

INDEPENDENT AUDIT REPORT

Jeff Spiess
Chief of Police
St. Anthony Police Department
3301 Silver Lake Rd. NE
St. Anthony, MN 55418

Dear Chief Spiess:

An independent audit of the St. Anthony Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted of November 5, 2024. The objective of the audit was to verify St. Anthony 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
- Portable Recording System Policy

St. Anthony Police Department is located in Hennepin and Ramsey Counties and employs nineteen (19) peace officers. St. Anthony Police Department utilizes Panasonic Arbitrator body-worn cameras and Arbitrator 360° Back-End Client management software. BWC data is stored on a local file server hosted by Metro-Inet. The audit covers the time period October 16, 2022, through October 31, 2024.

Audit Requirement: Data Classification

Determine if the data collected by BWCs are appropriately classified.

BWC data is presumptively private. All BWC data collected during the audit period is classified as private or non-public data. St. Anthony Police Department had no instances of the discharge of a firearm by a peace officer, 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.

St. Anthony Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods in the Arbitrator 360° Back-End Client. Either during, or at the conclusion of a BWC recording, an Arbitrator classification is assigned. Each Arbitrator classification has an associated retention period. Upon reaching the retention date, data is systematically deleted.

A server log report of all BWC data created and deleted during the audit period was provided. Records from the server log report were reviewed 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. All records were maintained for at least the minimum ninety (90) days required by statute.

The St. Anthony Police Department had received no requests from data subjects to retain BWC data beyond the applicable retention period.

Supervisors monitor 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 an St. Anthony Police Department data request form. During the audit period, St. Anthony Police Department 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. Access to data is documented in the records management system dissemination log.

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.

St. Anthony Police Department's BWC inventory consists of twenty-six (26) devices. An inventory of the total number of devices owned by the agency is maintained in a Microsoft Excel spreadsheet. BWCs are assigned to individual officers.

St. Anthony 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 ensure the BWC is in good working order at the start of their shift. If the recorder is not in good working order or the officer becomes aware of a malfunction at any time, they are required to promptly report the failure to their supervisor and obtain a functioning device as soon as reasonably practicable.

Peace officers were initially trained on the use of BWC's during a Minnesota Peace Officer Standards and Training (POST) certified training course. 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 compared to Arbitrator 360° Back-End Client and the server log report and confirmed that BWCs are being deployed and used by officers. A review of the total number of BWC videos created per quarter compared to calls for service shows a consistent collection of BWC data.

The total amount of active BWC data is accessible in Arbitrator 360°. The server log report details the total amount of BWC data created, deleted, and stored/maintained. St. Anthony Police Department utilizes the General Records Retention Schedule for Minnesota cities and agency specified retention in Arbitrator 360° Back-End Client. BWC video is fully deleted from the Arbitrator 360° Back-End Client and local file server upon reaching the scheduled deletion date. Meta data information is maintained on the server. BWC data is available upon request, and access may be requested by submission of a data request 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 maintained by the officer's agency.

St. Anthony Police Department's BWC policy states that Officers are prohibited from using

personally owned recording devices while on duty without the express consent of the shift supervisor/officer in charge.

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.

Supervisors conduct monthly reviews of 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 whose work assignment reasonably requires access to the data. User access to BWC data is managed by the assignment of group roles and permissions in Arbitrator 360° Back-End Client. Permissions are based on staff work assignments. Information Technology, under the direction of the Chief of Police is responsible for managing the assignment of user rights. Access to Arbitrator 360° Back-End Client is password protected.

The BWC policy governs access to BWC data. Personnel may access BWC data for legitimate, specified law enforcement purposes and pursuant to lawful process and in accordance with policy, statute, and the Minnesota Data Practices Act. Personnel accessing BWC data must enter a Case Note in the records management system documenting the date and reason for the access. Access to BWC data is captured in the Arbitrator 360° Back-End Client audit trail.

When BWC video is deleted from Arbitrator 360° Back-End Client, its contents cannot be determined. St. Anthony Police Department has had no security breaches. A BCA CJIS security audit was conducted in July of 2024.

No discrepancies noted.

Audit Requirement: Sharing Among Agencies

Determine if nonpublic BWC data shared with other law enforcement agencies, government entities, or federal agencies is in accordance with statute.

St. Anthony Police Department's BWC and Records Maintenance and Release policies govern the sharing of BWC data. BWC may be shared pursuant to lawful process and in accordance with policy, statute, and the Minnesota Data Practices Act. Agencies seeking access to BWC data are required to submit a written request. Sharing of BWC data is documented in the records management system.

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.

The Arbitrator 360° Back-End Client and a database server log report document the date and time BWC data were collected and deleted. All BWC data for the audit period is classified as private or non-public data. The audit trail and the records management system media and dissemination log document how the data are used and shared.

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.

St. Anthony Police Department BWC data is stored on a server hosted by Metro Inet. The server is stored in a secure location and access is password protected and requires dual authentication.

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.

A Tri-City Body Camera Work Group, consisting of residents of St. Anthony, Falcon Heights, and Lauderdale, staff, and City Council liaisons, reviewed police policies and protocols, best practices and trends, and policy development and presented policy recommendations to the Chief of Police, City Manager and St. Anthony City Council for officer worn cameras. The St. Anthony Police Department solicited for public comment by Public Notice, and the Chief of Police accepted questions and comments by email. The St. Anthony City Council held a public hearing at their October 24, 2017, 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.

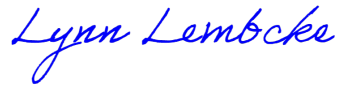
St. Anthony Police Department's BWC policy is posted on the agency's website. The policy was compared to the requirements of Minn. Stat. § 626.8473. The policy includes all minimum requirements of Minn. Stat. § 626.8473, Subd. 3(b) with the exception of 3(b)(3). The policy was updated to include all minimum requirements prior to the completion of the final audit report.

Discrepancy noted.

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

Dated: January 18, 2025

Lynn Lembcke Consulting



Lynn Lembcke