recording. If multiple categories apply to an event, members should choose multiple categories and the evidence will be retained for the category with the longest retention period setting.

2. Recording Management Categories

(a) Uncategorized (Administrative and required by Axon)

- i. Not to be used by officers or supervisors.

(b) Incident / No Action Taken / Warning

- i. 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.
- ii. All files not placed in another category will also be placed in this file.
- iii. Files will be automatically deleted after 120 days.

(c) Municipal Arrest

- i. All files that have the potential for use in municipal court will be saved in this file.
- ii. Files will be automatically deleted after 3 years

(d) State Arrest / Emergency Detention

- i. All video files associated with circuit court shall be saved in this file.
- ii. All recordings associated with an Emergency Detention will also be retained in this category.

- iii. Files will be automatically deleted after 7 years.

(e) Active Investigation / Evidence

- i. All video files associated with an active/open investigation without arrest or citation shall be placed in this file and will be retained for 10 years.
- ii. Evidentiary recordings will be saved in the "Video Evidence" file and maintained as required by law and subject to corresponding open record requests.

(f) Test

- i. All video files associated with pre-patrol checks or status checks of functioning capabilities of the cameras shall be stored in this file.
- ii. Files will be automatically deleted after 120 days

(g) Training Videos

- i. This category may be used by Training Officers, Field Training Unit personnel, Instructors and Supervisors to review training that can be used for teaching and improving skills.
- ii. Training video records will be retained for a minimum of 120 days as required by WI SS 165.87(2)(a), and will not be deleted during the period specified in s. 19.35(5).

(h) Critical Incident Folder

- i. All recordings of Officer Involved or other Critical Incidents will be placed in this folder by supervisors or command staff only. Videos in this folder can only be deleted by the Chief of Police or the Chief's designee.

(i) Traffic Citation

- i. All video files associated with the issuance of a traffic citation shall be saved in this file.
- ii. Files will be automatically deleted after 200 days.

(j) Pending Review

- i. This category will be used when there is a technical issue with the video file or due to any pending internal investigation or legal action against the Department. It will be forced into this category until reviewed by a department administrator and/or Axon administrator. Once the technical issues or pending investigation or litigation with a recording are resolved, it will be re-categorized as appropriate.

E. Department Review of Recordings

1. Recordings may be reviewed:
 - (a) By a supervisor or Axon administrator to ensure PDR equipment is working properly or by an Axon administrator to ensure the overall health of the hardware (camera system) and the software (Evidence.com).
 - (b) By an Axon administrator, a member of the Public Information Officer's office, or other authorized personnel for the purpose of reviewing footage for training or to locate/disseminate recordings which may be of special interest to departmental personnel or the public.
 - (c) By a police officer viewing their own individually assigned recordings to assist in writing a report, citation or court case preparation.
 - (d) By authorized persons for the purpose of reviewing evidence and processing records requests.
 - (e) By a supervisor to investigate a specific act or allegation of wrongdoing by another department member or by a member of the public.
 - (f) By authorized department personnel participating in an official investigation, such as a citizen complaint (policy 3.2.1), administrative inquiry or criminal investigation.
2. If during a review of PDR's a violation is observed, it will be investigated in accordance with internal investigation procedures and Discipline policy 2.1.3.

F. Data Privacy / Retention of Recordings / Records Requests

1. PDR's are considered law enforcement sensitive material and, in many circumstances, considered evidence. Therefore, original raw footage will always be securely maintained for the required retention period.
2. While officers who use BWCs will have access to BWC footage for purposes of review, only Administration and/or their designee will have access to the storage settings.

3. Department personnel are prohibited from viewing camera footage while off-duty.
4. Officers are permitted to use Axon View solely for the purpose of reviewing and categorizing footage on the BWC assigned to them. Officers may not perform functions, such as screen captures, with their devices that will save/store data on the device with the app. Officers are permitted to use the Citizen function on Axon Capture but should not import photos/video/audio from their personal device. Any member assigned a Departmental phone may use all functions of Axon Capture.
5. Once recordings are uploaded to Evidence.com, the software provides detailed tracking logs as to who accesses recorded data, when, and for what purpose. All access and activity within Evidence.com is logged and is subject to auditing at any time. The audit logs built into Evidence.com prevents data tampering, unauthorized copying, editing or deleting of video.
6. All digital media that is captured with PDR equipment is the sole property of and will be retained by the Wauwatosa Police Department for a minimum of 120 days following the date it is recorded, or based on the file category that was selected. Video may be retained for longer periods in the event the video is the subject of a criminal, civil, or administrative proceeding, litigation hold, part of discovery, etc.
7. Unauthorized accessing, copying or releasing PDR without the approval of the Chief of Police or his/her designee is strictly prohibited. Members are prohibited from making copies of a PDR recording by using another recording device such as a cell phone.
8. With the proper Evidence.com permission level, recordings may be duplicated or shared with criminal justice agencies, bona fide city, county, state or federal law enforcement partners or when otherwise authorized by the Chief of Police or his/her designee.
9. Officers will not allow citizens to review video captured by PDR equipment unless there is an investigative reason to do so and such viewing has been approved by a supervisor. Officers shall advise citizens that they may request a copy of the recording through the public records process.
10. 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 Wauwatosa. Prior to the release of any PDR equipment recording to the public, Records will ensure that proper redactions have been made in accordance with state law.

11. The department reserves the right to delete or redact recordings that were captured inadvertently and/or captured sensitive material, strategic or tactical operations, or are prohibited recordings.

A handwritten signature in black ink, appearing to read 'J. MacGillis', with a stylized, cursive script.

James H. MacGillis
Chief of Police

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