

# INDEPENDENT AUDIT REPORT

Sheriff Brian Cruze  
Meeker County Sheriff's Office  
326 N. Ramsey Ave.  
Litchfield, MN 55355

Dear Sheriff Cruze:

An independent audit of the Meeker County Sheriff's Office Portable Recording System (body-worn cameras (BWCs)) was conducted of November 2, 2019. The objective of the audit was to verify Meeker County Sheriff's Office compliance with Minnesota Statutes §§13.825 and 626.8473.

Data elements the audit includes:

#### Minnesota Statute §13.825

- Data Classification
- Retention of Data
- Access by Data Subjects
- Inventory of Portable Recording System Technology
- Use of Agency-Issued Portable Recording Systems
- Authorization to Access Data
- Sharing Among Agencies

#### Minnesota Statute §626.8473

- Public Comment
- Body-worn Camera Policy

The Meeker County Sheriff's Office is located in Litchfield, Minnesota and employs twenty-seven (27) deputies. The Meeker County Sheriff's Office utilizes Axon body-worn cameras and utilizes Evidence.com cloud-based evidence management storage.

### **Audit Requirement: Data Classification**

*Determine that the data collected by BWCs are appropriately classified.*

Meeker County Sheriff's Office BWC data is presumptively private. A report produced from Evidence.com for all BWC data collected during the time period August 1, 2016, through October 31, 2019, was created. All data collected during the specified time period is classified as private or non-public data. There were no instances of data classified as public data. The Meeker County Sheriff's Office had no incidents of the discharge of a firearm by a peace officer, use of force that resulted in substantial bodily harm, requests from data subjects for the data to be made accessible to the public, or court orders directing the agency to release the BWC data to the public.

No discrepancies noted.

### **Audit Requirement: Retention of Data**

*Determine that the data collected by BWC's are appropriately retained and destroyed in accordance with statutes.*

The Meeker County Sheriff's Office utilizes the General Records Retention Schedule for Minnesota Counties and agency specified retention periods in Evidence.com. At the conclusion of a BWC recording, officers assign meta data, including an Evidence.com category, to the recording. Each Evidence.com category has an associated retention period. Upon reaching its retention date, evidence is systematically deleted. Deletion of the data is captured in the audit trail.

Randomly selected records from Evidence.com and the Evidence Created Report were reviewed, and the date and time the data was created was verified against the deletion date. Each of the records were deleted or maintained in accordance with the record retention. Randomly selected records were verified against audit trail reports, and each record was deleted or maintained in accordance with the record retention. Records selected were from the time period August 1, 2016, through October 31, 2019. The Meeker County Sheriff's Office has not received a request from a data subject to retain BWC data beyond the applicable retention period.

The Sheriff, Chief Deputy, and Sergeants monitor officer use to ensure BWC data is captured as required by policy and proper categorization to ensure data are appropriately retained and destroyed.

No discrepancies noted.

### **Audit Requirement: Access by Data Subjects**

*Determine that individuals who are the subject of collected data have access to the data, and if the data subject requests a copy of the data, other individuals who do not consent to its release must be redacted.*

BWC data is available and access may be requested in person and by submission of a data request form. During the time period August 1, 2016, through October 31, 2019, the Meeker County Sheriff's Office had no requests to view BWC data but did fulfill requests for copies of BWC video from data subjects. Data subjects other than the requestor were redacted. A copy of the redacted video is stored in Evidence.com along with the original copy. Release of data is documented in the case in the Record Management System, and a copy of the request form is maintained in the case file.

No discrepancies noted.

## **Audit Requirement: Inventory of Portable Recording System Technology**

*Determine the total number of recording devices owned and maintained by the agency; a daily record of the total number of recording devices actually deployed and used by officers, the policies and procedures for use of portable recording systems by required by section 626.8473; and the total amount of recorded audio and video collected by the portable recording system and maintained by the agency, the agency's retention schedule for the data, the agency's procedures for destruction of the data, and that the data are available to the public.*

Meeker County Sheriff's Office's BWC inventory consists of 21 (twenty-one) devices. An inventory search in Evidence.com, detailed the number of recording devices owned and maintained by the agency. The inventory included the device model, serial number, device name, and the officer assigned to the device.

A review of randomly selected dates from the patrol schedule were verified against the Evidence.com Evidence Created Report and confirmed that officers are wearing and activating their BWCs.

The Meeker County Sheriff's Office has established and enforces a BWC policy that governs the use of portable recording systems by peace officers while in the performance of their duties. Peace officers are trained on the use of portable recording systems as part of their field training.

The Evidence.com System Usage Dashboard and Evidence.com queries detail the total amount of BWC data created, stored/maintained, and deleted.

The Meeker County Sheriff's Office utilizes the General Records Retention Schedule for Minnesota Counties and agency specified retention periods in Evidence.com.

BWC data is fully deleted from Evidence.com upon reaching its scheduled deletion date. Meta data and audit trails are maintained in Evidence.com after deletion of BWC video and audio.

BWC data is available upon request, and access may be requested by submission of a data request form.

No discrepancies noted.

## **Audit Requirement: Use of Agency-Issued Portable Recording Systems**

*Determine if peace officers are only allowed to use portable recording systems issued and maintained by the officer's agency.*

The Meeker County Sheriff's Office BWC policy states that officers are prohibited from using personally owned recording devices while on duty without the express consent of the Sergeant. Use of non-agency issued devices is limited to one officer using Axon demo cameras for testing purposes. Data captured on demo cameras is stored in the agency's Evidence.com client and is the property of the Meeker County Sheriff's Office.

No discrepancies noted.

### **Audit Requirement: Authorization to Access Data**

*Determine if the agency complies with sections 13.05, Subd. 5, and 13.055 in the operation of portable recording systems and in maintaining portable recording system data.*

The Sheriff, Chief Deputy, and Sergeants review meta data assigned to BWC data to ensure accuracy.

User access to BWC data is managed by the assignment of roles and permissions in Evidence.com. Permissions are based on staff work assignments and are managed by the Sheriff, Chief Deputy, and Sergeants. Agency personnel are allowed to access BWC data for legitimate work-related purposes only. The agency's BWC Policy in conjunction with the Records Maintenance and Release Policy and/or the Protected Information Policy, govern access to and sharing of data. Meeker County Sheriff's Office personnel are prohibited from accessing or sharing BWC data except for legitimate law enforcement purposes.

When BWC data is deleted from Evidence.com, its contents cannot be determined. The Meeker County Sheriff's Office has had no breach of security. A BCA CJIS Security Audit was completed in October of 2017.

No discrepancies noted.

### **Audit Requirement: Sharing Among Agencies**

*Determine if nonpublic BWC data is shared with other law enforcement agencies, government entities, or federal agencies.*

The Meeker County Sheriff's Office's BWC policy, in conjunction with the Records Maintenance and Release Policy and/or Protected Information Policy, allows for the sharing of data for legitimate law enforcement purposes only. Sharing of data is completed by secure electronic sharing of data within Evidence.com or by creating a hard copy. Electronic sharing and downloading of BWC data is captured in the audit trail. Email requests for BWC data are documented in the case file in the Records Management System.

No discrepancies noted.

### **Audit Requirement: Biennial Audit**

*Determine if the agency maintains records showing the date and time the portable recording system data were collected, the applicable classification of the data, how the data are used, and whether data are destroyed as required.*

Evidence.com and the Evidence.com Evidence Created Report documents the date and time portable recording system data were collected and deleted per retention. All BWC data collected from the time period September 1, 2016, through October 31, 2019, is classified as private or non-public data. The Evidence.com audit trail and the Records Management System document how the data are used. The audit trail is maintained in Evidence.com after deletion of data. The Evidence.com audit trail documents each and every action taken from the creation of the

recording to its deletion, as well as access of the audit trail report once the BWC data has been deleted.

No discrepancies noted.

**Audit Requirement: Portable Recording System Vendor**

*Determine if portable recording system data stored in the cloud, is stored in accordance with security requirements of the United States Federal Bureau of Investigation Criminal Justice Information Services Division Security Policy 5.4 or its successor version.*

An Axon CJIS Compliance White paper outlines the specific security policies and practices for Evidence.com and how they are compliant with the CJIS Security Policy. Axon has signed the CJIS Security Addendum in all states and has performed statewide CJIS-related vendor requirements in Minnesota. Axon has incorporated the CJIS Security Addendum by reference into the Axon Master Services and Purchase Agreement. Axon maintains signed CJIS Security Addendum certification pages for Axon personnel. Authorized Axon personnel are required to complete Level 4 CJIS Security Training upon assignment and biennially thereafter.

No discrepancies noted.

**Audit Requirement: Public Comment**

*Determine if the law enforcement agency provided an opportunity for public comment before it purchased or implemented a portable recording system and if the governing body with jurisdiction over the budget of the law enforcement agency provided an opportunity for public comment at a regularly scheduled meeting.*

The Meeker County Sheriff's Office BWC system was purchased and implemented prior to the requirement of Minn. Statute § 626.8473, Subd. 2. A public hearing on BWC's was held by the County Board of Commissioners on January 3, 2017.

No discrepancies noted.

**Audit Requirement: Body-worn Camera Policy**

*Determine if a written policy governing the use of portable recording systems has been established and is enforced.*

The Meeker County Sheriff's Office has established and enforces a BWC policy. The policy was compared to the requirements of Minn. Stat. § 626.8473. The agency's policy includes all minimum requirements of Minn. Stat. § 626.8473, Subd. 3, with the exception of circumstances under which a data subject must be given notice of a recording. The BWC policy is not posted on the agency's website.

Discrepancies noted.

This report was prepared exclusively for the Meeker County Sheriff's Office by Lynn Lembcke Consulting. The findings in this report are impartial and based on information and documentation provided and examined.

Dated: February 16, 2020

Lynn Lembcke Consulting

A handwritten signature in blue ink that reads "Lynn Lembcke". The signature is written in a cursive style.

---

Lynn Lembcke