

CITY OF **M** MILTON
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AGENDA
City of Milton
Police Commission
Wednesday, April 20, 2016
6:00 p.m.
MILTON CITY HALL
Conference Room
710 S. Janesville Street

1. Call to order
2. Approve Agenda
3. Approve Minutes – February 18, 2016
4. Chief's Information Report to Commission
 - a.) Monthly Police Department Reports: January, 2016 – March, 2016
 - b.) Updates on Issues or Incidents as necessary
5. Discussion and possible action on review of Police Commission By-laws
6. Update on City of Milton Body Worn Camera Policy
7. Discussion on 2015 Police Commission training
8. General Items
9. Set Next Meeting Date
10. Motion to Adjourn

**Please note that upon reasonable notice, at least 48 hours in advance, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's office at 868-6900, 710 S. Janesville Street, Milton, WI 53563. Notice is hereby given that a majority of the Common Council may be present at this meeting at the above mentioned date and time to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the City Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such, although the City Council will not take any formal action at this meeting.

Posted by: Elena Hilby
04/15/16

**City of Milton
Police Commission
February 18, 2016**

Call to order

Chairperson Marlys Howe called the February 18, 2016 meeting of the Police Commission to order at approximately 6:00 p.m.

Present: Chairperson Marlys Howe, Jennie Burt, David Schumacher, and Pat Conlin.

Also present: Ald. Lynda Clark, Police Chief Scott Marquardt, and Assistant to the City Administrator Inga Cushman.

Excused Absence: Jerry Turner

Approve Agenda

Comm. Schumacher motioned to approve the agenda. Comm. Burt seconded, and the motion carried.

Approve Minutes – October 21, 2015

Comm. Conlin motioned to approve the minutes. Comm. Burt seconded, and the motion carried.

Chief's Information Report to Commission

- a) **Monthly Police Department Reports: October 2015 – December 2015**
- b) **Updates on Issues or Incidents as necessary**

Chief Marquardt reviewed the reports and no action was taken. The commission discussed possibly changing the formatting for the reports and / or what is reported to the Police Commission.

Discussion and possible action on Police Commission By-laws

Chief Marquardt updated the commission on the status of the by-laws. He will send out a revised copy of the by-laws for the commission to review. The by-laws will be discussed at the next Police Commission meeting.

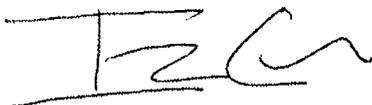
General Items

The next meeting of the Police Commission will take place on April 20, 2016 at 6 p.m. This will replace the meeting previously scheduled for May 18, 2016. The commission requested the next agenda have an item for the commission members to report on the Police Commission training they attended in 2015.

Motion to Adjourn

Comm. Schumacher motioned to adjourn the February 18, 2016 meeting of the Police Commission at approximately 7:07 p.m. Comm. Burt seconded, and the motion carried.

Respectfully submitted,



Inga Cushman
Assistant to the City Administrator

MILTON POLICE DEPARTMENT

CALLS FOR SERVICE

CAD Call Description	DEC	JAN	FEB	MAR
911 HANGUP	7	7	15	19
ASSIST CITIZEN	39	20	44	31
ALARM	5	4	5	5
ANIMAL COMPLAINT	12	9	9	9
ALCOHOL	1	1	1	0
ARMED SUBJECT	0	1	0	0
ARSON INVESTIGATION	1	0	0	0
ABANDONED VEHICLE	1	7	0	0
BATTERY	1	1	1	1
BUSINESS CHECK	23	21	15	22
FIREWORKS	0	0	0	0
BURGLARY	1	2	1	2
CIVIL DISPUTE	11	5	10	11
CHILD OFFENSE	1	1	0	0
CODE ENFORCEMENT	7	47	45	18
CRIMES ALL OTHER	0	0	0	0
CIVIL PAPER SERVICE	1	3	2	2
DEPT. OF NATURAL RESOURCES	0	1	0	0
DISORDERLY CONDUCT	10	1	6	5
DISTURBANCE	5	3	2	4
DEATH INVESTIGATION	0	1	0	1
SUBJECT DOWN	0	1	1	0
DRUG OFFENSE	3	2	1	3
ESCORT/TRANSPORT	2	1	1	1
FAMILY PROBLEM	3	0	0	1
ASSIST FIRE/EMS	37	26	37	39
FOLLOW UP	89	127	101	122
FOOT PATROL	9	2	7	8
FRAUD/FORGERY	6	3	3	4
HARASSMENT	1	2	2	1
HAZARDOUS CONDITION	6	6	3	5
HUBER	0	0	1	0
INTOXICATED SUBJECT	0	0	0	0
K9 ASSIST	0	0	0	0
HIT & RUN	4	2	3	6
VEHICLE INSPECTION	1	2	1	2
KID PROBLEM	1	3	1	4
LOUD NOISE	2	0	0	0
MESSAGE DELIVERY	0	0	0	1
UNWANTED PERSON	2	0	2	5
ASSIST OTHER JURISDICTION	21	14	18	24
OPEN DOOR/WINDOW	0	0	0	1
ORDINANCE VIOLATION	0	2	3	3
OPERATE WHILE INTOXICATED	2	0	1	7

MILTON POLICE DEPARTMENT

CALLS FOR SERVICE

OUT WITH SUBJECT	8	16	13	15
PARKING COMPLAINT	26	32	1	28
PROBATION/PAROLE VIO.	0	0	0	0
PHONE MESSAGE FOR OFFICER	7	15	10	18
OVERDOSE	0	0	1	0
PROPERTY	2	2	2	2
PUBLIC WORKS/UTILITY	1	2	2	0
ROBBERY	0	0	0	1
RUNAWAY	1	0	0	0
RUNOFF	4	0	1	0
SECURITY CHECKS	556	842	656	670
SEX OFFENSE	1	4	0	1
SHOTS FIRED	0	0	0	1
STATE OFFENSE	0	0	0	0
SPECIAL ASSIGNMENT	11	6	10	9
SPECIAL EVENT	0	0	0	0
STABBING	0	0	0	0
SPEED BOARD	0	0	0	0
STALLED VEHICLE	16	7	7	6
SUICIDE	0	1	0	0
SUSPICIOUS ACTIVITY/PERSON	15	11	15	18
TRAFFIC STOP	66	77	81	58
TRAFFIC ACCIDENT	3	6	8	6
ACCIDENT WITH INJURY	1	0	1	0
TRAFFIC COMPLAINT	7	9	7	15
THEFT	4	10	4	4
THREAT	0	0	0	0
TRESSPASSING	0	1	2	1
TRO/RESTRAINING VIOLATION	0	0	0	0
TRUANCY	17	4	2	3
UNKNOWN PROBLEM	0	1	1	0
VEHICLE UNLOCK	0	1	0	1
VANDALISM	1	1	14	10
WARRANT SERVICE	0	0	1	0
WEAPONS OFFENSE	0	0	0	0
WELFARE CHECK	14	1	8	5
WEATHER RELATED EMERGENCY	0	0	0	0
TOTAL CALLS FOR SERVICE	1076	1377	1190	1239

TRAINING

Mar 31 All Fulltime Officers completed Low Light Firearms Training

Mar 17 Police Department Staff attended an EAP refresher

COMMUNITY

Mar 29 The Milton Police Department assisted JVL PD with the Trump visit

MILTON POLICE DEPARTMENT

DATE: 03-18-2016

WILEAG:

POLICY NUMBER: Body Worn Cameras

SUBJECT: Body Worn Cameras

SPECIAL INSTRUCTIONS:

AUTHOR: Scott E. Marquardt, Chief of Police

LAST REVISION: New

REPEALS: N/A

REVIEW DATE: New

PAGE:

I. PURPOSE

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

II. POLICY

It is the policy of the Milton Police Department that all sworn officers on patrol will wear a department issued body worn camera at all times unless a camera is unavailable. All other officers (lieutenants, school resource officer, detective, etc.) are encouraged to use body worn cameras when conducting official police activity consistent with the requirements of this policy.

III. DISCUSSION

IV. DEFINITIONS

- A. Body Worn Camera (BWC): A portable audio and/or video recording device which can be worn on an officer's body.
- B. Mobile Audio/Video Recording Equipment: Portable, wireless, electronic devices designed for capturing audio and/or video recordings. This includes body worn cameras.

V. 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 police department policy and training.

- B. Prior to each shift, officers shall determine whether their recording equipment is working properly and shall report any problems to the Shift Supervisor as soon as practical.
- C. The BWC must be worn in the vertical orientation. The ideal position to attach the camera is level with the sternum but precise positioning will vary depending on the user. Officers have the discretion to place the camera on their body in a location that achieves the best quality video.
 - 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. Each patrol officer equipped with a BWC shall generally record all official police contacts they are directly participating in. If multiple patrol officers are directly involved in an official police contact, all officers generally shall record the contact. Supervisors who provide cover and back up with no direct involvement in the incident maintain the discretion whether or not to activate the BWC.
- E. Examples of BWC activation 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.
 - a. The Rock County Jail already maintains a camera surveillance system within their facility. Officers have the discretion to deactivate their BWC once inside the jail facility.
 - 3. All officer/subject contacts during an emergency detention (51.15) or detox (51.45) situation including approach, custody, statements, transportation and release to the treating facility.
 - a. Officers may consider ceasing recording while in hospitals and other medical facilities. While recording statements of the subject being placed in custody or being considered for detention is appropriate, the officer should be cognizant of the privacy needs of other patients and employees while inside a medical facility. Therefore, officers have the discretion to turn off the BWC in such a facility if the officer deems it to be appropriate.

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 with lights and sirens to any call.
- E. Continuous, non-stop recording during all official police business contacts or incidents of an enforcement nature is generally required.
- F. The BWC may be deactivated:
1. During non-enforcement activities such as:
 - a. Officer-to-officer conversations about items such as charging issues and other general conversations,
 - b. Fire assist calls that are exclusively medical and involve no enforcement actions,
 - c. Other routine non-citizen contact incidents, such as meeting with Public Works or other city employees.
 - d. While conducting mundane traffic duties when not in direct contact with a member of the public, such as waiting for a tow truck, conducting traffic control, protecting an accident scene, etc.
 2. When gathering information from a confidential informant (CI)
 - a. If a person, during a citizen contact or enforcement action, wants to give an officer confidential information, the initial recording shall be stopped. The officer shall then turn the camera back on to record the CI information. If the officer transitions back to the initial investigation, the recording shall be stopped and restarted again for purposes of recording the initial investigation or contact information.
 - b. The recording dealing with CI information shall be saved and stored separately as CI information.
 3. When working with a traumatized victim, such as during a sexual assault medical exam.

4. If an officer feels it is necessary to stop recording within the constraints of this policy, he or she is permitted to verbally indicate his or her intent to stop the recording before stopping the device, and upon reactivation, state that he or she has restarted the recording. This will help avoid accusations of editing the recording after the fact

- G. Officers shall document in all pertinent reports whenever recordings are made during an incident in question or if a recording was not made when required.

- H. Officers are encouraged to inform their supervisors of any recorded sequences that may be of value for training purposes.

- J. Officers shall not intentionally alter recordings in any way.

- K. 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.

- L. Use of BWCs or recording equipment is 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. If an accidental recording of this nature occurs, it may be deleted only by a Lieutenant or the Chief of Police.
 2. The use of BWCs for personal use is prohibited unless granted permission by the Chief of Police. 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.

- M. Recording Control and Management
 1. BWC recordings are stored using camera vendor's provided storage system. This system requires officers to title and categorize their video files.
 - a. Officers shall title (using agency file number) and categorize all videos in which they request a file number for.
 - b. Officers shall categorize all videos in accordance with the category and retention schedule at the end of this policy and incorporated into the software program.

- c. Officers must burn a DVD copy of all video evidence for the following incident types. The DVD shall be placed in the case file as a back-up copy and to provide video copies if needed.
 - 1) All cases forwarded to the Rock County District Attorney's Office.
 - 2) All juvenile referrals.
 - 3) All OWI arrests, including alcohol-related, drug-related, municipal arrests and criminal arrests.
 - 4) Video will also be burned onto disc upon request by a supervisor, the prosecuting attorney or pursuant to an open records request.

- 2. BWC recordings are subject to existing State of Wisconsin open records laws.
 - a. A reproduction fee for the duplication of recordings will be consistent with the current process and fees for providing copies of squad camera or other video-based public record.
 - b. Recordings may be duplicated for another criminal justice agency when requested or otherwise authorized by the Chief of Police or a lieutenant.
 - c. Recordings may be shown to Milton Police Department employees for training, quality assurance and evaluation purposes.
 - d. Recordings may be shown to other persons provided prior approval is obtained from the Chief or a lieutenant. Accessing, copying or releasing files for non-criminal justice purposes is prohibited.

- 3. BWC Video Categories and Retention Schedule:
 - a. Felonies: do not delete
 - b. Misdemeanors: 7 years
 - c. All OWIs: 7 years
 - d. Confidential Information: 7 years

- e. Traffic incidents other than OWI: 120 days
- f. Ordinance violations: 120 days
- g. Calls for service (including warrant apprehensions, officer initiated activity, and other recordings not adequately categorized in the above): 120 days
- h. Test (to include routine checks of the camera as well as training and practice videos): 90 days

BY ORDER OF THE CHIEF OF POLICE

