

INDEPENDENT AUDIT REPORT

Jon Mangseth
Chief of Police
St. Anthony Police Department
3301 Silver Lake Rd. NE
St. Anthony, MN 55418

Dear Chief Mangseth:

An independent audit of the St. Anthony Police Department's Portable Recording System (PRS) was conducted on November 13, 2020. The objective of the audit was to verify St. Anthony Police Department's 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
- Portable Recording System Policy

The St. Anthony Police Department is located in Hennepin and Ramsey Counties, Minnesota and employs twenty (20) peace officers. The St. Anthony Police Department utilizes Panasonic Arbitrator body-worn cameras and software and stores the PRS data on a local file server hosted by Metro-Inet. The audit covers the time period November 1, 2018, through October 31, 2020.

Audit Requirement: Data Classification

Determine that the data collected by PRSs are appropriately classified.

PRS data is presumptively private. All PRS data collected during the time period November 1, 2018, through October 31, 2020, is classified as private or non-public data. The St. Anthony Police Department had no instances 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 PRS data to the public.

No discrepancies noted.

Audit Requirement: Retention of Data

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

The St. Anthony Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods in the Arbitrator 360° Back-End Client software system. Either during, or at the conclusion of a PRS recording, an Arbitrator classification is assigned. Each Arbitrator classification has an associated retention period. Upon reaching the retention date, data is systematically deleted. All PRS data is maintained for at least 90 days.

Randomly selected records from a server log report and audit trails were reviewed and the date and time the data was created was verified against the deletion date. Each of the records were deleted in accordance with the record retention. Records selected were from the time period November 1, 2018, through October 31, 2020. PRS video, meta data, and audit trails are purged from the Arbitrator 360° Back-End Client upon reaching the specified retention period. The St. Anthony Police Department has not received a request from a data subject to retain PRS data beyond the applicable retention period.

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.

PRS data is available and access may be requested by submission of an St. Anthony Police Department Data Request Form. During the time period November 1, 2018, through October 31, 2020, the St. Anthony Police Department had received no requests to view PRS data from a data subject but did fulfill a request for a copy of PRS data from a data subject. Data subjects other than the requestor were redacted. A copy of the redacted video is maintained in the file room. Data requests are documented in the Records Management System dissemination log.

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.

St. Anthony Police Department's PRS inventory consists of twenty-four (24) devices. Police officers check out a device at the beginning of their shift entering their name, employee number and current date. An inventory of the total number of devices owned by the agency is maintained on a Microsoft Word document. A review of randomly selected dates from the patrol schedule were verified against the server log report and confirmed that PRSs are being deployed and used by officers. The total amount of data collected per quarter is consistent, and a comparison of calls for service and PRS data collected verifies PRS cameras are being activated.

The St. Anthony Police Department has established and enforces a PRS policy that governs the use of portable recording systems by peace officers while in the performance of their duties. The Department's PRS policy requires uniformed officers to equip themselves with a recorder and to report malfunctions to a supervisor.

Peace officers were initially trained on the use of PRS's during a Minnesota Peace Officer Standards and Training (POST) certified training course. New officers are trained as part of their field training program.

The server log report details the total amount of PRS data created, deleted, and stored/maintained. The St. Anthony Police Department utilizes the General Records Retention Schedule for Minnesota cities and agency specified retention in Arbitrator 360°.

PRS video is fully deleted from the Arbitrator 360° Back-End Client and local file server upon reaching the scheduled deletion date. Meta data and audit trail information associated to the deleted video is not maintained in the Arbitrator 360° Back-End Client. The server log report maintains deleted PRS meta data. PRS 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 St. Anthony Police Department's PRS policy states that Officers are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift

Supervisor/Officer in Charge. An officer who uses a personally recorder for department-related activities shall comply with the provisions of the policy.

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.

Supervisors conduct monthly reviews of PRS data and assess whether use is in accordance with policy. Results of the monthly reviews are summarized in a report to the Chief of Police.

User access to PRS data is managed by the assignment of group roles and permissions in Arbitrator 360° Back-End Client. Permissions are based on staff work assignments. Information Technology, under the direction of the Chief of Police or Captain is responsible for managing the assignment of user rights.

The agency's PRS policy governs access to, and sharing of, data. Personnel accessing PRS data document access in the Records Management System Case Notes. Access to PRS data is captured in the Arbitrator 360° Back-End Client audit trail.

When PRS video is deleted from Arbitrator 360° Back-End Client, its contents cannot be determined. The St. Anthony Police Department has had no security breaches.

No discrepancies noted.

Audit Requirement: Sharing Among Agencies

Determine if nonpublic PRS data shared with other law enforcement agencies, government entities, or federal agencies is in accordance with statute.

Law enforcement agencies, government entities, or federal agencies seeking access to PRS data submit a written request, which is maintained in the case file. Sharing of PRS data with other law enforcement agencies, government entities, or federal agencies is documented in the Records Management System dissemination log.

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.

The Arbitrator 360° Back-End Client and a database server log report document the date and time portable recording system data was collected. All PRS data for the audit period is classified as private or non-public data. The audit trail and the Records Management System case notes and dissemination log document how the data are used and shared. Active PRS data within the Arbitrator 360° Back-End Client includes a classification with an associated retention period and a scheduled deletion date.

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.

St. Anthony Police Department PRS data is stored on a file server hosted by Metro Inet. The server is stored in a secure location and access is password protected. A BCA security audit was last conducted in December of 2019.

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.

A Tri-City Body Camera Work Group, consisting of residents of St. Anthony, Falcon Heights, and Lauderdale, staff, and City Council liaisons, reviewed police policies and protocols, best practices and trends, and policy development and presented policy recommendations to the Chief of Police, City Manager and St. Anthony City Council for officer worn cameras. The St. Anthony Police Department solicited for public comment by Public Notice, and the Chief of Police accepted questions and comments by email. The St. Anthony City Council held a public hearing at their October 24, 2017, meeting.

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 St. Anthony Police Department's Policy Manual, which includes the PRS policy, is posted on the agency's website. The PRS 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.

No discrepancies noted.

This report was prepared exclusively for the City of St. Anthony and St. Anthony Police Department by Lynn Lembcke Consulting. The findings in this report are impartial and based on information and documentation provided and examined.

Dated: March 11, 2021

Lynn Lembcke Consulting



Lynn Lembcke