

# INDEPENDENT AUDIT REPORT

Chief Darin Selzler  
Crookston Police Department  
321 W. Robert St.  
Crookston, MN 56716

Dear Chief Selzler:

An independent audit of the Crookston Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on September 30, 2024. The objective of the audit was to verify Crookston Police Department's 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

Crookston Police Department is located in Polk County, Minnesota and employs eighteen (18) peace officers. Crookston Police Department utilizes Axon body-worn cameras and utilizes Evidence.com cloud-based evidence management storage. The audit covers the time period October 1, 2022, through September 15, 2024.

## **Audit Requirement: Data Classification**

*Determine if the data collected by BWCs are appropriately classified.*

Crookston Police Department BWC data is presumptively private. BWC data collected during the audit period includes both private or nonpublic data and confidential data classifications. Confidentially classified data resulted from two incidents of the discharge of a firearm by a police officer. Crookston Police Department 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.*

Crookston Police Department utilizes the General Records Retention Schedule for Minnesota Cities 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 of all BWC data collected and deleted during the audit period was produced from Evidence.com. Records from the Evidence Created Report were examined, 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 with the record retention schedule and were retained for at least the minimum ninety (90) days required by statute. Randomly selected audit trail reports were verified against the Evidence Created Report and each record was deleted or maintained in accordance with the record retention schedule. Crookston Police Department had received no requests from a data subjects to retain BWC data beyond the applicable retention period.

Police Sergeants and the Deputy Chief monitor proper categorization of BWC data to ensure 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 a City of Crookston Police Department Request for Information Form. During the audit period, Crookston Police Department had received requests to view BWC data but had not received requests for copies of BWC video from data subjects.

*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.*

Crookston Police Department's BWC inventory consists of fourteen (14) 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, firmware version, warranty date, data last docked, and camera state.

Crookston Police Department's BWC policy governs the use of portable recording systems by peace officers while in the performance of their duties. The policy requires officers to conduct a function test at the beginning of their shift to ensure the BWC is in operating properly. Officers noting a malfunction during testing, or at any other time, are required to promptly report the malfunction to their supervisor.

Peace officers were trained on the use of BWCs by Axon train the trainers during implementation. Newly hired officers are trained as part of their field training program.

Officers working on randomly selected dates, and randomly selected calls for service, 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 BWC videos created per quarter and total calls for shows a consistent collection of BWC data.

Evidence.com queries detail the total amount of BWC data created, stored/maintained, and deleted. Crookston Police Department utilizes the General Records Retention Schedule for Minnesota Cities 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 video and audio.

BWC data is available to data subjects upon request, and access may be requested by submission of a City of Crookston Police Department Request for Information 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 m*

*maintained by the officer's agency.*

The Crookston Police Department's BWC policy states that officers may use only department issued BWCs in the performance of official duties for the agency or when otherwise performing authorized law enforcement services as an employee of the department.

*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.*

Sergeants review BWC data to ensure data is properly categorized and that BWCs are being utilized in compliance with policy.

Nonpublic BWC data is only available to persons who 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. Access to Evidence.com is password protected and requires dual authentication.

The agency's BWC policy governs access to BWC data. Crookston Police Department employees may access BWC data for legitimate law enforcement and administrative purposes only. Agency personnel are prohibited from accessing BC data for non-business reasons and from sharing of data for non-law enforcement related purposes. Access to BWC data is captured in the audit trail. The BWC policy states that unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.

When BWC data is deleted from Evidence.com, its contents cannot be determined. The Crookston Police Department has had no security breaches. A BCA CJIS security audit was conducted in May 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.*

Crookston Police Department's BWC policy allows for the sharing of data with other law enforcement agencies for legitimate law enforcement purposes only and for the sharing of data with prosecutors, courts and other criminal justice entities as provided by law. Law enforcement agencies seeking access to BWC data are required to submit a written request. BWC data is

shared via secure electronic case sharing within Evidence.com. Sharing of BWC data is captured in the audit trail. An Evidence.com Evidence Sharing Audit Report and the Records Management System Case Notes 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.com Evidence Created Report document the date and time portable recording system data were collected and deleted. BWC data collected during the audit period includes private or nonpublic and confidential data classifications. The Evidence.com Sharing Audit Report, Audit Trails, and the Records Management System Case File document how the data are used. The audit trail is maintained in Evidence.com after deletion of BWC video. The audit trail documents each and every action taken from the creation of the recording to its deletion, as well as access of the audit trail after BWC data 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 City of Crookston solicited for public comments by notification on their website and at the City Council July 13, 2020, meeting. The Crookston City Council held a public hearing at their July 27, 2020.

*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.*

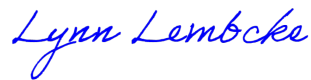
Crookston Police Department's BWC policy is posted on the agency's website. The policy was compared to the requirements of Minn. Stat. § 626.8473. The policy includes all minimum requirements of Minn. Stat. § 626.8473, Subd. 3(b) that were in effect prior to August 1, 2023, but does not include the minimum requirements that became effective on August 1, 2023.

*Discrepancy noted.*

This report was prepared exclusively for the City of Crookston and Crookston Police Department by Lynn Lembcke Consulting. The findings in this report are impartial and based on information and documentation provided and examined.

Dated: November 17, 2024

Lynn Lembcke Consulting



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Lynn Lembcke