
Wisconsin Legislative Council

ACT MEMO



Prepared by: Amber Otis, Senior Staff Attorney

April 6, 2022

2021 Wisconsin Act 185
[2021 Assembly Bill 335]

Body Camera Grant Program

BACKGROUND

State law does not require law enforcement agencies to use body cameras. However, for those agencies that opt to use body cameras, state law imposes specific requirements related to their use, such as adopting written policies, training officers and employees, and retaining and providing access to data.

2021 WISCONSIN ACT 185

2021 Wisconsin Act 185 creates a grant program administered by the Department of Justice (DOJ) to award grants to law enforcement agencies¹ to enable the purchase of body cameras.

Application

A law enforcement agency applying for a grant must include: (1) a proposed plan of expenditure, including an estimated cost per body camera and the number of cameras needed; (2) a statement of intent to match the grant award and to maintain the equipment and adequate digital video storage for at least three years; and (3) an anticipated amount of time before the agency is able to equip with a body camera all officers who have primary duties involving traffic patrol, beat patrol, or responding to public calls. The act specifies that more than one law enforcement agency may jointly apply.

Grant Conditions

For at least three years from the date of a grant award, a grant recipient must do all of the following:

- Equip with a body camera all officers who have primary duties involving traffic patrol, beat patrol, or responding to calls from the public requiring assistance.
- Require an officer equipped with a body camera to activate the camera in situations in which the officer has an enforcement or investigation contact with a member of the public, including a traffic stop, arrest, search, interrogation or interview, or in any other situation in which the officer has contact with a member of the public that becomes adversarial after the initial contact.

Under the act, grant funds may be used only to cover the costs of body cameras, digital storage, and retrieval systems. Grant recipients must provide a 50-percent match and are authorized to use contributions, gifts, or other grants as part of the matching requirement. Grant funds may not supplant existing resources and may not be used to hire employees or pay salaries.

¹ For purposes of eligibility for the grant program, the act defines “law enforcement agency” to include an agency of a Wisconsin political subdivision, an agency of a federally recognized Indian tribe or band, and the Marquette University police department, but excludes any agency of the state.

DOJ Requirements

The act requires DOJ to attempt to award grants to all qualifying law enforcement agencies that apply. If funds are insufficient to make awards to all applicants, DOJ must consider fairness among different population areas and need based on crime rates.

As soon as possible after the act takes effect, DOJ and the Department of Administration must work together to develop options for reducing the cost of body camera data storage. In addition, within 90 days of the act's effective date, DOJ must consult with body camera vendors to find cost-saving measures that a law enforcement agency may use when estimating the cost of body cameras in a grant application or when acquiring body cameras using grant funds.

Finally, DOJ must request, in the 2021-23 fiscal biennium, that the Joint Committee on Finance (JCF) supplement an appropriation for DOJ that is created in any legislation enacted during the 2021-22 legislative session² with sufficient funds for DOJ to award grants under the program .

Effective date: March 19, 2022

AO:jal

² Section 70 of 2021 Wisconsin Act 58 (the 2021-23 biennial budget) created an appropriation for grant awards to law enforcement agencies for the purchase of body cameras. In its budget deliberations, JCF voted to provide \$ 2,000,000 for fiscal year 2021-22 in JCF's program supplemental appropriation to fund grants for body cameras.