



# University of Wisconsin–Madison Police

**Policy: 41.3**

**SUBJECT: PATROL EQUIPMENT**

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## **POLICY:**

The University of Wisconsin–Madison Police Department shall provide and maintain equipment necessary to enable employees to perform their duties in an efficient and safe manner.

## **DEFINITIONS:**

“Personal equipment” refers to equipment items issued and/or approved by the agency for employee use. Example: badge, baton, holder, belt, flashlight, whistle, etc.

## **PROCEDURE:**

### **41.3.1.1 PATROL VEHICLES' LIGHTS & SIREN**

The following establishes the vehicles that must be equipped with operational emergency lights and siren:

- A. Vehicles used in routine or general patrol service, whether conspicuously marked or unmarked, shall be equipped with operational emergency lights and siren. Such vehicles shall also be equipped with a mobile radio and a public address system.
- B. Department vehicles used for routine or general patrol service shall not be placed into service when the emergency lights and/or siren are not operational. If the lights and/or siren are damaged or malfunction during shift, the vehicle shall be placed out of service and the problem reported to vehicle/equipment manager using the established computerized reporting system.

### **41.3.1.2 DEPARTMENT VEHICLES**

The following shall govern the use of Department vehicles:

- A. Needed repairs or service will be reported promptly to vehicle maintenance. Notification should be using the established computerized reporting system.
- B. If a vehicle is unsafe or unable to be driven it will be labeled as “Out of Service” and the designated reason listed.
- C. All Department vehicles shall be checked in/out.
- D. Employees who are using a Department vehicle for their patrol or security shift will follow the vehicle check in/out procedure.

### **41.3.1.3 DEPARTMENT CELLULAR PHONES**

The following shall outline the use of Department cellular phones:

- A. Cell phones are to be used as a tool to enhance police operations and are not intended to reduce in-person contact with customers.

- B. Officers will use the cell phone for official business only. The cell phone will allow officers to make calls from the squad instead of returning to the station or using another phone.
- C. Cell phones will be used for official business in cases when it would not be appropriate to use the radio or MDC.
- D. Needed repairs or service will be reported promptly to the person designated to arrange service. Notification should be made using the established computerized reporting system.

#### **41.3.1.4 AUTOMATED EXTERNAL DEFIBRILLATORS**

The following shall provide general guidelines for the use of automated external defibrillators:

- A. All Department personnel will be trained in the use of automated external defibrillators (AEDs), and training will be refreshed during their CPR recertification. Automated external defibrillator training will be coordinated by the CPR Training Coordinator.
- B. Personnel with AEDs are responsible for checking the battery indicator and pads of the AED unit daily, as part of the checkout process. Special care should be taken in cold weather.
- C. A police unit with an AED should respond in emergency mode to medical response calls in the Department jurisdiction that involve a high likelihood for need of an AED, unless it is known that an ambulance is already on-scene.
- D. Police who arrive on scene before adequate rescue personnel are present should render aid consistent with their AED and CPR training until relieved of rescue duties by the Fire Rescue personnel or EMT units.
- E. If another agency requests mutual aid in the form of a squad with an AED, the Department will make every effort to comply with the request.
- F. The Manager on Call should be notified of any use of a departmental AED, and a report must be completed. The officer who used the AED should forward a copy of the report to the CPR Training Coordinator.
- G. After use, the officer who used an AED unit is responsible for restocking the unit in accordance with instructions given during AED training.

#### **41.3.2 VEHICLE EQUIPMENT/REPLENISHING**

The following establishes procedures governing the replenishment of supplies in patrol vehicles:

- A. In order to enable officers to respond adequately to calls for service, every patrol vehicle will be furnished with the following equipment:
  1. An emergency first aid kit;
  2. Equipment for protection against transmission of bloodborne pathogens;
  3. A fire extinguisher;
  4. A blanket; and
  5. An emergency response guidebook.
- B. At the beginning of shift, officers shall inspect their patrol vehicles to ensure that the equipment and accessories are functional and supplies are adequate. Any damaged, defective, or malfunctioning equipment should be reported to the vehicle / equipment manager using the established computerized reporting system. Items used during a patrol shift shall be replaced by the officer using the item(s). Officers losing or damaging any police vehicle equipment shall report the matter to their immediate supervisor without unnecessary delay.

#### **41.3.3 OCCUPANT SAFETY RESTRAINING DEVICES**

The following specifies the requirement for the use of occupant safety restraint devices in every Department vehicle:

- A. According to the Fleet Driver and Management Policies and Procedures Manual Policy 1.6, “all drivers and passengers in state vehicles must comply with all Wisconsin laws, including the Wisconsin seat-belt law.” Wisconsin State Statute 347.48(2m)(b) states that a motor vehicle is required to be equipped with safety belts in the state and that no person may operate that motor vehicle unless the person is properly restrained in a safety belt.

- B. According to Wisconsin State Statute 347.48(2m)(dm) the Wisconsin safety belt law does not apply to the operation of an authorized emergency vehicle by a law enforcement officer under circumstances in which compliance could endanger the safety of the operator or another. However, the use of safety belts is strongly encouraged for patrol officer use, as safety belt use could have a significant effect in reducing the number of deaths and severity of injuries resulting from traffic crashes.

#### **41.3.4 AUTHORIZED PERSONAL EQUIPMENT**

The following designates the specification for all authorized personal equipment and apparel not issued by the agency worn by uniformed personnel:

- A. The uniform is to be worn as issued except for alterations to ensure proper fit. No modifications, additions or deletions of any uniform article are allowed without permission of the Department.
- B. In order to acquire approval for carrying new equipment, the individual requesting the addition should submit to his or her supervisor a letter explaining why the item should be issued, worn, carried, or stored. The supervisor should review submission and if appropriate should forward this submission to the manager in his or her chain of command. The Support Services Captain shall be responsible for reviewing the request and either approving or denying it.

#### **41.3.5 PROTECTIVE VESTS**

The following denotes availability and use of protective vests for personnel:

- A. All sworn personnel are issued body armor. The wearing of protective vests is important to officer safety. Thus, protective vests are issued as a level of protection consistent with the threat to which officers are exposed.
- B. All uniformed sworn personnel assigned to the field whose primary duty or function is to answer calls for service will wear their body armor. The following exemptions apply:
  - 1. When a physician determines that an officer has a medical condition that would preclude use of body armor;
  - 2. With approval from the Chief of Police.
- C. All sworn and non-sworn personnel not assigned to field duty are strongly encouraged to wear the protective vest while in uniform.

#### **41.3.6 PROTECTIVE VESTS/PRE-PLANNED HIGH RISK SITUATIONS**

The following requires the use of protective vests by sworn personnel engaged in preplanned high risk tactical situations:

Without exception, body armor is required to be worn by all sworn personnel conducting preplanned, high risk tactical situations. Examples of high risk tactical situations include, but are not limited to planned warrant executions, drug raids.

#### **41.3.7 AUDIO/VIDEO RECORDING**

The following provides guidance to Department personnel in the operation of video and/ or audio recording systems:

- A. The State of Wisconsin requires that all in-custody interviews of juveniles and all in-custody felony interviews of adults be recorded by use of either audio or audio-video equipment. Whenever possible, such interviews should be conducted at the Department, utilizing the audio-video equipment in an interview/holding room. If circumstances prevent interviewing the in-custody person at the Department (i.e., the person is detained in jail or admitted to a medical facility), then other means must be utilized to record the interview. Utilization of the in-car mobile video recorder (MVR) is the next most desirable way to record the interview. A digital audio recorder may also be utilized. If a digital audio recorder is used, an evidence technician or other trained personnel should download the audio files to the Department network and to appropriate removable media. If the above recording options are unavailable, an audio cassette recorder or video camera may be utilized to record the interview. The recording(s) shall be placed into evidence. If needed, the recordings should be downloaded to the Department network and appropriate removable medium.
- B. If any component of the system is inoperable, a secondary source for recording shall be utilized for any interview requiring mandatory recording.
- C. While not required, the recording of interviews or interrogations of adults for any misdemeanor or lesser offense is encouraged.

- D. The following outlines procedures for police officers who take enforcement action during their shift and who are assigned to a patrol vehicle equipped with in-car MVR equipment:
1. Prior to patrol activities or while conducting a patrol vehicle checkout the officer will turn the system on and check the system time and camera positioning and function. The officer will verify that the recorder starts recording when the emergency lights are activated and that the recorder can be activated manually. Each officer is responsible for his or her personally assigned USB key to the system.
  2. Should a patrol unit MVR not be functioning properly, the officer should immediately notify the OIC. The officer will notify the Vehicle Maintenance Team. A malfunctioning MVR unit is not in and of itself reason to remove a car from immediate service.
  3. Personnel should use the wireless microphone both to record comments made during an enforcement contact and to narrate events as they happen. Personnel will not use the MVR equipment to record conversation to which they are not a party outside of the patrol vehicle.
  4. Once recording of an enforcement contact has started, recording should not be stopped until the contact has concluded. The equipment may be deactivated during a prolonged investigation or traffic direction.
  5. Officers will video record whenever a vehicle's emergency lights are activated and will also audio record all traffic stops, field sobriety tests, pursuits, and arrests, when practicable, while investigating traffic violations.
  6. If an officer requests a video file be downloaded from the system to be preserved as evidence, the appropriate notification to the designated system manager shall be made and a property card shall be completed.
- E. Personnel actively participating or attempting to actively participate in a pursuit should utilize the MVR. Personnel who do not use the vehicle MVR during a pursuit must note in the incident report why the equipment was not used.
- F. The Department maintains a video system for monitoring access to the building, monitoring detainees in interview/holding rooms, and monitoring loading and processing areas. The on duty police communications operator should periodically monitor the prisoner holding and loading areas when they are in use. Officer responsibilities for monitoring detainees are outlined in directives regarding temporary holding. The following outlines procedures for utilizing the Department video system:
1. At the conclusion of an interview or interrogation recorded for evidence purposes, the officer shall bookmark the segment of video and e-mail the designated person to have the audio and video files downloaded from the building's digital recording system to be stored for evidentiary purposes.
  2. The Information Systems Manager or designee is responsible for arranging the performance of recommended maintenance to the equipment and any needed repairs.
- G. Only Department personnel trained in the use of the building recording system or MVR equipment should operate that equipment.
1. A designated field services sergeant is responsible for ensuring personnel are trained in the use of the MVR system and applicable policies.
  2. Only Department personnel trained in downloading video and audio files from the building recording system should download these files from the system.
- H. The following procedures apply regarding the retention of audio and video recordings:
1. Personnel will not erase, alter or make unauthorized copies of the recorded media made by MVR, building equipment, or other recording devices.
  2. Personnel may review video images that they make to review the actions of suspects during interviews or arrest situations, the preparation of reports, and the interaction between citizens and the officer.
  3. Personnel shall document in their reports when an incident has been recorded.
  4. Any Department employee can place a hold on recorded media by contacting the appropriate system manager. PTO's may review and place a hold as needed on recorded media made by probationary officers. Recorded media needed for personnel investigations may be downloaded from the system and secured as a part of the investigation by a supervisor.
  5. Media recorded via MVR or the building recording system not retained as evidence in a criminal matter or part of a personnel investigation will be retained for 180 days before being erased.
  6. Recorded media made by the building system or MVR are considered a "record" under Wisconsin Statutes. Citizen requests to view recorded media or requests for copies of recorded media should be referred to the records custodian (refer to records retention directives for additional procedures).
- I. The Department is the designated custodian of the campus video recordings.

1. Officers investigating a crime that may have been captured on a campus video camera should review the recording for potential evidence.
2. Officers who become aware of evidence on the campus video system shall notify the system manager for download. The specific camera and time frame should be provided in the request.

#### **41.3.8 Body Worn Cameras**

The following provides officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public.

- A. Officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.
- B. The use of BWCs is approved to accomplish the following objectives:
  1. Allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
  2. Audio and video recordings enhance the Department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes, and to provide additional information for officer evaluation and training.
  3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- C. When and how to use the BWC:
  1. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties.
  2. Whenever practical, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence or medical setting, they may decline to be recorded unless the recording is being made pursuant to official law enforcement duties. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
  3. If an officer fails to activate the BWC, or an interruption in recording occurs, the officer will document the reason for the failure to start, interruption or termination of recording in a report. If an officer feels it is necessary to stop recording (e.g., talking to a victim, or a confidential informant) within constraints of policy, the officer will verbally indicate their intent to stop recording before stopping the device and upon reactivation of the camera, state that the camera was restarted. Documentation can be in the form of an incident report, arrest report, or other electronic means approved by the Chief of Police.
  4. Civilians shall not be allowed to review the recordings at the scene.
  5. If an employee is aware that a juvenile has been recorded during an incident, the employee will determine if the juvenile is identifiable within the context of the recording, be it either video and/or audio representation. If the juvenile is identifiable, the employee will ensure this is documented in the report.
  6. Employees are encouraged to record all victim or witness interviews with the BWC. Officers should notify victims and/or witnesses when recording is taking place. If a victim declines being video recorded, the officer shall document in their report the reason an interview was not recorded.
  7. It may not be immediately apparent to an officer which subjects are witnesses, victims, suspects, or unrelated bystanders. Officers will keep the BWC activated while they determine the role each person took in the incident. Officers are not expected to make a positive determination of what each person's role was prior to conducting interviews, so the standard will be reasonable belief based on the available information.
  8. Personal use of the BWC equipment on or off duty is prohibited.
- D. Procedures for BWC use:
  1. BWC equipment is issued primarily to uniformed personnel as authorized by the patrol sergeants or higher. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.
  2. Police personnel shall use only BWCs issued by the Department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
  3. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

4. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.
  5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
  6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of Police or designee.
  7. Officers are encouraged to inform their supervisor or the training sergeant of any recordings that may be of value for training purposes.
  8. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the Department reserves the right to limit or restrict an officer from viewing the video file.
  9. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or designee in accordance with state record retention laws. All requests and final decisions shall be kept on file for a time equal to the record retention schedule for a similar state record.
  10. Officers shall note in incident, arrest, and related report modules when recordings were made during the incident in question.
  11. BWC recordings are not a replacement for written reports.
- E. BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:
1. Communications with other police personnel without the permission of the Chief of Police or designee.
  2. Encounters with undercover officers or confidential informants.
  3. When on break or otherwise engaged in personal activities; or
- F. Storage
1. All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.
  2. All images and sounds recorded by the BWC are the exclusive property of the Department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
  3. All access to BWC files must be specifically authorized by the Chief of Police or designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
  4. Files should be securely stored in accordance with state records retention laws, for a minimum of 180 days, and no longer than useful for purposes of training or for use in an investigation or prosecution.
  5. Further information on record retention can be found in the Department's records retention schedule.
- G. Supervisory responsibilities:
1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
  2. Supervisors will review a sample of at least 5 random BWC recordings on a monthly basis to ensure the equipment is operating properly and that officers are using the devices appropriately and in accordance with the policy. The monthly reviews will be documented in a BWC review log located on the Department internal website.
  3. Supervisors will inform the training sergeant of any recordings that may be useful for future department training.