

Theresa Police Department

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Body Worn Cameras/Portable Audio-Video Recorder

Purpose

This policy provides guidelines for the use of Portable Audio-Video Recording devices by officers of this department while in the performance of their duties. Portable Audio-Video Recording devices include all recording systems, whether body-worn, hand-held, or integrated into portable equipment (Wis. Stat. 165.87).

This policy does not apply to mobile audio/video recordings, interviews, or interrogations conducted at any Theresa Police Department facility, authorized undercover operations, wiretaps, or legal investigative eavesdropping (concealed listening devices).

Policy

The Theresa Police Department may provide officers with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the department and the public.

Coordinator

The Chief of Police or the authorized designee should designate a coordinator responsible for the security, storage, and maintenance of data and recordings.

Prohibited Use of Portable Recorders

Officers are prohibited from using personally owned recording devices while on duty without the consent of the Chief of Police. Any member who uses a personally owned recorder for department related activities must have approval in writing from the Chief of Police and shall comply with the provisions of this policy, including retention and release requirements. The officer shall notify the chief of police of each separate use. The use shall be in written report format, documented also in the daily department ledger and include the reason such use and why it was necessary to use, approved and issued departmental body cameras. Recordings shall not be used by any officer for personal retention, shared to the public or for the purpose of embarrassment, harassment or ridicule.

Identification and Preservation of Recordings

To assist with identifying and preserving data and recordings, officer shall upload, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

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Retention of Records

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule but in no event for a period less than 120 days (Wis. Stat. 165.87). For ordinance, misdemeanor and felony cases, retention shall be maintained in accordance with state statutes.

Release of Audio-Video Recordings

Requests for the release of audio-video recordings shall be processed in accordance departmental open records guidelines. All records should be reviewed by the Custodian of Records prior to public release. Recordings that unreasonable violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by laws or order of the court (WI. Stat 165.87(3)).

Costs:

The established cost for a copy of a recording via DVD is \$25, Colored photos are \$5 per page and 25 cents a page for written reports. Note: Often an incident will include multiple DVD records and there is a charge for each DVD. All of the above items may include processing, packaging and or shipping charges. Per Wisconsin Statutes, any request that the cost exceeds \$5. Authorizes government agencies to require pre-payment based on the estimated cost. Payments made in excess will be refunded to the requester upon obtaining the materials.

Any amount determined to be a total above the initial cost estimate shall be required to be paid to the village, in full prior to the items being released.