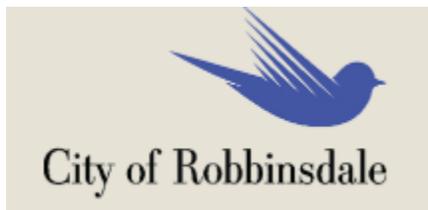


Robbinsdale Police Department 2024 Body Worn Camera (BWC) Audit

Executive Summary Report

Prepared for City of Robbinsdale

February 9, 2024



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Background:

Robbinsdale Police Department retained the Minnesota Security Consortium (MNSec) to audit its agency's use of its 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 (MNSec) does not operate or have access to their BWC systems, therefore allowing it to audit the systems as an independent auditor. The Robbinsdale Police Department Chief of Police and Captain provided their administrative access to the GETAC system during the audit to review audit criteria. Interviews and auditing of the GETAC system were conducted with the Robbinsdale Police Department Command and IT staff during the audit process.

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; and

"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 3/1/2023 to 12/31/23.

Robbinsdale Police Department uses the Cloud-based GETAC video system for its BWC program. Although their GETAC system records both in-squad video as well as BWC videos, the scope of the audit focused only on BWC video data. Their GETAC system was treated as their only primary source of all BWC data and was the focus of this audit. All GETAC BWC data video had date and time stamps of when the data was collected.

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Required Public Hearing:

Pursuant to Minn. Stat. § 626.8473, Subd. 2, Robbinsdale Police Department allowed for public comment in regard to its new BWC Program at the Robbinsdale City Council Workshop held on September 21, 2017, and the full City Council Public Hearing on October 3, 2017. Board Minutes of this Robbinsdale City Council Workshop and Meeting were provided to us and reviewed during the audit.

Robbinsdale was compliant with this aspect of the Statute, Minn. Stat. § 626.8473, Subd. 2.

Department BWC Policy:

Robbinsdale Police Department has a BWC Policy in place entitled, "Policy 423: Body Worn Cameras." Their Policy was reviewed to ensure that it contained the required elements as outlined in Minn. Stat. § 626.8473, Subd. 3. The policy from this audit period was previously posted on their public web site, as required by statute.

Officer use of BWC Equipment:

Robbinsdale Police Department "Policy 423: Body Worn Cameras" requires that Officers wear their BWC equipment and activate it during specific instances.

BWC data was sampled and audited across the audit period, and more intensely in the periods of August 2023 and December 2023. Officer's Calls for Service were compared to the GETAC video library to determine if they had been recording videos during those calls in accordance with their policy. In virtually all cases, the patrol officers appeared to be using their BWC appropriately and activating recordings as outlined in the policy section 423.6, "ACTIVATION OF THE AUDIO/VIDEO RECORDER."

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Data Classification and Retention:

Robbinsdale 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.

Robbinsdale Police Department processes BWC data requests via email and the front desk staff of the police lobby, using the paper "Request for Information" form. These requests are then reviewed by the Office Manager and by a member of the Command Staff prior to being approved.

At the time of the audit, there were no Court mandated BWC data disclosures reported during this audit period.

Robbinsdale Police Department set up its data classification and retention schedule for BWC videos in the administrative settings of the GETAC console. All BWC data is 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 a peace 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). At the time of the audit, Robbinsdale Police Department has set that Retention Period to a minimum of 1 year under their classification category, Use of Force, and for a minimum of 1 year in response to a formal complaint against an officer.

In addition, all BWC footage related to the 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. No incidents related to the discharge of a firearm by a peace officer were reported during this audit period.

In addition, on specific type of calls, the Robbinsdale Police Commander(s) in charge of the BWC program also review related BWC videos to ensure that all related videos have the appropriate classification. Any modifications to the classification are auditable in the GETAC audit trail. Sampled BWC data was examined for modifications to the classification tags. The GETAC audit trail indicated when the re-classification was made and by whom. Samples examined during the audit showed that all BWC Data was tagged with the correct classification and Retention Period.

BWC data was sampled and audited across the audit period, and more intensely in the periods of August 2023 and December 2023. Calls for Service that had BWC data associated to it, and which had expired retention periods, showed that the BWC data had been deleted from the GETAC System.

Robbinsdale 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:

Robbinsdale Police Department currently processes requests through email and the front desk of the police lobby, using the paper “Public Data” form. These requests are then reviewed by the Office Manager and by a member of the Command Staff prior to being approved.

Robbinsdale Police Department stated they redact BWC data when released to Data Subjects. They stated that they had processed approximately 10 records requests during the audit period.

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.”

Robbinsdale Police Department “Policy 423: Body Worn Cameras,” Section 423.7, states:

“Members are prohibited from using personally owned recording devices while on-duty.”

Robbinsdale Police Department is compliant with part of the Statute.

Authorization to Access Data:

Robbinsdale Police Department allows its officers to review their own BWC data. Access is enforced using user accounts and roles/rights in the GETAC system.

BWC data was sampled and audited across the audit period, and more intensely in the period of August 2023 and December 2023. Results of sampling the BWC data, and its related audit trail in the GETAC system, showed that it was either not viewed at all, viewed by the officer who recorded the data, or by a police supervisor. In almost 26 samples, BWC video metadata was reviewed during the audit process by the auditor and the department staff. In all samples, the BWC videos were shown to be viewed by either no one, the officer or supervisor.

All views and access were consistent with Robbinsdale Police Department “Policy 423: Body Worn Cameras” and Minn. Stat. § 13.825 Subd. 7, as authorized by the Chief of Police.

Sharing Among Agencies:

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

Robbinsdale Police Department processes BWC data requests by other Agencies via email which must contain a legitimate, specified law enforcement purpose, as required by Minn. Stat. § 13.825, Subd. 7.

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

Biennial Audits:

Robbinsdale Police Department has acknowledged that it intends to complete a biennial audit of its BWC System, as required by Minn. Stat. § 13.825, Subd. 9. Their last audit was in November of 2023, covering the period 9/1/2022 to 2/28/23, when they were using the Motorola/WatchGuard system. This year's audit covers 3/1/2022 to 12/1/23, in which there were using the GETAC system, which is now decommissioned.

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

BWC System Vendors:

At the time of the audit, GETAC was the primary vendor and system for their BWC program. BWC videos were recorded, classified, and stored Cloud based GETAC system.

Because GETAC is a cloud-based solution, it is subject to the requirements of Minn. Stat. § 13.825, Subd. 11 (b), which requires GETAC to follow the requirements of the FBI's CJIS Policy 5.9.3 or subsequent versions.

At the time of this audit, this PDF was the best documentation we could find for the vendor's compliancy:

Getac Video Solutions, Inc. Criminal Justice Information Services (CJIS)
SECURITY ASSESSMENT REPORT (SAR)
Version 1.2, December 6, 2023.pdf

Conclusion:

Based on the results of the Robbinsdale Police Department BWC Audit conducted by the Minnesota Security Consortium (MNSec), we were able to demonstrate that Robbinsdale Police Department is using the GETAC BWC System in accordance the requirements of Minn. Stat. § 13.825 and Minn. Stat. § 626.8473.

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This Audit was conducted and attested to by:

Dimitrios Hilton

Senior Auditor, Minnesota Security Consortium (MNSec)

Submitted to:

- Robbinsdale Police Department Chief of Police
- Robbinsdale City Council
- Legislative Commission on Data Practices and Personal Data Privacy
- Required Legislative members, as specified by Statute
- MN Legislative Library