



# GENERAL ORDER

TOWN OF BELOIT POLICE DEPARTMENT

SUBJECT: **AUDIO/VIDEO RECORDING SYSTEMS**

SCOPE: All Sworn Personnel  
DISTRIBUTION: General Orders Manual

REFERENCE:

NUMBER: OP6500

ISSUED: 10/15/2018

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RESCINDS

AMENDS

WILEAG STANDARDS: 6.1.9

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INDEX AS: Audio/Video Recording Equipment  
Mobile Audio/Video Recording Equipment  
Video Recording Equipment

PURPOSE: The purpose of this Order is to provide general guidelines and procedures for the use, management, storage, and retrieval of recordings from the department's body-worn camera (BWC) system, in-car video (ICV) system, and interview room camera (IRC) system.

This Order consists of the following numbered sections:

- I. POLICY
- II. CARE AND EQUIPMENT
- III. PROCEDURES
- IV. CRITICAL INCIDENT PROTOCOL
- V. VIDEO FILE REVIEW
- VI. REPORTING/DOCUMENTATION
- VII. RECORDING CATEGORIES/RETENTION OF RECORDINGS
- VIII. RECORDS REQUEST/RELEASE
- IX. SUPERVISOR RESPONSIBILITIES

## I. POLICY

- A. It is the policy of the Town of Beloit Police Department that activities associated with calls for police service and officer-initiated activity shall be recorded using body-worn cameras and/or in-car cameras to provide an accurate and impartial record of enforcement-related and non-criminal incidents to enhance criminal prosecution and limit civil liabilities. It is also the policy of the Town of Beloit Police Department that all in-custody interviews of juveniles and all in-custody interviews of adults shall be recorded in accordance with Town of Beloit Police Department General Order OP3700 Interviews and Interrogations.

## II. CARE AND EQUIPMENT

- A. Members shall only use BWC, ICV, and IRC systems provided by the Town of Beloit Police Department. Personal recording devices are prohibited.
- B. Police personnel who use BWC, ICV, and IRC systems must complete an agency-approved and/or provided training program to ensure proper use and operations. Additional training may be required periodically to ensure the continued and effective use and operation of the equipment and to incorporate changes, updates, or other revisions in policy and equipment.
- C. Any BWC, ICV, or IRC that is lost, stolen, or damaged shall be reported to a supervisor as soon as practical, but no later than the end of the officer's shift. If the BWC, ICB, or IRC was lost, stolen, or damaged during an incident the member shall detail the circumstances in the incident report. If the BWC, ICV, or IRC was not damaged during an incident the member shall submit a department memo detailing the circumstances. All malfunctions of a BWC, ICV, or IRC shall also be reported to a supervisor as soon as practical, but no later than the end of the officer's shift.
- D. All sworn personnel assigned to patrol will wear department-issued BWC's and have ICV's in their squad at all times unless the equipment is unavailable.

## III. PROCEDURES

- A. Responsibilities
  - 1. BWC's shall be worn in a location and manner that maximizes the camera's ability to capture video footage of the member's activity.
  - 2. At the start of each shift officers will self-issue a BWC using the Kiosk system as trained. Officers will inspect the BWC for any visible damage. Any concerns of damage and/or functionality of the BWC shall be reported to a supervisor as soon as practical.

3. At the start of the shift officers shall synchronize the BWC and ICV and perform a systems check to ensure proper operations. A non-functioning ICV shall be immediately reported to a supervisor and documented on the vehicle work order form. The supervisor will arrange to have the unit serviced.
4. Members using department audio/video recording systems are responsible for the proper care of the equipment.
5. Throughout the officer's shift or at the end of the officer's shift, recorded video files shall be given a classification code and corresponding incident number. If the video file is not directly related to an incident then only a classification code is required.
6. At the end of the officer's shift the BWC's shall be returned to the 8-bay transfer/charging station to upload the files to the server and charge the BWC. All files on the ICV shall also be uploaded to the server by the end of the officer's shift.
7. If an IRC is activated for an interview at the police department, all files will be given a classification code, corresponding incident number, and name of the subject interviewed.

B. Activation of BWC, ICV, and IRC

1. IRC activation will be in accordance with Town of Beloit Police Department General Order OP3700 Interviews and Interrogations.
2. All enforcement and investigative contacts, as well as all contacts specifically related to a call for service shall be recorded using the BWC.
3. Officers with a BWC who arrive on scene or engage in an enforcement contact shall start the recording as soon as it is safe or practical to do so. If multiple officers are on scene with a BWC, all officers with a BWC shall record.
4. The ICV will automatically be activated whenever the forward-facing emergency lights are activated. With automatic activation of the ICV, officers will record any event requiring activation of emergency lights.
5. Once recording has begun on the BWC and/or ICV, it shall remain on until the incident has reached its conclusion or the officer leaves the scene because their presence is no longer needed.
6. The rear seat ICV will be manually activated anytime the rear seat is occupied, either by a prisoner or a citizen. The rear seat camera need not be activated when transporting other officers.
7. Events that shall be recorded include, but are not limited to:
  - a) Vehicle stops

- b) Impaired driver investigations.
- c) Field interviews and pedestrian stops.
- d) Prisoner and citizen transports.
- e) Searches of persons or property.
- f) Dispatched calls for service.
- g) Crime scenes.
- h) Crash scenes.
- i) Advising a subject of Miranda warnings.
- j) Suspect/witness statements and interviews.
- k) Vehicle and foot pursuits.
- l) Emergency response to calls for service or critical incidents.
- m) Incidents involving potential citizen complaints.
- n) Any situations where an officer's safety may be placed in jeopardy.
- o) Other incidents which have the potential to be used as evidence in any civil or criminal procedure.
- p) To capture disaster and unusual occurrences.
- q) Training or self-evaluation.
- r) At the direction of the officer's immediate supervisor.

C. Exceptions to recording

1. Officers have discretion in whether or not to record potentially sensitive events or circumstances (e.g. victims of a sexual assault, child victim statements/interviews, or a citizen victim/witness who requests they not be recorded while giving a statement, or where otherwise authorized in this policy).
2. Officer safety prohibits due to a sudden assault or unexpected altercation.
3. Officers may deactivate BWC and/or ICV during non-enforcement activities such as, but not limited to:
  - a) Officer-to-officer conversations.
  - b) Traffic control or waiting for a tow when the likelihood of being involved in enforcement action is low.

- c) While awaiting medical clearance.
    - (i) Unless enforcement action is likely.
    - (ii) The suspect is making voluntary statements.
    - (iii) The officer is gathering additional evidence (e.g. OWI blood draws).
  - d) EMS and Fire incidents without reasonable suspicion that a crime has been, is being, or is about to be committed.
  - e) Any other incident where the officer can articulate the necessity and totality of the circumstances that led to not activating the BWC or ICV.
4. Any officer who is lawfully present in an area protected by the Fourth Amendment shall activate the BWC when there is reasonable suspicion that a crime is being committed, has been committed, or is about to be committed. Once the officer determines the scene to be stabilized and safe, the officer shall, as soon as practical, inform the person(s) of the BWC status. The officer must cease recording if asked to do so by a person with apparent authority over the constitutionally protected area.
- a) Officers may re-activate or continue recording despite a request not to record when there are articulable reasons, based on the officer's training, experience, or observations, which cause them to determine a recording of the incident is necessary.
  - b) Situations where a BWC and/or ICV shall be activated regardless of location, include making an arrest, taking a subject into custody, or a search of a person, residence, or property.

#### IV. CRITICAL INCIDENT PROTOCOL

- A. For the purposes of this General Order, a critical incident is defined as any of the following:
  - 1. All incidents involving the use of deadly force against a person.
  - 2. All incidents involving the use of force by an officer that result in great bodily harm or death to a person.
  - 3. Motor vehicle pursuits that result in great bodily harm or death to a person.
  - 4. Any other incident as directed by the Chief of Police or his/her designee.
- B. As soon as practical after the incident is under control, a supervisor shall direct the collection and entry of all BWC and ICV files.

- C. An officer involved in the critical incident will be allowed to view their video files, but only after providing an initial verbal statement to investigators. After providing an initial verbal statement, they will be allowed to view their video files and complete their written report and/or provide their final statement.

## V. VIDEO FILE REVIEW

- A. All recordings made with the BWC, ICV, and IRC are the property of the Town of Beloit Police Department. Recordings may be reviewed:
  - 1. To ensure functionality, adherence to department policies and procedures, and by authorized persons for the purpose of reviewing evidence and processing records requests.
  - 2. By officers reviewing their individually assigned recordings.
  - 3. By a supervisor to investigate a specific act or allegation by another officer or by a member of the public, or any official investigation, such as a citizen complaint, internal investigation, or criminal investigation.
  - 4. By authorized department personnel participating in an official investigation.
  - 5. Recordings may be shared with other law enforcement agencies only for legitimate law enforcement purposes.
  - 6. Field Training Officers should routinely use the recordings of probationary officers during the FTO process for constructive critique review.
- B. Recordings may be used for the purposes of training. Members aware of recordings that may serve as a training aid for other members should notify a supervisor. The supervisor will review the recording to determine if the recording will be used as a training aid. Members involved in a recording that has been deemed a training aid will be notified by a supervisor of the intent to use the recording for training purposes.
- C. Members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC, ICV, or IRC recordings without authorization and approval of the Chief of Police or his/her designee.
- D. Recordings will never be used with the intent of belittling, ridiculing, or embarrassing any member of the department, notwithstanding the potential use of recordings in disciplinary matters.

## VI. REPORTING/DOCUMENTATION

- A. The use of a BWC, ICV, and/or IRC shall be documented using the header section in the narrative template.

- B. If a citation is issued during an incident that is recorded the officer shall type the words “on officer video” in the agency area of the citation.
- C. If an incident was not recorded, the officer shall document in his/her report why the incident was not recorded.
- D. Officers are encouraged to review their video files prior to completing an incident report to aid in its accuracy.
- E. Although incidents may be recorded, incident reports must be complete and thorough. A report lacking detail and simply referring to the recordings is not acceptable.
- F. There are 13 main category choices for each recording. Officers will primarily use nine of these main categories (categories 1-9). If multiple categories apply to an event, officers shall choose the category with the highest retention period available to them. Categories 10-13 are reserved for supervisors and command staff. If an officer has a recording that would be considered for one of these categories, they should notify a supervisor for permission to have them categorized as such.

## VII. RECORDING CATEGORIES/RETENTION OF RECORDINGS

- A. The following categories are to be used:
  - 1. Incident-No Official Police Action Taken
    - a) All video files that have contact with the public having no immediate evidentiary value at the time of the recording.
    - b) Any file not tagged into another category.
    - c) Files in this category shall be retained for no less than 120 days.
  - 2. Municipal Traffic and Ordinance Citations and/or Arrests
    - a) All recordings that have potential use in municipal court.
    - b) Files in this category shall be retained for no less than 365 days (1 year), unless advised otherwise by the Town Attorney.
  - 3. OWI 1<sup>st</sup> Offense (Muni)
    - a) All recordings of a first offense OWI arrest for municipal court.
    - b) Files in this category shall be retained for no less than 730 days (2 years), unless advised otherwise by the Town Attorney.
  - 4. State Traffic Non-Criminal
    - a) All non-criminal recordings that have potential use in Circuit Court.

- b) Files in this category shall be retained for no less than 730 days (2 years), unless otherwise advised by the Circuit Court.
5. Criminal Traffic and Misdemeanor or Felony Arrests
- a) All recordings that have potential use for a criminal offense.
  - b) Files in this category shall be retained for no less than seven years, unless advised otherwise by the District Attorney.
6. Emergency Detention
- a) All recordings associated with emergency detentions will be retained in this category.
  - b) Files in this category shall be retained for no less than seven years.
7. Active Investigation/Evidence
- a) All recordings associated with an active or open investigation without an arrest or citation.
  - b) Evidentiary recordings shall be maintained as required by law and subject to record requests.
8. Officer Injury
- a) All recordings involving an officer injury.
  - b) Files in this category shall be retained for two years.
9. Testing
- a) Recordings made in order to test equipment.
  - b) Files in this category shall be retained for ten days.
10. Training
- a) This category will be used by supervisors to permanently save recordings to use for training officers.
11. Use of Force
- a) All recordings associated with a use of force incident not rising to the level of a critical incident.
  - b) Files in this category shall be retained for seven years.
12. Critical Incident



- a) All recordings of critical incidents shall be placed in this category by supervisors or command staff only.
- b) Files in this category are only viewable by command staff and any supervisor assigned as an internal investigator.
- c) Files in this category may only be reassigned to a different category or deleted at the direction of the Chief of Police or his/her designee.
- d) Retention of critical incidents is permanent.

13. Administrative Hold

- a) Any recording can be placed on administrative hold by a supervisor.
- b) Files in this category shall be retained as required by law.

## VIII. RECORDS REQUEST/RELEASE

- A. Release of copies of the recordings for criminal prosecution shall be coordinated through the District Attorney and/or Town Attorney's office.
- B. Release of copies of the recordings for civil proceedings shall be coordinated through the Town Attorney's office or other Town of Beloit retained attorney's office.
- C. All other requests for open records will be released in accordance with General Order CR0200 Records and Release of Information. All audio and video recordings are the sole possession of the Town of Beloit Police Department. As such, no recordings shall be released, shared, or otherwise distributed without proper authority or permission.

## IX. SUPERVISOR RESPONSIBILITIES

- A. It is the responsibility of supervisors to:
  - 1. Ensure that officers follow established procedures for the use and maintenance of audio/video recording equipment and the proper documentation of its use.
  - 2. Coordinate the repair and replacement of damaged or non-functional audio/video recording equipment.
  - 3. As soon as practical after a critical incident is under control, a supervisor shall direct the collection and entry of all BWC and ICV files.

On a quarterly basis, supervisors shall randomly review at least three BWC and three ICV recordings of officers they supervise to ensure equipment is operating properly, officers are using the devices appropriately and in accordance with policy, and to identify any areas in which training or guidance is required.

A handwritten signature in black ink, appearing to read "Ronald L. Northrop". The signature is fluid and cursive, with the first name being the most prominent.

Ronald L. Northrop  
Chief of Police

This Order cancels and supersedes any and all previous Orders and directives relative to the subject matter contained herein.

Initial: 10/15/2018

Reviewed: 05/21/2019