

INDEPENDENT AUDIT REPORT

Sheriff Bob Fletcher
Ramsey County Sheriff's Office
425 Grove St.
St. Paul, MN 55101

Dear Sheriff Fletcher:

An independent audit of the Ramsey County Sheriff's Office Portable Recording System (body-worn cameras (BWCs)) was conducted on December 27, 2023. The objective of the audit was to verify Ramsey 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 Ramsey County Sheriff's Office is located in St. Paul, Minnesota and employs two hundred fifty-one (251) peace officers. The Ramsey County Sheriff's Office utilizes Axon body-worn cameras and Evidence.com cloud-based evidence management storage. The audit covers the period September 1, 2021, through December 14, 2023.

Audit Requirement: Data Classification

Determine if the data collected by BWCs are appropriately classified.

Ramsey County Sheriff's Office BWC data is presumptively private. BWC data collected during the audit period included both private or nonpublic data and public data. Public data resulted from a use of force incident resulting in substantial bodily harm. The Ramsey County Sheriff's Office had no incidents of the discharge of a firearm by a peace officer, 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 BWCs are appropriately retained and destroyed in accordance with statutes.

The Ramsey County Sheriff's Office utilizes the Ramsey 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.

A report was produced from Evidence.com for all BWC data collected during the audit period. 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. Two records were deleted prior to the 90 days required by statute. All other records were deleted or maintained in accordance with the record retention. Randomly selected records from the Evidence Created Report were verified against audit trail reports, and each record was deleted or maintained in accordance with the record retention.

The Ramsey County Sheriff's Office had received one request from data subjects to retain BWC data beyond the applicable retention period.

Supervisors monitor BWC data for proper categorization to ensure BWC data are appropriately retained and destroyed.

Discrepancy 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 are redacted.

BWC data is available to data subjects and requests may be submitted online through the Ramsey County Data Request Portal. During the audit period, the Ramsey County Sheriff's Office had received both requests to view and requests for copies of BWC video from data subjects. Data subjects who had not consented to release of the data were redacted. A copy of the redacted video is stored in Evidence.com along with the original copy. Data requests are documented in the Laserfiche document management system.

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.

Ramsey County Sheriff's Office BWC inventory consists of four hundred nine (409) devices. An inventory report produced from Evidence.com detailed the total number of recording devices owned and maintained by the agency. The inventory included the device model, serial number, device name, the officer assigned to the device, date of last upload, device status, error status, and firmware version.

The Ramsey County Sheriff's Office BWC policy governs the use of portable recording systems by peace officers while in the performance of their duties. The Department's BWC policy requires officers to conduct a function test of their BWC at the beginning of each shift and to report any failures to his/her supervisor. Peace officers were trained on the use of the portable recording system by Axon trainers during implementation. Newly hired officers are trained as part of their academy program.

Officers working on 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 comparison between the total number of BWC videos created per quarter and total calls for 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 Ramsey County Sheriff's Office utilizes the Ramsey County Records Retention Schedule and agency specified retention periods in Evidence.com. BWC video 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 audio and video. BWC data is available to data subjects, and requests may be submitted through the Ramsey County online data request portal.

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 Ramsey County Sheriff's Office BWC policy states BWCs will be issued to deputies within

specified units. The policy does not state that officers are only allowed to use BWCs issued by the agency.

Discrepancy 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 reviews of BWC data to ensure BWCs are being properly categorized and that BWCs are being used in compliance with policy.

Nonpublic BWC data is only available to persons whose work assignment reasonably requires access to the data. User access to BWC data 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 Sheriff's Office IT Project Commander. Access to Evidence.com is password protected and requires dual authentication.

The agency's BWC Policy governs access to BWC data. Agency personnel may access BWC data for legitimate law enforcement purposes. User access to data is captured in the audit trail.

When BWC data is deleted from Evidence.com, its contents cannot be determined. The Ramsey County Sheriff's Office has had no security breaches. A BCA CJIS Security audit was conducted in July of 2023.

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 Ramsey County Sheriff's Office BWC policy allows for the sharing of BWC data with other law enforcement agencies only when requested in writing and in compliance with the Minnesota Government Data Practices Act. The BWC policy allows for the sharing of data with prosecutors and courts. Data is provided electronically through Evidence.com and is captured in the audit trail. Sharing of data is documented in the Records Management System. An Evidence.com Sharing Audit Report provides documentation of electronically 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. BWC data collected during the audit period consists of both private or nonpublic data and public data. The Evidence.com audit trail documents how the data are used. The audit trail is maintained in Evidence.com after deletion of video. The 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 Ramsey County Sheriff's Office solicited for public comment by email and during public meetings held in four locations throughout the County. The Ramsey County Board of Commissioners held a public hearing at their March 26, 2019, 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 Ramsey County Sheriff's Office has established, and requires enforcement of, a BWC policy. The 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. The BWC policy is posted on the agency's website.

No discrepancies noted.

This report was prepared exclusively for the County of Ramsey and Ramsey 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 21, 2024

Lynn Lembcke Consulting

Lynn Lembcke

Lynn Lembcke