

May 4, 2026

To: DCF/DMCPS Administrator
DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Group Home Providers
Tribal Social Service/Indian Child Welfare Directors
Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons



From: John Elliott
Division Administrator

Re: **2025 Wisconsin Act 184 – Video Surveillance and Recording**

PURPOSE

The memo provides guidance to group homes, shelter care facilities, and residential care centers for children and youth regarding the use of video surveillance and recording under Wis. Stat. § 48.672.

This guidance is intended to support implementation of the new law by clarifying expectations related to safety, privacy, and appropriate use of video surveillance and recording.

BACKGROUND

The department recognizes that video surveillance and recording may support safety and oversight in placement settings. Simultaneously, its use must be balanced with the privacy rights of children in care.

Wisconsin law now authorizes the use of video surveillance and recording in common areas, entrances, and exits without consent, and requires facilities to inform children and their legal representatives of the existence of surveillance and recording. Agencies must also adopt a policy for monitoring safety.

This memo outlines best practices to ensure consistent, appropriate, and lawful use of video technology unless and until an administrative rule is adopted.

INFORMATION SUMMARY

Allowable and Prohibited Locations

Allowable locations:

- Consistent with Wis. Stat. § 48.672(1), video surveillance and recording may be used in:
 - Common areas (e.g., living rooms, hallways, activity spaces).
 - Entrances and exits.

Prohibited locations:

- To protect privacy, facilities should not place cameras in:
 - Bedrooms.
 - Bathrooms.
 - Shower or changing areas.
 - Any space where the resident is receiving treatment or therapy. The department expects that video recording will not occur in any space while it is being used for treatment or therapy, even if the space is otherwise considered a common area.

Use of Surveillance

- Surveillance may not be used as a substitute for one-on-one monitoring of a child who is at high risk for self-harm.
- Surveillance should not be used to reduce staffing levels or replace required supervision.
- Use of surveillance should be consistent with the facility's safety monitoring policy.

Notice Requirements

- Facilities must inform:
 - The child, and
 - The child's parent, guardian, legal custodian, or Indian custodian.
- Facilities should provide notice through written materials and signage in monitored areas.
- Notice should include:
 - That video surveillance is in use.
 - The general location of cameras must be disclosed; however, specific or exact locations are not required to be disclosed.
 - The purpose of surveillance (e.g., safety and monitoring).

Confidentiality, Access, and Use of Recordings

- Video recordings are confidential and must be handled consistent with applicable confidentiality laws.
- The department may review any recording made under Wis. Stat. § 48.672.
- Facilities should implement safeguards to ensure:
 - Access is limited to authorized personnel.
 - Recordings are viewed only for legitimate purposes (e.g., incident review, safety concerns).
 - Access to recordings is documented.

Disclosure of Recordings

- When recordings are disclosed:
 - Disclosure must comply with applicable confidentiality laws and authorized exceptions.
 - When a recording is disclosed for a purpose specific to an individual child, the facility should take reasonable steps to protect the confidentiality of other children in care. This includes:
 - Blurring, masking, or otherwise obscuring the identities and voices of other children in the recording.
 - Limiting disclosure if redaction is not possible.

Data Retention and Storage

Facilities should adopt policies addressing:

- Retention periods for recordings.
- Secure storage of video data.
- Protection against unauthorized access or disclosure.

Safeguards should include:

- Secure systems with restricted access.
- Protection against hacking or unauthorized duplication.
- Appropriate destruction of recordings when no longer needed.

Facility Policy Requirements

All group homes, shelter care facilities, and residential care centers for children and youth shall adopt a policy for monitoring safety. This policy may include the use of video surveillance and recording in common areas, entrances, and exits.

The department expects that video surveillance and recording should be used in a way that balances safety with children's privacy.

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