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Minnetrista Public Safety Department 2023 Body-Worn Camera (BWC) Audit

Executive Summary Report

Minnetrista Public Safety Department

August 9, 2023



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Background:

The Minnetrista Public Safety Department retained the 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 Minnetrista Public Safety 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 Lieutenant Squires of the Minnetrista Public Safety Department.

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 1/1/22 to 7/31/23.

Minnetrista Public Safety Department uses the on-premises WatchGuard/Motorola video system for its BWC program. 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.

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Required Public Hearing:

Pursuant to Minn. Stat. § 626.8473, Subd. 2, Minnetrista Public Safety Department allowed for public comment regarding its new BWC Program.

Community input was possible at the Minnetrista City Council Meeting on April 5, 2021. 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

Minnetrista Public Safety Department has a BWC Policy in place entitled, “General Order # 526: Body Worn Cameras.” Their Policy was reviewed to ensure that it contained the required elements as outlined in Minn. Stat. § 626.8473, Subd. 3.

<https://www.cityofminnetrista.com/media/Police-Emergency%20Mngt/526%20-%20BODY%20WORN%20CAMERAS.pdf>

Minnetrista Public Safety Department was compliant with this part of the statute.

Officer use of BWC Equipment

Minnetrista Public Safety Department “General Order # 526: Body Worn Cameras” requires that Officers wear their BWC equipment and activate it during specific instances.

Approximately 30 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, “General Order # 526: Body Worn Cameras.”

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Data Classification and Retention

The Minnetrista Public Safety 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.

Minnetrista Public Safety 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). There were no incidents of this type 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. There were no reported Discharge of Firearms call during this audit period.

BWC Data was sampled and audited across the audit period, and more intensely in the periods of May and July 2023.

Minnetrista Public Safety 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:

Minnetrasta Public Safety Department processes public BWC data requests via its online request system called, "Request for Report:"

<https://www.cityofminnetrista.com/media/Police-Emergency%20Mngt/Request%20for%20Police%20Report.pdf>

Minnetrasta Public Safety Department stated they do redact BWC Data when released to Data Subjects. They stated they had no requests made during the audit period.

Minnetrasta Public Safety 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."

Minnetrasta Public Safety Department "General Order # 526: Body Worn Cameras," section, Use and Documentation, sub-section A, states:

"Officers may use department issued BWC only in the performance of official duties or when otherwise performing authorized law enforcement services as an employee of the Minnetrista Public Safety Department."

Minnetrasta Public Safety Department appears to be compliant with this aspect of the Statute.

Authorization to Access Data:

The Minnetrista Public Safety 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 and July 2023. 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.

All views and access were consistent with Minnetrista Public Safety Department "General Order # 526: Body Worn Cameras" and Minn. Stat. § 13.825 Subd. 7, as authorized by the Chief of Police.

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Sharing Among Agencies:

Minnetrissa Public Safety 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 Minnetrista Public Safety Department processes BWC data requests by other agencies, such as county attorneys and other police departments. Records staff get approval by a Commander, and 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 Minnetrista Public Safety Department was compliant with these aspects of the Statute.

Biennial Audits:

Minnetrissa Public Safety 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.

Minnetrissa Public Safety Department was compliant with these aspects of the Statute.

BWC System Vendors:

At the time of the audit, WatchGuard/Motorola was the primary vendor and system for their BWC program. BWC videos were recorded, classified, and stored in WatchGuard/Motorola located on-premises.

Minnetrissa Public Safety Department was compliant with this aspect of the Statute.

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Conclusion:

Based on the results of the Minnetrista Public Safety 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:



Dimitrios Hilton

Senior Auditor, Minnesota Security Consortium

Submitted to:

- Minnetrista Director of Public Safety
- Minnetrista City Council
- Legislative Commission on Data Practices and Personal Data Privacy
- Required Legislative members, as specified by Statute
- MN Legislative Library