

INDEPENDENT AUDIT REPORT

Sheriff Chris Caulk
Isanti County Sheriff's Office
509 18th Ave. SW
Cambridge, MN 55008

Dear Sheriff Caulk:

An independent audit of the Isanti County Sheriff's Office Portable Recording System (body-worn cameras (BWCs)) was conducted of September 27, 2019. The objective of the audit was to verify Isanti 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 Isanti County Sheriff's Office is located in Cambridge, Minnesota and employs twenty-two (22) full-time and five (5) part-time peace officers. The Isanti County Sheriff's Office utilizes WatchGuard Vista body-worn cameras and software and stores BWC data on a local file server.

Audit Requirement: Data Classification

Determine that the data collected by BWCs are appropriately classified.

BWC data is presumptively private. During the time period December 1, 2016, through August 31, 2019, the Isanti County Sheriff's Office had one instance of BWC that was classified as public. Data documented the use of force by a peace officer that resulted in substantial bodily harm. BWC data classification is documented in the Isanti County Sheriff's Office Records Management System (RMS). The Isanti County Sheriff's Office had no instances of the discharge of a firearm by a peace officer in the course of duty, no instances of requests from data subjects for the data to be made accessible to the public, and no court orders directing the agency to release the BWC data to the public.

No discrepancies noted.

Audit Requirement: Retention of Data

Determine that the data collected by BWC's are appropriately retained and destroyed in accordance with statutes.

The Isanti County Sheriff's Office utilizes the General Retention Schedule for Minnesota Counties and agency specified retention periods in the WatchGuard software system.

At the conclusion of a BWC recording, a WatchGuard event category is assigned. Each event category has an associated retention period. Upon reaching the retention date, data is systematically deleted. The WatchGuard event category "Test Recording" has an associated 30-day retention period. This retention period does not meet the minimum statutory requirement of 90 days.

Active BWC data is accessible in the WatchGuard Evidence Library. Randomly selected videos within the WatchGuard Evidence Library were verified against the scheduled purge date, and all videos were scheduled for deletion in accordance with the record retention schedule. Records from a purged evidence report were verified against the video create date, and all records were deleted in accordance with record retention. Records selected were from the time period December 1, 2016, through August 31, 2019. Deleted BWC video, meta data, and audit trails are not accessible in the WatchGuard Evidence Library. The server log maintains a listing of all active and deleted BWC data with associated meta data and audit trail activity.

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

Discrepancy noted.

Audit Requirement: Access by Data Subjects

Determine that 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 and access may be requested by completing a Disclosure Request Form. During the time period December 1, 2016, through August 31, 2019, the Isanti County Sheriff's Office had neither received a request to view, nor a request for copies of, BWC data 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.

Isanti County Sheriff's Office BWC inventory consists of 16 devices. Inventory is maintained within WatchGuard and on an Excel spreadsheet.

The Isanti County Sheriff's Office BWC policy authorizes and requires the use of department-issued BWC's. A review of randomly selected dates from the patrol schedule were verified against the WatchGuard Evidence Library and a server log reports and confirmed that officers are wearing and activating their BWCs. BWC use is monitored by Sergeants.

The total amount of active data is accessible in the WatchGuard Evidence Library. Server log reports documents the total amount of collected and deleted data.

The Isanti County Sheriff's Office utilizes the General Records Retention Schedule for Minnesota Counties and agency specified retention in WatchGuard. BWC video is fully deleted from the local file server upon the scheduled deletion date. Meta data and audit trail information are maintained on the server.

BWC data is available upon request, and access may be requested by submission of a Disclosure 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.

The Isanti County Sheriff's Office BWC policy authorizes and requires the use of department issued BWC's and states that officers may use only department issued body-worn cameras.

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 randomly review BWC data to ensure proper use. Supervisors and records technicians review meta data assigned to BWC data to ensure accuracy and proper retention.

User access to BWC data is managed by the assignment of group roles and permissions in WatchGuard. Permissions are based on staff work assignments, and not public data is only accessible to staff whose work assignment reasonably requires access. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes. The agency's BWC policy and Records Maintenance and

Release policy govern access to and sharing of data. The BWC policy requires agency personnel to document the sharing of data at the time of disclosure. Access to data is captured in the audit trail.

When BWC data is deleted from WatchGuard, its contents cannot be determined.

The Isanti County Sheriff's Office has had no security breaches.

No discrepancies noted.

Audit Requirement: Sharing Among Agencies

Determine if non public BWC data is shared with other law enforcement agencies, government entities, or federal agencies.

The Isanti County Sheriff's Office 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. Sharing of data is documented in the label and export field in WatchGuard and in the RMS. Isanti County Sheriff's Office maintains copies of Data Request Forms per retention.

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 WatchGuard Evidence library and reports produced from the WatchGuard server document the date and time portable recording system data was collected, the event category, and the date the data is either scheduled for deletion or is deleted. Use and sharing of data is documented in the label and export field in WatchGuard and in the RMS.

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.

Isanti County Sheriff's Office BWC data is stored on a local file server located at Isanti County Jail Administration. User access to WatchGuard and the local file server is managed by the

Isanti County Sheriff's Office Records Supervisor. Access to the server 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.

The Isanti County Sheriff's Office solicited public comment prior to the purchase and implementation of the body-worn camera program. Public comment was solicited through a published notice requesting written comments no later than September 23, 2016. The Isanti County Board of Commissioners held a public hearing at their October 5, 2017, meeting. The body-worn camera program was implemented December 1, 2016.

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 Isanti County Sheriff's Office BWC 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 is posted on the agency's website.

No discrepancies noted.

This report was prepared exclusively for the Isanti 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: March 11, 2020

Lynn Lembcke Consulting



Lynn Lembcke