

INDEPENDENT AUDIT REPORT

Chief Brian Struffert
Granite Falls Police Department
415 9th Ave., Suite 102
Granite Falls, MN 56241

Dear Chief Struffert:

An independent audit of the Granite Falls Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on August 27, 2020. The objective of the audit was to verify Granite Falls 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

The Granite Falls Police Department is located in Yellow Medicine and Chippewa Counties, and employs six (6) peace officers. The Granite Falls Police Department utilizes WatchGuard Vista body-worn cameras and software. BWC data is stored on a server hosted by Yellow Medicine County. The audit covers the time period August 1, 2018, through August 25, 2020.

Audit Requirement: Data Classification

Determine that the data collected by BWCs are appropriately classified.

BWC data is presumptively private. All data collected by the Granite Falls Police Department during the time period August 1, 2018, through August 25, 2020, is classified as private or non-public data. The Granite Falls Police Department had no instances of the discharge of a firearm by a peace officer in the course of duty, use of force by a peace officer 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 that the data collected by BWC's are appropriately retained and destroyed in accordance with statutes.

The Granite Falls Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods in the WatchGuard software system.

At the conclusion of a BWC recording, a WatchGuard category type is assigned. Each WatchGuard category type has an associated retention period. Upon reaching the retention date, data is systematically deleted. Active BWC data is accessible in the WatchGuard Evidence Library. Randomly selected videos from a server Purged Vista Events Report were verified against the record purge date, and each record was deleted in accordance with record retention. Retention on one category, Unintentional Recording, is retained for less than the minimum 90 days required by statute. Records selected were from the time period August 1, 2018, through August 25, 2020. Deleted BWC video is not accessible in the WatchGuard Evidence Library. The Granite Falls Police Department has not received a request from a data subject to retain BWC data beyond the applicable retention period.

The Chief of police monitors 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 submission of a Granite Falls Police Department Data Request Form. During the time period August 1, 2018, through August 25, 2020, the Granite Falls Police Department had received neither requests to view, nor requests 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.

Granite Falls Police Department's BWC inventory consists of five (5) devices. Device inventory is maintained in the WatchGuard Evidence Library.

The Granite Falls Police Department has established and enforces a BWC policy that governs the use of portable recording systems by peace officers while in the performance of their duties. During implementation, peace officers were trained on policy and use of portable recording systems as part of a department meeting. New officers are trained as part of their FTO process. A review of randomly selected dates from the patrol schedule were verified against the Vista Active and Purged Event Reports and confirmed that recording devices are being deployed and activated by officers.

The total amount of active data is accessible in the WatchGuard Evidence Library. Total amount of active and deleted data is documented in the server Active and Purged Vista Events Report.

The Granite Falls Police Department utilizes the General Records Retention Schedule for Minnesota Cities 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 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.

The Granite Falls Police Department's BWC policy authorizes and requires the use of department-issued BWC's and states that officers may use only department-issued BWC's.

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.

The Chief of Police conduct random reviews of BWC data to ensure proper labeling and compliance with policy.

User access to BWC data is managed by the assignment of group roles and permissions in WatchGuard. Permissions are based on staff work assignments. Agency personnel may access BWC data only when there is a business need for doing so. 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 governs access to and sharing of data. Access to data is captured in the audit trail.

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

Neither the Granite Falls Police Department nor Yellow Medicine County has had a security breach.

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 Granite Falls Police Department's BWC policy allows for the sharing of data with other law enforcement agencies, prosecutors, courts and other criminal justice entities as provided by law. Sharing of data is documented in WatchGuard Cloud Share and the Records Management System dissemination log.

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 the server Purged Event Report document the date and time portable recording system data was collected, the retention period of the data, and the audit trail associated to the data. The WatchGuard Cloud Share report, the audit trail, and the Records Management System 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.

Granite Falls Police Department's WatchGuard server is hosted by Yellow Medicine County. The server is located in a secure area, and access to the server is password protected. A BCA security audit was conducted on November 26, 2019. Granite Falls Police Department user

access to WatchGuard is managed by the Yellow Medicine County IT under the direction of the Chief of Police.

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 Granite Falls Police Department solicited for public comment by publication in the City's official newspaper. The Granite Falls City Council held a public hearing at their May 21, 2018, meeting. The body worn camera program was implemented August 1, 2018.

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 Granite Falls Police Department's BWC policy is not posted on the agency's website. The 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 with the exception of Subd. 3(b)(8) procedures to ensure compliance and address violations of the policy.

Discrepancies noted.

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

Dated: October 19, 2020

Lynn Lembcke Consulting



Lynn Lembcke