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# Corcoran Police Department 2023 Body-Worn Camera (BWC) Audit

## Executive Summary Report

Corcoran Police Department

April 18, 2023



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## **Background:**

Corcoran Police Department retained Minnesota Security Consortium to audit its agency's use of Body-Worn Camera (BWC, see Definitions Section below) program against the requirements of Minn. Stat. § 13.825 and Minn. Stat. § 626.8473. The Minnesota Security Consortium does not operate or have access to their BWC systems, therefore allowing it to audit the systems as an independent auditor. The Corcoran Police Department provided their administrative access to the WatchGuard/Motorola system during the audit to review audit criteria. Interviews and auditing of the WatchGuard/Motorola system was conducted with the Public Safety Administrative Manager with the assistance of Command Staff.

## **Definitions:**

For the purposes of this audit and report, the use of the term Body-Worn Camera (BWC) systems shall be the same as the State Statute definition of "Portable Recording Systems," as defined by Minn. Stat. § 13.825, Subd. 1 (b) as follows:

"portable recording system" means a device worn by a peace Officer that is capable of both video and audio recording of the Officer's activities and interactions with others or collecting digital multimedia evidence as part of an investigation

"portable recording system data" means audio or video data collected by a portable recording system.

"redact" means to blur video or distort audio so that the identity of the subject in a recording is obscured sufficiently to render the subject unidentifiable.

## **Audit Period and Scope:**

The Audit Period covered by this report covers the period 2/1/21 to 12/31/22.

Corcoran Police Department uses the on-premises WatchGuard/Motorola video system for its BWC program and share videos using the cloud-based Evidence Library. Although their WatchGuard/Motorola system records in both in-squad cameras as well as BWC videos, the scope of the audit focused only on BWC video data.

## **Required Public Hearing:**

Pursuant to Minn. Stat. § 626.8473, Subd. 2, Corcoran Police Department allowed for public comment regarding its new BWC Program. The draft policy was posted on the City's website on August 5, 2020 and a link was posted on the City's social media accounts on August 6, 2020, soliciting public comment.

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Community input was possible at the Corcoran City Council Meeting on August 13, 2020. Notice of the meeting was published in the Board Agenda ahead of time. Board Minutes of this meeting were provided to us and reviewed during the audit.

## **Policy**

Corcoran Police Department has a BWC Policy in place entitled, "Policy 432: Portable Audio/Video Recording Systems." Their Policy was reviewed to ensure that it contained the required elements as outlined in Minn. Stat. § 626.8473, Subd. 3.

[https://www.ci.corcoran.mn.us/public\\_services/police/policies](https://www.ci.corcoran.mn.us/public_services/police/policies)

Corcoran Police Department was compliant in this part of the statute.

## **Officer use of BWC Equipment**

Corcoran Police Department "Policy 432: Portable Audio/Video Recording Systems" requires that Officers wear their BWC equipment and activate it during specific instances.

Approximately 60 Random Samples of dispatch Calls for Service we compared to the WatchGuard/Motorola video library to determine if they had been recording videos during those calls in accordance with their policy. In virtually all cases, each Patrol Officers appeared to be using their BWC appropriately and activating recordings as outlined in the policy section entitled, "Policy 432: Portable Audio/Video Recording Systems."

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## **Data Classification and Retention**

The Corcoran Police Department treats BWC data as private unless it is permitted to be released in accordance with the provisions of Stat. § 13.825, Subd. 2.

At the time of the audit, no Court mandated BWC data disclosures had been made.

Corcoran Police Department set up its data classification and retention schedule for BWC videos in the administrative settings of the WatchGuard/Motorola console. BWC Data is currently retained for a minimum of 90 Days, as required by Minn. Stat. §13.825, Subd. 3 (a).

When the BWC Data involves the use of force, discharge of a firearm by an Officer, or when the event triggers a formal complaint against the peace Officer, the BWC Data is retained for a minimum of 1 year in accordance with Minn. Stat. §13.825, Subd. 3 (b). Complaint Retention period was set for 1-year (under the Warn/No-crime category), but they had not handled any formal complaints during the audit period.

In addition, all BWC footage related to discharge of a firearm by a peace Officer in the course of duty as defined by Minn. Stat. § 626.8473, Subd. 2 (1), was reviewed during the audit, due to the sensitive nature of these events. In all cases, the classification of the BWC Data would be set to "7-Years." There were no reported Discharge of Firearms call during this audit period.

In addition, on specific types of Calls for Service (CFS), The Corcoran Police Department Records Staff also reviews related BWC videos to ensure they all related video have the same classification. Any modifications to the Classification are auditable in the WatchGuard/Motorola audit trail. Sampled BWC data was examined for Modifications to Classification tags. In cases where the Records Department made a change in the Classification, it was done to make the Classification consistent to the remaining BWC videos related to the same case. The WatchGuard/Motorola audit trail indicated who and when the re-classification was made.

BWC Data was sampled and audited across the audit period, and more intensely in the periods of May and December 2022.

Corcoran Police Department was compliant with its Classification and Retention requirements based on Statute, Minn. Stat. § 626.8473, Subd. 2. And Subd. 3.

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## **Access by Data Subjects:**

Corcoran Police Department processes public BWC data requests via its online request system called, "Report Requests:"

[https://www.corcoranmn.gov/public\\_services/police/press\\_releases\\_records\\_and\\_complaint\\_recognition/report\\_requests](https://www.corcoranmn.gov/public_services/police/press_releases_records_and_complaint_recognition/report_requests)

Corcoran Police Department stated they redact BWC Data when released to Data Subjects. They stated they had only a few records requests were made during the audit period.

Corcoran Police Department was compliant with this aspect of the Statute.

## **Use of Agency-Issued BWC:**

Minn. Stat. § 13.825, Subd. 6 states that:

"While on duty, a peace officer may only use a portable recording system issued and maintained by the officer's agency in documenting the officer's activities."

Corcoran Police Department "Policy 432: Portable Audio/Video Recording Systems," section 423.8 states:

"Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Director of Public Safety," and

"Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements and should notify the on-duty supervisor of such use as soon as reasonably practicable."

Corcoran Police Department's policy requires personal devices to be maintained according to department policy, they believe they are compliant with this aspect of the Statute.

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## **Authorization to Access Data:**

The Corcoran Police Department allows its Officers to review non-public BWC data for legitimate, specified law enforcement purposes. Access is enforced using user accounts and roles/rights in the WatchGuard/Motorola system.

BWC Data was sampled and audited across the audit period, and more intensely in the periods of May 2022 and December 2022. Results of sampling the BWC Data and its related audit trail in the WatchGuard/Motorola system, showed that it was either not viewed at all, viewed by the Officer who recorded the data, or by a police supervisor/records technician.

All views and access were consistent with Corcoran Police Department "Policy 432: Portable Audio/Video Recording Systems" and Minn. Stat. § 13.825 Subd. 7, as authorized by the Chief of Police.

## **Sharing Among Agencies:**

Corcoran Police Department treats BWC as private and may only share BWC data with other agencies when permitted by Minn. Stat. § 13.825, Subd. 8 and Subd. 7.

The Corcoran Police Department processes BWC data requests by other agencies, such as county attorneys, they document this in their RMS case file.

Links to BWC video are generated in their Evidence Library control panel, and the access is then monitored and logged in the video's Audit Trail.

The request for BWC footage requires that they have a legitimate, specified law enforcement purpose, as required by Minn. Stat. § 13.825, Subd. 7.

The Corcoran Police Department was compliant with these aspects of the Statute.

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## **Biennial Audits:**

Corcoran Police Department has acknowledged that it intends to continue completing biennial audits of its BWC System, as required by Minn. Stat. § 13.825, Subd. 9. This was their first audit. Corcoran Police Department was compliant with these aspects of the Statute.

## **BWC System Vendors:**

At the time of the audit, the on-premises WatchGuard/Motorola server was the primary system for their BWC program. BWC videos were shared using the cloud-based Evidence Library.

Because Evidence Library is a cloud-based solution, it is subject to the requirements of Minn. Stat. § 13.825, Subd. 11 (b), which requires WatchGuard/Motorola to follow the requirements of the FBI's CJIS Policy 5.9.2 and subsequent versions. WatchGuard/Motorola has published a CJIS White paper outlining its responsibilities for CJIS compliancy, and it also stated that it has filed the appropriate CJIS Security Addendum with the State of Minnesota, which we verified with the BCA.

[https://WatchGuard/Motorola-2.cdn.prismic.io/WatchGuard/Motorola-2/ca313085-800d-42db-af82-2e96f49e0000\\_WatchGuard/Motorola+Cloud+Services+CJIS+5.9+Compliance+Guide.pdf](https://WatchGuard/Motorola-2.cdn.prismic.io/WatchGuard/Motorola-2/ca313085-800d-42db-af82-2e96f49e0000_WatchGuard/Motorola+Cloud+Services+CJIS+5.9+Compliance+Guide.pdf)

Corcoran Police Department was compliant with this aspect of the Statute.

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## **Conclusion:**

Based on the results of the Corcoran Police Department BWC Audit conducted by Minnesota Security Consortium, we can demonstrate that they are using the WatchGuard/Motorola BWC System in accordance with the requirements of Minn. Stat. § 13.825 and Minn. Stat. § 626.8473.

This Audit was conducted and attested to by:



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Dimitrios Hilton

Senior Auditor, Minnesota Security Consortium

Submitted to:

- Corcoran Chief of Police
- Corcoran City Council
- Legislative Commission on Data Practices and Personal Data Privacy
- Required Legislative members as specified by Statute