POLICY & PROCEDURE

RIO POLICE DEPARTMENT

SUBJECT: **MOBILE AUDIO/VIDEO RECORDING EQUIPMENT**

NUMBER: 9.02

ISSUED: 05/28/2026

EFFECTIVE: 06/11/2026

SCOPE: All Sworn Personnel

DISTRIBUTION: Policy & Procedures Manual

☐ RESCINDS

☐ AMENDS

REFERENCE: WI State Statute: 19.32(2), 165.87, 175.22

WILEAG 6TH EDITION STANDARDS: 6.1.9

PURPOSE: The purpose of this Policy & Procedure is to provide members of the Rio Police Department with guidelines for the use, management, storage, and retrieval of audio-visual media recorded by mobile audio/video systems.

This Policy & Procedure consists of the following numbered sections:

I. POLICY

II. DEFINITIONS

III. PRIVACY EXPECTATIONS AND PROHIBITED USE

IV. PROCEDURES

I. POLICY

A. It is the policy of the Rio Police Department to use mobile audio and video technology to more effectively fulfill the Department's mission and to ensure these systems are used securely and efficiently.

II. DEFINITIONS

A. ACTIVATE - Any process that causes the MAVR system, squad, or body-worn camera (BWC) system to transmit or store video or audio data in an active mode.

B. MOBILE AUDIO VIDEO RECORDER (MAVR): Refers to any system that captures audio and video signals capable of being worn, or installed in a vehicle, and that includes at minimum, a camera, microphone, and recorder.

Body Worn Camera (BWC) is a MAVR device.

C. MAVR TECHNICIAN - Personnel certified or trained in the operational use and repair of MAVRs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

D. RECORDED MEDIA - Audio-video signals recorded or digitally stored in the current MAVR storage software.

III. PRIVACY EXPECTATIONS AND PROHIBITED USE

A. All recordings made by members on any Department-issued device at any time, and any recording made while acting in an official capacity of this Department, regardless of ownership of the device on which it was made, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

B. Members are prohibited from using Department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

C. Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with Department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate Department business purposes. All such recordings shall be retained at the Department.

D. Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Commander. Any member who uses a personally owned recorder for Department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

E. No member of this Department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

IV. PROCEDURES

A. PROGRAM OBJECTIVES

The Department has adopted the use of MAVR's to accomplish the following objectives:

1. To enhance officer safety.

2. To accurately capture statements and events during the course of an incident.

3. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.

4. To provide an impartial measurement for self-critique and field evaluation during recruitment and new officer training.

5. To capture visual and audio information for use in current and future investigations.

B. OFFICER RESPONSIBILITIES

1. Prior to going into service, each officer will, if available, properly equip themselves to record audio and video in the field by logging onto the current system. At the end of the shift, each officer will follow the established procedures for providing the Department with any recordings and for labeling each video with an identification number (agency case number), title, and category. Only media identified and labeled with tracking numbers from the Rio Police Department is to be used.

2. If equipping the MVAR system and signing into the required systems would delay an officer's response to an emergency involving a risk of significant bodily harm, the officer may respond without the MVAR system. The officer must document in the subsequent report why the system was not equipped.

3. At the start of each shift, officers should ensure the MAVR system's operation is in accordance with Department operating procedures and training.

4. If the system is malfunctioning, the officer shall notify a supervisor verbally and contact the help desk.

    a) The supervisor shall determine if the unit shall be placed in service without an operating MAVR.

C. ACTIVATION OF THE MAVR

1. It is not necessary for officers to volunteer the fact that the enforcement contact is being recorded. However, if asked, officers shall advise persons whether the MAVRs are recording.

2. Officers are not required to cease or initiate recording based on the demand of a citizen, involved party, or suspect.

D. REQUIRED ACTIVATION OF THE MAVR

1. This policy is not intended to describe every possible situation in which the MAVR system may be used, although there are many situations where its use is appropriate. An officer may activate the system at any time the officer believes appropriate or valuable to document an incident.

   In some circumstances, it is not possible to capture images of the incident due to conditions of the camera's location. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAVR. The MAV system should be activated in any of the following situations:

   a) All field contacts involving actual or potential criminal conduct within video or audio range.

      1) Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance, and all crime interdiction stops).

      2) Priority responses.

      3) Vehicle pursuits.

      4) Suspicious vehicles

      5) Arrests

      6) Vehicle searches

      7) Physical or verbal confrontations

      8) Use of force

      9) OWI investigations, including field sobriety tests

      10) Prisoner transports.

      11) Crimes in progress.

      12) Responding to an in-progress call

   b) All self-initiated activity in which an officer would normally notify dispatch.

   c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:

      1) Domestic abuse calls

2) Disturbance of peace calls

3) Offenses involving violence or weapons

d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.

e) Any other circumstance where the officer believes that a recording of an incident would be appropriate.

E. CESSATION OF RECORDING

1. Once activated, the MAVR system should remain on until the incident has concluded. For purposes of this section, the conclusion of an incident has occurred when all arrests have been made, arrestees have been transported, and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, awaiting medical clearance, or in other similar situations.
2. Officers may utilize the MAVR system's "mute" function to temporarily cease audio recording but maintain visual recording when conducting a probable cause search of a vehicle, debriefing with other officers on scene, during private conversation with other emergency responders, for any situation in which the cessation of recording would also be appropriate, or in other similar circumstances. The officer shall immediately deactivate the "mute" function after the completion of any of the above situations.

F. WHEN ACTIVATION IS NOT REQUIRED

1. Activation of the MAVR system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service, or actively on patrol.

2. Officers using the digital transmitters that are individually synchronized to their individual MAVR shall activate both audio and video recordings when responding in a support capacity to obtain additional perspectives of the incident scene.

3. The MAVR system is not intended to replace or eliminate the need for traditional crime scene photography. Officers may use the MAVR system to supplement their documentation of a scene; however, they should still use their department-issued camera to fully document crime scenes.

4. Officers should review the recordings when preparing written reports of events to help ensure accuracy and consistency of accounts.

5. Except for police radios, officers shall ensure that the volume from other electronic devices within the police vehicle does not interfere with MAVR recordings.

6. Officers shall not erase, alter, reuse, modify, or tamper with MAVR recordings.

7. When the MAVR is activated to document an event, it should not be deactivated until the event has been concluded unless:

   a) The incident or event is of such duration that the MAVR may be deactivated to conserve recording times; and

   b) The officer does not reasonably believe that deactivation will result in the loss of critical documentary information; and

   c) The intention to stop the tape has been noted by the officer either verbally or in a written notation.

F. SUPERVISOR RESPONSIBILITIES

1. Supervisors should determine if vehicles with non-functioning MAVR systems should be placed into service.

2. At reasonable intervals, supervisors should validate that the operation of MAVR systems by new employees is assessed and reviewed. Supervisors should make sure that officers are labeling videos.

3. Supervisors should conduct periodic reviews of officers assigned media to periodically:

   a) Assess officer performance.

   b) Assure proper functioning of MAVR equipment.

   c) Determine if MAVR equipment is being operated properly.

   d) Identify recordings that may be appropriate for training.

G. REVIEW OF MAVR RECORDINGS

1. All recording media, recorded images, and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

2. To prevent damage to, or alteration of, the original recorded media; it shall not be copied, viewed, or otherwise inserted into any device not approved by the agency MAVR technician or forensic media staff.

3. Recordings may be reviewed in any of, but not limited to, the following situations:

   a) For use when preparing reports or statements.

b) By a supervisor investigating a specific act of officer conduct.

c) By a supervisor to assess officer performance.

d) To assess the proper functioning of MAVR systems.

e) By Department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation.

f) By Department personnel who request to review recordings.

g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment.

h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee.

i) By the media through a proper process or with permission of the Chief of Police or the authorized designee.

j) To assess possible training value.

k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, the objection will be submitted to staff to determine whether the training value outweighs the officer's objection.

l) In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

H. DOCUMENTING MAVR USE

1. MAVR recordings shall be noted on all incident reports when recording any of the following:

a) Arrests

b) Assaults

c) Physical or verbal confrontations, vehicle pursuits

d) Vehicle searches

e) OWI

f) Prisoner transports

I. RECORDING MEDIA STORAGE AND INTEGRITY

1. Once submitted for storage, all recording media will be retained for a minimum of 120 days and disposed of in compliance with the established records retention schedule.

2. Recordings are considered records as defined by Wisconsin Statute 19.32(2) pursuant to Policy & Procedure 10.05: Retention of Records.

3. For further guidance and additional information regarding recordings retention and release, refer to Wisconsin State Statute 165.87 (2) and (3) and Policy & Procedure 10.03: Open Records.

4. In addition, according to 165.87(1)(e), the Department or the municipality shall make this policy available to the public on their internet site.

J. MAVR RECORDINGS AS EVIDENCE

1. Officers who reasonably believe that a MAVR recording is likely to contain evidence relevant to a criminal offense, a potential claim against the officer or against the Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

K. SYSTEM OPERATIONAL STANDARDS

1. MAVR system vehicle installations should be based on officer safety requirements and vehicle and device manufacturer recommendations.

2. The MAVR system should be configured to minimally record for 30 seconds prior to an event.

3. The MAVR system may not be configured to record audio data occurring prior to activation.

4. Officers shall not erase, alter, reuse, modify, or tamper with MAVR recordings.

5. To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAVR technician.

L. MAVR TECHNICIAN RESPONSIBILITIES

1. The MAVR technician is responsible for:

a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.

b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAVR technician:

1) Ensures it is stored in a secure location with authorized controlled access.

2) Makes the appropriate entries in the chain of custody log.

c) Erasing of media:

1) Pursuant to a court order.

2) In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.

d) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.

M. TRAINING

1. All members who are authorized to use the MAVR systems shall successfully complete an approved course of instruction prior to its use.

Jeff Becker
Chief of Police

This Policy & Procedure cancels and supersedes all written directives relative to the subject matter contained herein.

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