



PUBLIC SAFETY



CITY OF WORTHINGTON

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2/5/2025

Police Chief, Jeff Appel
Park Rapids Police Department
1425 Fair Avenue
Park Rapids, MN 56470

Dear Chief Appel:

An audit of the Park Rapids Police Department's Portable Recording System (body-worn cameras (BWCs) was conducted on January 31, 2025. The objective of the audit was to verify Park Rapids Police Department's compliance with Minn. Stat. §626.8473 and §13.825.

The Park Rapids Police Department is in Hubbard County, Minnesota and employs 11 fulltime peace officers. The Park Rapids Police Department utilizes WatchGuard body-worn cameras and BWC data is stored on a local computer server.

This report was prepared exclusively for the Park Rapids Police Department by the Worthington Police Department. The findings in this report are impartial and based on information and documentation provided and examined.

Audit Requirements

- **Minnesota Statute §626.8473**
 - Public comment
 - Written policies and procedures required

- **Minnesota Statute §13.825**
 - Data classification
 - Retention data
 - Access by data subjects
 - Inventory of portable recording system technology
 - Authorization of access data
 - Sharing among agencies
 - Biennial audit
 - Notification to BCA
 - Portable recording system vendor
 - Penalties for violation

Minnesota Statute §626.8473

Public Comment:

- *Determine if the law enforcement agency provided an opportunity for public comment prior to purchase and implementation of portable recording system.*

The Park Rapids Department purchased BWC in October 2020 and implemented their use January of 2021. On August 27, 2020 the Park Rapids Police Department advertised it was seeking public input regarding the purchase and implementation of body-worn cameras. On September 8, 2020 Chief Appel met with the City Council for a regularly scheduled meeting and presented the BWC policy and allowed for public input and comments.

- *Determine if the agency accepted electronically submitted or mailed public comments, and that 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 Park Rapids Police Department posted their intentions of purchasing BWC to their Facebook page and the City Facebook page that allowed public notice and comments. There was also a public City Council Meeting held on September 8, 2020.

No discrepancies noted.

Written Policies and Procedures Required:

- *Determine if the agency maintains a written policy governing use of body-worn cameras in accordance with Minn. Stat. §626.8473 and if a copy of the written policy is posted on the agency's website.*

The Park Rapids Police Department uses LEXIPOL for their policy manual.

The Park Rapids Police Department's written policy governing the use of BWCs is contained in policy 422 and can be found on the City of Park Rapids website under "Police" page (<https://cms4files1.revize.com/parkrapids/police%20mobile%20recorders.pdf>). The described website contains the required mobile video recorder policy in accordance with Minn. Stat. §626.8473.

No discrepancies noted.

Minnesota Statute §13.825

Data Classification

- *Determine if the data collected by body-worn cameras are appropriately classified.*

A file search of the local WatchGuard storage for all BWC data collected during the time period January 1st, 2022 through December 31, 2024 was conducted. All data collected during this time is classified as private or non-public data. I observed no instances where the data was classified as public data.

The Park Rapids Police Department had no incidents of a discharged weapon by any of their police officers during this time period. There were no instances documented where the use of force resulted in substantial bodily harm to any subject.

The Park Rapids Police Department did not receive any data requests that included BWC data during this audit period. There were no requests from data subjects for data to be made public, or court orders directing the Park Rapids Police Department to release BWC data to the public.

No discrepancies noted.

Retention of Data

- *Determine if the data collected by body-worn cameras are appropriately retained and destroyed in accordance with statutes and agency retention schedule.*

The Park Rapids Police Department retains their BWC videos 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. The Park Rapids Police Department retains BWC recordings for 365 days for the following events with exception of "Test" which is purged after 14 days.

"Traffic Warn/Cite"

"Accident"

"DUI/Drugs"

"Code Driving"

"K-9"

"Assault/Dispute"

"Suspicious Activity"

"Warrant"

"Death"

"Homicide"

"Missing Person"

"SRO"

"SWAT"

"Welfare Check"

"Medical"

The WatchGuard system automatically captures and records meta data for each recording. This data includes date, time, officer identification, and associated device identification number. The data is then manually classified with an event label which correlates to the retention schedule.

No discrepancies noted.

Access by Data Subjects

- *Determine if data subjects have access to the data, the process individuals use to request the data, how the agency provides access to the data, and how the agency documents the access.*

BWC data is available to data subjects and access may be granted upon written request. During the time period of January 1st, 2022 through December 31, 2024, the Park Rapids Police Department did not receive any data requests that included the release of BWC data. (see "Data Classification" section).

- *Determine if data subjects who do not consent to the release of data are redacted from copies of the data.*

The Park Rapids Police Department policy 801 defines data that is considered public data versus private data and how the Park Rapids Police Department processes all data requests.

Park Rapids Police Department policy 422.8.2 states "any person captured in a recording may have access to the recording. If the individual requests a copy of the recording and does not have the consent of other non-law enforcement individuals captured on the recording, the identity of those individuals must be blurred or obscured sufficiently to render the subject unidentifiable prior to release. The identity of on-duty peace officers may not be obscured unless their identity is protected under Minn. Stat. § 13.82, Subd. 17".

No discrepancies noted.

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 required by statute 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.*

The Park Rapids Police Department owns 7 WatchGuard Body Cameras. Each officer is issued their own BWC. A review of data on the WatchGuard server shows the BWC are being checked out and used on a regular basis.

Park Rapids Police Department's policy 422.5 states "prior to going into service, uniformed members will be responsible for making sure that they are equipped with a portable recorder issued by the Department, and that the recorder is in good working order (Minn. Stat. § 13.825). If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed member should wear the recorder in a conspicuous manner at or above the mid-line of the waist and notify persons that they are being recorded, whenever reasonably practicable (Minn Stat. §626.8473). Any member assigned to a non-uniform position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable."

The WatchGuard system records information of all 7 BWC. It provides the total number of BWC videos that were created, stored and maintained on the WatchGuard Server. Access to the BWC data is available to data subjects by written requests.

No discrepancies noted.

Authorization to Access Data

- *Determine if the agency complies with Minn. Stat. 13.05, Subd. 5 and 13.055 in the operation of portable recording systems and in maintaining portable recording system data.*

The Chief is defined as the coordinator of the BWC program. The Departments Sergeant periodically reviews meta data assigned to BWC data to ensure accuracy. User access is documented and logged by the WatchGuard system automatically. The WatchGuard system automatically downloads, all BWC video automatically to a secured server via a local transfer station located in the Patrol Officer's office area. The Park Rapids Police Department policy addresses the sharing of data and how a data subject can request for access to data. The Park Rapids Police Department does have a process in place for data requests.

After the 365-day retention period, unless archived, BWC data is automatically purged by the WatchGuard System. Once purged, there is no record of the BWC recording.

The Park Rapids Police Department has not had any breach of security.

No discrepancies noted.

Use of Agency-Issued Portable Recording Systems

- *Determine if the agency has an established written procedure that ensures law enforcement personnel has access to the body-worn camera data for legitimate, specified law enforcement purposes, if authorized in writing by the head of the agency or their designee.*

The Park Rapids Police Department policy states officers are only allowed to use department owned BWC issued and maintained by the Park Rapids Police Department.

No discrepancies noted.

Sharing Among Agencies

- *Determine if nonpublic body-worn camera data that is shared with other law enforcement agencies, government entities, or federal agencies is in accordance with statute.*

The Park Rapids Police Department's BWC policy prohibits dissemination of BWC data except when permitted under the Minnesota Data Practices Acts exceptions. The Policy does allow for sharing of data with prosecutors and other LE agencies upon written requests.

- *Determine the process other agencies use to request nonpublic data, how the data is provided to them, and how the law enforcement agency documents sharing of data.*

The Park Rapids Police Department BWC policy states BWC data may be released to other agencies authorized under MSS 626.8473 and 13.825. This policy outlines procedures for accessing data and recordings. They include written authorization documentation, logging release of such data.

No discrepancies noted.

Biennial Audit

- *Determine if the agency maintains records of date and time the portable recording system data was collected, the applicable classification of the data, how the data is used, and if data is destroyed as required.*

The Park Rapids Police Department utilizes the WatchGuard system which maintains records of the stored BWC data including the date and time the data was collected as well as the applicable classification which correlates to the retention schedule for the data. Once the retention requirements have expired, the data is automatically purged, unless archived, and there is no record of the data.

Notification to BCA

- *Determine if agency has obtained new surveillance technology beyond the scope of video or audio portable recording systems that would require notification to the BCA within ten days of acquiring to include description of the technology, surveillance capability and intended uses.*

The Park Rapids Police Department has not purchased any new technology that would require BCA notification. On August 31, 2021, this auditor confirmed with BCA that the use of BWCs would not require BCA notification.

No discrepancies noted.

Portable Recording System Vendor

- *Determine if portable recording system data stored in the cloud is 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.*

The Park Rapids Police Department BWC data is stored on a local computer server located in a secured area at the Park Rapids Police Department. Accesses is managed by the WatchGuard system, the Chief, and Sergeant.

No discrepancies noted.

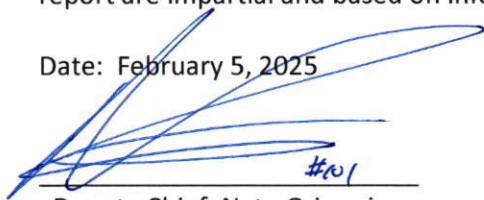
Penalties for Violation

- *Determine if the law enforcement agency is willfully in violation of any section of the statute.*

Park Rapids Police Department policy is drafted in a manner to meet statute. Supervisors shall monitor for compliance with this policy. The 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.

This report was prepared exclusively for the City of Park Rapids and Park Rapids Police Department by Deputy Chief Nate Grimmus with the Worthington Minnesota Police Department. The findings in this report are impartial and based on information and documentation provided and examined.

Date: February 5, 2025



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Deputy Chief, Nate Grimmus