GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Casey Gerber
Name of Individual Certifying this Document/Proposed Document

Director, Office of Juvenile Offender Review
Title

Casey Gerber
Signature

12/11/2019
Date Signed
SUBJECT: Electronic Monitoring Surveillance

Purpose
The purpose of this policy is to maintain safety for youth, staff, and the public when using electronic monitoring.

Policy
The Division of Juvenile Corrections shall maintain the safety of youth, staff, and the public by electronically monitoring and recording the activities and conversations of youth via video or audio devises.

References
Wisconsin Administrative Code DOC § 376.05– Surveillance of youth activities
Executive Directive 72 – Sexual Abuse and Sexual Harassment in Confinement (PREA)
DJC Policy 300.05.14 – Use of Body Cameras

Definitions, Acronym, and Forms
DJC – Division of Juvenile Corrections
DOC – Department of Corrections

Electronic Monitoring - The use of various methods of electronic surveillance to gather and retain information about the activities and locations of youth.
Recording - The electronic recording (video and/or audio) of a youth’s activities.
Surveillance - Close observation (including electronic monitoring and recording) of a group or individual under suspicion.

Procedure
I. Surveillance and/or monitoring of activities throughout the facility may be accomplished by electronic devices including audio and visual recordings.
II. Electronic monitoring may not be used for documenting room checks.
III. Notification of electronic monitoring shall be provided at the facility entrance and youth handbooks.

IV. Monitoring and/or surveillance of activities may occur anywhere subject to the following exclusions:
   A. Youth/attorney visits.
   B. Medical discussions where confidentiality is an issue.
   C. The facility shall develop procedures that enable youth to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks.

V. Recording interviews with youth may be conducted with approval by the Superintendent or designee through the use of video and/or audio equipment by approved staff.

VI. The Superintendent or designee shall assign staff to review surveillance recordings.

VII. The DJC Administrator or designee shall be notified if any alleged staff misconduct is suspected or observed during the course of an investigation involving electronic monitoring of youth.

VIII. Use of electronic recordings as evidence during a staff investigation of alleged misconduct requires the notification of the DJC Administrator.

IX. The planned use of electronic surveillance to monitor/record staff activities (in cases of alleged misconduct) is prohibited expect in rare cases. This requires the approval of the DJC Administrator and DOC Secretary’s Office.

X. The DJC Administrator shall notify the DOC Secretary’s Office if electronic surveillance or monitoring reveals staff misconduct.

XI. Data shall be kept in compliance with storage requirements and server capabilities. Data related to litigation may only be purged upon completion of litigation, and per the applicable records retention period.

cc: Office of the Secretary
    DJC Leadership Team
Division of Juvenile Corrections Facility/Region Implementation Procedure

<table>
<thead>
<tr>
<th>Facility/Region:</th>
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<tr>
<td>DJC Policy Number: 305.05.23</td>
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<tr>
<td>Subject:</td>
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<tr>
<td>New Effective Date: 12/12/2019</td>
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<td>Original Effective Date:</td>
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<td>Will Implement:</td>
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<td>☐ As Written</td>
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<td>☐ With following procedures for facility implementation</td>
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Superintendent’s/Regional Chief’s Approval:

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

I.  
   A.  
   B.  
      1.  
      2.  
         a.  
         b.  
         c.  
   3.  
   C.  

II.  

III.  

RESPONSIBILITY

I.  Staff  

II.  Youth  

III. Other