

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 on May 26, 2022. 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. This audit covers the time period November 1, 2019, through May 15, 2022.

Audit Requirement: Data Classification

Determine that the data collected by BWCs are appropriately classified.

Meeker County Sheriff's Office BWC data is presumptively private. The Meeker County Sheriff's Office had once instance of BWC data with a public data classification. Public data resulted from the discharge of a firearm by a police officer. All other data collected during the specified time period is classified as private or nonpublic data. There were no instances of 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.

A report produced from Evidence.com for all BWC data collected during the time period November 1, 2019, through May 15, 2022, was created. Randomly selected records from 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. The Meeker County Sheriff's Office has received no requests from data subject to retain BWC data beyond the applicable retention period.

The Sheriff, Chief Deputy, and Sergeants monitor proper categorization of BWC data 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 to data subjects and access may be requested in person and by submission of a data request form. During the time period November 1, 2019, through May 15, 2022, the Meeker County Sheriff's Office received both requests to view and requests for copies of BWC video from data subjects. Data subjects who had not consented to release of the data 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 notes of 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 53 (fifty-three) 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, device status, the officer assigned to the device, the firmware version, and date of last upload.

The Meeker County Sheriff's Office BWC policy governs the use of portable recording systems by peace officers while in the performance of their duties. The policy requires officers to ensure their BWC is in good working order and to report any malfunctions to his/her supervisor.

Randomly selected dates from the patrol schedule were verified against the Evidence.com Evidence Created Report and confirmed that BWC's are being deployed and officers are wearing and activating their BWCs. A review of the total number of BWC videos created per quarter and a comparison to calls for service shows a consistent collection of BWC data.

Peace officers are trained on the use of portable recording systems as part of their field training program.

The 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.

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 BWC data to ensure proper categorization and compliance with policy.

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 and Senior Administrative Coordinator.

Agency personnel are allowed to access BWC data for legitimate work-related purposes only. The agency's BWC, Records Maintenance and Release, and Protection Information policies 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 security breaches. A BCA CJIS Security Audit was completed in August of 2020.

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. Electronic sharing and downloading of BWC data is captured in the audit trail. Email requests for BWC data are documented in the Records Management System case file.

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. BWC data collected during the audit period contains both private or nonpublic data and public data classifications. The Evidence.com audit trail, the Sharing Audit Report, 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. Axon appears on the BCA Vendor Screening Program list of approved and screened vendors and is vetted in accordance with the security requirements of the United States Federal Bureau of Investigation Criminal Justice Information Services Division Security Policy.

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. The BWC policy is posted on the agency's website.

No 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: July 12, 2022

Lynn Lembcke Consulting

Lynn Lembcke

Lynn Lembcke