



# INDEPENDENT AUDITOR'S REPORT

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Aitkin Police Department



DECEMBER 11TH, 2023

## **Audit Overview and Recommendations**

Dear Aitkin City Council and Chief Ryan:

We have audited the body-worn camera (BWC) program of the Aitkin Police Department (APD) for the two-year period ended 8/31/2023. Minnesota Statute §13.825 mandates that any law enforcement agency operating a portable recording system (PRS)<sup>1</sup> program obtain an independent, biennial audit of its program. This program and its associated data are the responsibility of the Aitkin Police Department. Our responsibility is to express an opinion on the operations of this program based on our audit.

On September 25, 2023, Rampart Audit LLC (Rampart) met with Amy Dotzler, the APD Secretary and Records Technician, who provided information about APD's BWC program policies, procedures and operations. As part of the audit, Rampart reviewed those policies, procedures and operations for compliance with Minnesota Statute §626.8473, which sets forth the requirements for creating and implementing a BWC program, and Minnesota Statute §13.825, which governs the operation of BWC programs. In addition, Rampart also conducted a sampling of BWC data to verify APD's recordkeeping.

The purpose of this report is to provide an overview of this audit, and to provide recommendations to improve the APD BWC program and enhance compliance with statutory requirements.

### **APD BWC Program Implementation and Authorization**

Effective August 1, 2016, Minnesota Statute §626.8473 Subd. 2 requires that:

A local law enforcement agency must provide an opportunity for public comment before it purchases or implements a portable recording system. At a minimum, the agency must accept public comments submitted electronically or by mail, and the governing body with jurisdiction over the budget of the law enforcement agency must provide an opportunity for public comment at a regularly-scheduled meeting.

Rampart previously audited APD's BWC program in September of 2021. At that time, Technician Dotzler furnished Rampart a copy of the February 20, 2018, Aitkin City Council meeting minutes documenting that the public notice and comment requirements had been met prior to the implementation of APD's BWC program. Body-worn cameras were then deployed beginning on 9/01/2019.

Copies of these documents have been retained in Rampart's audit files. In our opinion, Aitkin Police Department met the public notice and comment requirements prior to the implementation of their BWC program.

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<sup>1</sup> It should be noted that Minnesota statute uses the broader term "portable recording system" (PRS), which includes body-worn cameras. Because body-worn cameras are the only type of portable recording system employed by APD, these terms may be used interchangeably in this report.

In addition, §626.8473 Subd. 3(a) requires that the law enforcement agency establish and enforce a written policy governing the use of its portable recording system, and states “[t]he written policy must be posted on the agency’s Web site, if the agency has a Web site.”

Technician Dotzler also furnished Rampart a copy of APD’s written BWC policy, as well as a link to APD’s BWC, which was posted on the City of Aitkin’s website. The Rampart auditor verified that this was a working link at the time of our audit. In our opinion, Aitkin Police Department is compliant with the requirements of §626.8473 Subd. 3(a).

### **APD BWC WRITTEN POLICY**

As part of this audit, we reviewed APD’s BWC policy, a copy of which is attached to this report as Appendix A. We note that Aitkin Police Department has adopted a new BWC policy since our previous audit.

Minnesota Statute §626.8473 Subd. 3(b) requires a written BWC policy to incorporate the following, at a minimum:

1. The requirements of section 13.825 and other data classifications, access procedures, retention policies, and data safeguards that, at a minimum, meet the requirements of chapter 13 and other applicable law;
2. Procedures for testing the portable recording system to ensure adequate functioning;
3. Procedures to address a system malfunction or failure, including requirements for documentation by the officer using the system at the time of a malfunction or failure;
4. Circumstances where recording is mandatory, prohibited, or at the discretion of the officer using the system;
5. Circumstances under which a data subject must be given notice of a recording;
6. Circumstances under which a recording may be ended while an investigation, response, or incident is ongoing;
7. Procedures for the secure storage of portable recording system data and the creation of backup copies of the data; and
8. Procedures to ensure compliance and address violations of the policy, which must include, at a minimum, supervisory or internal audits and reviews, and the employee discipline standards for unauthorized access to data contained in section 13.09.

Due to their complexity and interrelatedness, clauses 1 and 7 are discussed separately below. Clause 8 is also discussed separately.

In our opinion, the APD BWC policy is compliant with respect to clauses 2 – 6.

### **APD BWC Data Retention**

The BWC policy in place during our previous audit stated that Aitkin Police Department follows the General Records Retention Schedule for Minnesota Cities (GRRSMC) with respect to BWC data classified as evidentiary in nature. That policy defined this to include “information [that] may be useful as proof in

a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer.” A review of the relevant sections of the current GRRSMC schedule indicates that the stated retention guidelines appear to meet or exceed the requirements specified for each category of BWC data enumerated in §13.825 Subd. 3(b) and (d). The previous policy specified a 90-day retention period for all other BWC data, as required in §13.825 Subd. 3(a).

The current policy states simply that “[a]ll recordings shall be retained for a period consistent with the requirements of the organization’s records retention schedule but in no event for a period less than 180 days.” APD did not provide a records retention schedule and we were unable to locate one on APD’s website; however Technician Dotzler advised us that APD still follows the GRRSMC as their BWC data retention schedule.

§626.8473 Subd. 3(b)(1) states that a written policy must incorporate “the requirements of section 13.825 and other data classifications, access procedures, *retention policies* [italics added], and data security safeguards that, at a minimum, meet the requirements of Chapter 13 and other applicable law...” We recommend that APD revise their BWC policy to include the specific retention requirements outlined in §13.825 Subd. 3. Alternatively, we recommend that APD revise their BWC policy to identify the GRRSMC as their retention schedule, thereby incorporating it by reference, and add a clearly-labeled link to the GRRSMC to their website.

APD employs Axon Body 3 body-worn cameras and manages BWC data retention automatically through the Evidence.com cloud-based service. BWC data retention is determined by the data classification assigned to each video at the time of upload.

APD’s BWC policy requires that each officer transfer data from his or her body-worn camera to evidence.com via a dedicated docking station by the end of each shift, and also requires that the officer assign the appropriate label or labels to each file to identify the classification of the data and, consequently, its retention period.

In our opinion, APD’s written BWC policy is compliant with respect to the applicable data retention requirements, except for the provision of §626.8473 Subd. 3(b)(1) requiring that the policy incorporate the agency’s BWC data retention policies.

### **APD BWC Data Destruction**

As discussed above, APD utilizes Axon’s Evidence.com for storage, with retention periods determined based on the classification assigned to BWC data. Axon certifies that its Cloud Service is compliant with the Federal Bureau of Investigation’s current Criminal Justice Information System Security Division Policy as required by Minnesota Statute §13.825 Subd. 11(b). Data destruction is achieved through automated deletion and overwriting, with storage devices sanitized (overwritten three or more times or degaussed) or physically destroyed upon being removed from service.

In our opinion, APD’s written BWC policy is compliant with respect to the applicable data destruction requirements.

### **APD BWC Data Access**

Any requests for access to BWC data by data subjects would be facilitated by Chief Ryan in accordance with the provisions of §13.825 Subd. 4(b). Requests from prosecutors or other law enforcement agencies may also be approved by Assistant Chief Brown or Technician Dotzler.

According to APD policy, BWC data is shared with other law enforcement agencies “as provided by law.” During the audit, Technician Dotzler advised us that APD requires a data request before furnishing BWC data to other law enforcement agencies, and indicated that email is the preferred method for such requests. Technician Dotzler also advised us that APD’s partner agencies understand and follow the requirements of Minn. Stat. §13.

We recommend that APD obtain a written acknowledgment from each law enforcement agency requesting BWC data of its responsibilities under §13.825 Subd. 8(b) with respect to data classification, destruction and security requirements. Such an acknowledgement could be added to a standard data request form to be submitted by the requesting agency.

In our opinion, APD’s written BWC policy is compliant with respect to the applicable data access requirements.

### **APD BWC Data Classification**

APD BWC Policy §9 Subd. 2 states that “[a]ll recordings shall be considered private data or nonpublic and unless otherwise defined under Statute 13.825 subdivision 2.”

This section of the APD BWC policy both mirrors the language of §13.825 Subd. 2 and incorporates the statute by reference. In our opinion, this policy is compliant with respect to the applicable data classification requirements.

### **APD BWC Internal Compliance Verification**

The APD BWC policy Review of Recorded Media section states that “[r]ecorded files may also be reviewed... by a supervisor as part of internal audits and reviews as required by Minn. Stat. §626.8473.”

Technician Dotzler advised us that both Chief Ryan and Deputy Chief Brown conduct internal audits multiple times per month. The audited data include information about the times and dates of video access by officers. In addition, BWC videos are used in performance reviews.

We recommend APD add language to their policy to specify a frequency for such reviews, such as monthly or quarterly.

The APD BWC policy Accountability section states that “[a]ny member who accesses or releases recordings without authorization may be subject to discipline (see the Standards of Conduct and the Protected Information policies)...”

We recommend adding language to clarify that unauthorized access to data can also result in criminal penalties.

In our opinion, APD's BWC policy is substantially compliant with the compliance and disciplinary requirements specified in §626.8473 Subd. 8.

### **APD BWC Program and Inventory**

APD currently possesses seven (7) Axon3 body-worn cameras.

The APD BWC policy identifies those circumstances in which deputies are expected to activate their body-worn cameras, as well as circumstances in which they are prohibited from activating their body-worn cameras. The policy also provides guidance for those circumstances in which BWC activation is deemed discretionary.

Technician Dotzler advised us that she is able to determine through their system not only the number of BWCs deployed at any given time, but identify the officers deploying those devices. This information can also be determined after the fact by reviewing the schedule and/or payroll data.

The Prohibited Use of Audio/Video Recorders section of APD's BWC policy states in part: "Officers are prohibited from using personally owned recording devices while on duty *without the express consent of the Command Staff* [italics added]." In our opinion, this language is substantially non-compliant with Minn. Stat. §13.825 Subd. 6, which states: "While on duty, a peace officer *may only use a portable recording system issued and maintained by the officer's agency* [italics added] in documenting the officer's activities."

Technician Dotzler has advised us that officers use their MDTs as backup in the event of a BWC failure, and that no personal devices would ever be authorized.

We strongly recommend removing the words "without the express consent of Command Staff," leaving in place a categorical prohibition on the use of personally owned recording devices. We also recommend removing a reference in the preceding paragraph to data created with personally owned recorders.

We further recommend adding language prohibiting access to BWC data except for legitimate law enforcement or data administration purposes.

As of 9/25/2023, APD maintained 6,434 files of BWC data.

### **APD BWC Physical, Technological and Procedural Safeguards**

APD BWC data are initially recorded to a hard drive in each officer's BWC. Those files are then transferred through a manual process to the evidence.com cloud-based server.

Officers have view-only access to their own data for report writing, trial preparation, data administration, investigatory purposes and other legitimate law enforcement purposes. Officers are required to document the reasons for accessing BWC data each time they do so.

As noted above, requests by other law enforcement agencies for APD BWC data must be approved by Chief Ryan, Assistant Chief Brown or Technician Dotzler. This data is furnished to the requesting agency

via an expiring email link. A similar method is employed to submit APD BWC data to the Aitkin County Attorney's Office.

### **Enhanced Surveillance Technology**

APD currently employs BWCs with only standard audio/video recording capabilities. They have no plans at this time to add enhanced BWC surveillance capabilities, such as thermal or night vision, or to otherwise expand the type or scope of their BWC technology.

If APD should obtain such enhanced technology in the future, Minnesota Statute §13.825 Subd. 10 requires notice to the Minnesota Bureau of Criminal Apprehension within 10 days. This notice must include a description of the technology and its surveillance capability and intended uses.

### **Data Sampling**

Rampart selected a random sample of 132 calls for service (CFS) from which to review any available BWC recordings. It should be noted that not every call will result in an officer activating his or her BWC. For example, an officer who responds to a driving complaint but is unable to locate the suspect vehicle would be unlikely to activate his or her BWC. It should also be noted that because the audit covers a period of two years, while most BWC data is only required to be retained for 90 days, there is a significant likelihood that the sample population will include ICRs for which BWC data was created, but which has since been deleted due to the expiration of the retention period. The auditor reviewed the retained BWC videos to verify that this data was accurately documented in APD records.

### **Auditor's Note**

Minnesota Statutes §13.825 and §626.8473 were revised during the 2022-23 legislative session, with updates posted to the Revisor website after the completion of our audit fieldwork but prior to the issuance of this report. Aitkin PD's policy was compliant with the statute as posted on the revisor site at the time of our audit.

In reviewing these updates, we noted new requirements that are not addressed in Aitkin PD's current BWC policy in the following areas:

- Retention, access and public release of BWC data documenting deadly force incidents.
- Specifications regarding where a BWC is to be worn.
- Specific policy language prohibiting alteration, erasure or destruction of BWC data prior to the expiration of the applicable retention period.
- A requirement that the BWC policy mandate that an officer issued a BWC wear and operate it in compliance with his or her agency's policy while performing law enforcement activities under the command and control of another chief law enforcement officer or federal law enforcement official.

While not included in the scope of this audit, we encourage Aitkin Police Department to review these new requirements and revise their BWC policy accordingly.

**Audit Conclusions**

In our opinion, the Aitkin Police Department's Body-Worn Camera Program is substantially compliant with Minnesota Statutes §13.825 and §626.8473, with the following exceptions:

1. Although Aitkin Police Department's written BWC policy references the agency's data retention policy, it does not identify that policy or incorporate the specific retention requirements of §13.825 Subd. 3 in the text of its BWC policy.
2. Aitkin Police Department's written BWC policy contains language permitting the use of personally-owned recording devices contrary to the explicit prohibition on the use of such devices contained in §13.825 Subd. 6.

In addition, we recommend that APD obtain a written acknowledgment from each law enforcement agency requesting BWC data of its responsibilities under §13.825 Subd. 8(b) with respect to data classification, destruction and security requirements.



Daniel E. Gazelka

Rampart Audit LLC

12/11/2023



## APPENDIX A:

Updated 7/2/2019 526 Police Body Worn Cameras I. POLICY The Aitkin Police Department may equip Aitkin Police officers with access to Body Worn Cameras. Use of these electronic audio-video recording devices is intended to enhance the department's ability to accurately document and collect matters for evidentiary purposes combined with the accurate documentation of interaction between police officers and the public. II. PURPOSE The purpose of this policy is to provide Aitkin Police Department staff guidelines for the use, management, access, storage, and retrieval of Police Body Worn Cameras and the media recorded related to their use. III. DEFINITIONS A. Body Worn Camera (BWC) – will refer to a mobile electronic video recording device issued for use by the Aitkin Police Department to Aitkin Police Officers, to be worn by officers during the performance of their official duties. B. Official duties – for purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this agency. C. Activate – any process that causes the BWC to record, transmit or store audio-visual signals. Record and activate are synonymous for the purpose of this policy. D. MGDPA – the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13. E. BWC Administrator – typically the Assistant Chief or Police Chief, or designee who assigns, tracks, and maintains the BWC equipment, oversees needed repairs to or replacement of equipment through vendors, authorizes user rights and access, and is the liaison with the BWC and systems vendor(s). F. Officer – means any licensed police officer issued a BWC by the department, working a uniformed assignment. G. Recorded Media – audio and/or video signals recorded by the BWC digitally stored on the BWC device and/or storage system. H. Law Enforcement-Related Information – means information captured or available for capture by use of a BWC that has evidentiary value because it documents events with respect to a stop, arrest, search, citation, or charging decision. III. DEFINITIONS (cont.) I. Evidentiary Value – means that the information may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an Updated 7/2/2019 actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer. J. Unintentionally recorded footage – is a video recording that results from an officer's inadvertence or neglect in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary or administrative value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms, restrooms, or recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded. IV. BWC OPERATIONAL OBJECTIVES A. To enhance officer safety. B. To document statements and events during the course of an incident. C. To enhance the officer's ability to document and review statements and actions for both internal reporting and courtroom preparation/presentation. D. To preserve visual and audio information for use in current and future investigations. E. To provide a tool for self-critique and field evaluation during officer training. F. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of audio-video recordings. G. To assist with the training and evaluation of officers. V. SYSTEM OPERATIONS & OVERSIGHT A. The Chief of Police and/or the authorized designee will be responsible for (MN SS 626.8473 & MN SS 13.825) for the following: 1. Establishing procedures for the security, storage and maintenance of data and recordings. 2. Establishing procedures for accessing data and recordings. 3. Establishing procedures for logging or auditing access. 4. Establishing procedures for transferring, downloading, flagging, or marking recordings. V. SYSTEM OPERATIONS & OVERSIGHT (cont.) 5. Establishing and inventory of the following:

a. BWC devices owned or maintained by the Aitkin Police Department. b. Daily record of the total number of BWC devices used by officers. c. Total amount of recorded audio and video data collected by Aitkin Police Department BWC devices. 6. Preparing the biennial audit required by MN SS 13.825, subdivision 9. Updated 7/2/2019 7. Notifying the Bureau of Criminal Apprehension in a timely manner when new equipment is obtained by the Aitkin Police Department that expands the type or scope of surveillance capabilities of the department's portable recorders. VI. GENERAL GUIDELINES FOR RECORDING A. Officers who are issued a BWC will as part of their uniform wear and activate the BWC consistent with this policy. Inspection and general maintenance of the BWC shall be the responsibility of the officer to whom the BWC is assigned. Officers should periodically test the operation of the BWC to ensure it is functioning as designed. Any malfunction or failure of BWC device shall be immediately reported to a supervisor, and written notification to the Chief/Deputy Chief (email). Officers shall utilize a spare BWC device in the event that their issued device has become inoperable. B. BWC should be activated to record in any of the following situations: 1. All enforcement and investigative contacts including stops and field interview situations. 2. Traffic stops including, but not limited to, traffic violations, stranded motorist assistance, and all crime interdiction stops. 3. Self-initiated activity when an officer would advise radio dispatchers and/or partners of the member's activity. 4. Any other circumstance that becomes adversarial after the initial contact when the device has not already been set into record mode. C. Officer Safety shall be the primary concern. Officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be documented with detailed explanation. Officers should also make an attempt as soon possible to activate the BWC as the circumstances safely allow. D. Officers have no affirmative duty to inform people that a BWC is being operated or that they are being recorded. VI. GENERAL GUIDELINES FOR RECORDING (cont.) E. Once activated, the BWC should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. The officer having charge of a scene shall likewise direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. Officers should verbally state the recording is ending on camera before deactivating their BWC. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value. F. If an officer realizes that a BWC was not activated as it should have been, the officer will make an attempt to immediately activate the BWC to record from that point forward. Updated 7/2/2019 G. Officers shall not intentionally block the BWC's audio or visual recording functionality to defeat the purposes of this policy, notwithstanding the circumstances described in section VI (K). H. Notwithstanding any other provision in this policy, officers shall not use their BWCs to record other agency personnel during non-enforcement related activities, such as during pre- and post-shift time in locker rooms, during meal breaks, or during other private conversations, unless recording is authorized as part of an administrative or criminal investigation. I. Officers shall not intentionally edit, alter, or erase any BWC recording unless otherwise expressly authorized by the chief or the chief's designee. J. Aitkin Police Department BWC devices shall not be worn/utilized while police personnel are engaged in outside or non-duty employment. K. Recordings may be temporarily ceased, or the audio muted to exchange information with other officers, legal counsel, or the lens obstructed in order to avoid capturing images of undercover officers, informants, or citizens where based on training and experience, in the judgement of the officer, a recording would not be appropriate or consistent with this policy. The reason to cease and resume recording (or to mute audio or obstruct the lens) will be noted by the officer either verbally to the BWC

recording or in a written report. VII. SPECIAL GUIDELINES FOR RECORDING Activation of the BWC is not required: A. During encounters with undercover officers or informants. B. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room, or break room. VII. SPECIAL GUIDELINES FOR RECORDING (cont.) C. Officers shall use their BWC to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or use-of-force incident. D. During extended transport of persons beyond local facilities, officers may utilize the in-car video recording system, in lieu of their BWC, if the squad car is equipped with a rear-facing camera and that system is actively recording during the trip. The BWC should be reactivated upon arrival at such facility or if circumstances occur where the officer stops and has interaction with the person being transported. E. When not in service or actively on patrol. VIII. DOWNLOADING BWC RECORDINGS Updated 7/2/2019 A. Recording Transfer. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera to the appropriate storage system by the end of that officer's shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer's BWC and assume responsibility for transferring the data from it. B. Downloading Procedures. Downloading shall be in accordance with the BWC system utilized manufacture's recommendations, with the expectation that it will be conducted automatically at the end of the officer's shift, or earlier when necessitated by the need to access the recording. C. Recording Documentation. Officers shall document in the police report for the incident involved that a BWC video recording was captured. Officers shall select and classify all recording with categories as provided with the system and shall contain the 8-digit related case file number and a description. D. Copying. Copying for purposes other than forwarding to respective prosecution entities or designated legal representatives of the City and or Police Department is prohibited without the authorization of the Police Chief. IX. RECORDINGS WITH DATA SUBJECTS LIMITING DISCLOSURE UNDER MGDPA A. All recordings should be reviewed by the Chief of Police, Deputy Chief of Police, or designee prior to public release. Recordings that are clearly offensive to common sensibilities should not be publicly released unless disclosure is required by law or order of the court. B. All recordings shall be considered private data or nonpublic and unless otherwise defined under Statute 13.825, subdivision 2. X. ACCESS TO BWC RECORDINGS A. Officers may access and view stored BWC video only when there is a business need for doing so. Officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident. B. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing, copying, or disseminating the data for non-law enforcement related purposes. C. Police Administration will develop a method based upon the BWC system utilized to record and document agency personnel's access to recordings to be able to audit accesses to recordings. D. Officers shall refer members of the media or public seeking access to BWC data to the Chief of Police, Deputy Chief of Police, or designee, who will process the request in accordance with the MGDPA and other governing laws. Employees seeking access to BWC data for non-business reasons may make a request for it in the same manner as any member of the public. Updated 7/2/2019 E. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law. XI. AGENCY USE OF RECORDINGS A. At least once a month, supervisors will randomly review BWC recordings made by each officer to ensure the equipment is operating properly and officers are using the devices appropriately in accordance with

this policy, and to identify any performance areas in which additional training or guidance is required. B. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline. C. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainee's performance. D. Recorded files may also be reviewed: 1. Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation. 2. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case. XI. AGENCY USE OF RECORDINGS (cont.) 3. In compliance with the MGDPA, if permitted or required by the act, including pursuant to MN SS 13.82, subdivision 15. E. Review of recordings shall be documented within the system and state the purpose for accessing any recorded file. XII. DATA RETENTION A. Evidentiary Recordings. Evidentiary data shall utilize a category within the system and retained for the period specified in the General Records Retention Schedule for Minnesota Cities. B. Unintentional Recordings. Unintentionally recordings will be designated with the appropriate category and have a default retention period of 90 days. They will be deleted automatically by the system software at the end of that time period. C. Non-evidentiary recordings. Other non-evidentiary recordings will be designated with the appropriate category and have a default retention period of 90 days. They will be deleted automatically by the system at the end of that time period. D. Inventory. The department shall maintain an inventory of BWC recordings. Updated 7/2/2019 E. Notification to Public of Retention Periods. The department will post this BWC policy on its website which is inclusive of the retention period information for BWC video data.