

INDEPENDENT AUDIT REPORT

Sheriff Brad Wise
Anoka County Sheriff's Office
13301 Hanson Blvd. NW
Andover, MN 55304

Dear Sheriff Wise:

An independent audit of the Anoka County Sheriff's Office Portable Recording System (body-worn cameras (BWCs)) was conducted on March 24, 2023. The objective of the audit was to verify Anoka 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 Anoka County Sheriff's Office is authorized for one hundred fifty (150) peace officers. The Anoka County Sheriff's Office utilizes Axon body-worn cameras and Evidence.com cloud-based evidence management storage. The audit covers the time period February 16, 2021, through March 15, 2023.

Audit Requirement: Data Classification

Determine if the data collected by BWCs are appropriately classified.

Anoka County Sheriff's Office BWC data is presumptively private. Anoka County Sheriff's Office had both public and private non-public BWC data. Public data resulted from the discharge of a firearm by a peace officer. The Anoka County Sheriff's Office had no incidents 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 if the data collected by BWC's are appropriately retained and destroyed in accordance with statutes.

The Anoka County Sheriff's Office utilizes the Anoka County Records Retention Schedule 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.

An Evidence Created report produced from Evidence.com for all BWC data collected during the audit period 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 the record retention. All records were maintained for at least the minimum ninety (90) days required by statute.

The Anoka County Sheriff's Office had received no requests from data subjects to retain BWC data beyond the applicable retention period.

The Anoka County Sheriff's Office Technical Analyst monitors BWC data for proper categorization to ensure BWC data are appropriately retained and destroyed.

No discrepancies noted.

Audit Requirement: Access by Data Subjects

Determine if 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 by submission of an Anoka County Sheriff's Office Data Request Form. During the audit period, the Anoka County Sheriff's Office had received no requests to view BWC data but did fulfill requests for copies of BWC video from data subjects. Data subjects who had not consented to the release of the BWC data were redacted. A copy of the redacted video is stored in Evidence.com along with the original copy. The request is documented in an Access data base.

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.

Anoka County Sheriff's Office BWC inventory consists of one hundred thirty (130) devices. An inventory report produced from Evidence.com detailed the number of recording devices owned and maintained by the agency. The inventory included the device model, serial number, device name, officer assigned to the device, date of last upload, device home, device status, error status, firmware version and warrant date.

The Anoka 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 be equipped with a BWC and to ensure the device is in good working order. If the device is not in working order, or if an officer becomes aware of a malfunction at any time, they are required to report the failure to their supervisor and obtain a functioning device as soon as reasonably practicable.

Peace officers were trained by Axon-trained trainers during implementation of the BWC program. Newly hired officers are trained as part of their field training program.

Officers working on randomly selected dates, and calls for service for randomly selected dates, were verified against the Evidence Created Report and confirmed that BWCs 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 of BWC videos created to calls for service, shows a consistent collection of BWC data.

Evidence.com queries and the Evidence Created Report detail the total amount of BWC data created, stored/maintained, and deleted.

The Anoka County Sheriff's Office utilizes the Anoka County Record Retention Schedule 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 an Anoka County Sheriff's Office 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 Anoka County Sheriff's Office BWC policy states that members are prohibited from using personally owned recording devices while on duty without the express consent of the Shift 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 Technical Analyst monitors meta data assigned to BWC data to ensure accuracy and conducts monthly reviews of video view counts. Results of the reviews are submitted to commanders.

Nonpublic BWC data is only available to persons whose work assignment reasonably requires access to the data. User access is managed by the assignment of roles and permissions in Evidence.com. Permissions are based on staff work assignments. Roles and Permissions are administered by the Technical Analyst. Access to Evidence.com is password protected and requires dual authentication.

The agency's BWC and Records Maintenance and Release policies govern access to and sharing of BWC data. Agency personnel may access BWC data pursuant to lawful process and in compliance with the Minnesota Data Practices Act. User access to data is captured in the audit trail.

When BWC data is deleted from Evidence.com, its contents cannot be determined. The Anoka County Sheriff's Office has had no security breaches. A BCA CJIS Security audit was conducted in November of 2019.

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 Anoka County Sheriff's Office BWC and Records Maintenance and Release policies govern sharing of data. Agencies seeking access to BWC data submit a written request. Secure electronic sharing of data within Evidence.com is captured in the audit trail. The Evidence.com Sharing Audit Report and an Access data base provide documentation of shared data.

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 Created Report document the date and time portable recording system data were collected and deleted. The Anoka County Sheriff's Office maintains both

public and private non-public BWC data. An Access data base, the Evidence.com Sharing Audit Report, and the audit trail document how the data are used. The audit trail is maintained in Evidence.com after deletion of video. The Evidence.com audit trail documents each and every action taken from the creation of the recording to its deletion, as well as access to the audit trail after BWC 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 Anoka County Sheriff's Office solicited for public comment on their Facebook account. The Anoka County Board of Commissioners solicited for public comment at their March 27, 2018, meeting. The BWC system was implemented May 28, 2018.

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 Anoka 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 of the

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 Anoka 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: May 15, 2023

Lynn Lembcke Consulting

Lynn Lembcke

Lynn Lembcke