

Date: December 13, 2018

To: Chief Jason Ohotto, Minneapolis Park & Recreation Board
Lieutenant Calvin Noble, Minneapolis Park & Recreation Board
Superintendent Mary Merrill, Minneapolis Park & Recreation Board
City Coordinator Nuria Rivera-Vandermyde

Re: Summary Report - Body Worn Camera Compliance Readiness Consultation

Objective

At the request of Minneapolis Park and Recreation Board (MPRB) Police Department (MPPD), the City of Minneapolis Internal Audit Department conducted a consultation to assess MPPD's readiness to demonstrate compliance with Minnesota State Statute 13.825, *Portable Recording Systems* and 626.8473, *Portable Recording Systems Adoption; Written Policy Required*.

MPPD is the independent law enforcement agency governed by the MPRB. The mission of the MPPD is to "preserve and ensure safe parks for all visitors and staff through fair and professional policing", and their vision is to "ensure a park system that is safe for all to play, recreate, contemplate and celebrate". The department has more than 30 sworn and licensed Park Police Officers and more than 20 part-time Park Patrol Agents.

On November 15, 2017, the MPRB approved a contract with Axon Enterprises for Body-Worn Cameras (BWCs), portable audio-video recording equipment designed to be worn on a person. Following training in December 2017, MPPD BWCs were deployed in January 2018. An independent biennial audit of the BWC data is required. Results must be provided to the governing body with jurisdiction over the budget of the law enforcement agency and to the Legislative Commission on Data Practices and Personal Data Privacy no later than 60 days following completion of the audit.

Scope

Specifically, this assessment included a review of:

- Written body worn camera program policy completeness
- Body worn camera video and audio recording data classification and retention
- Maintenance of required data related to the body worn camera program
- Processes for redaction, data request handling, and data access and security

The BWC programs have additional requirements that are referenced in State Statutes 13.825 and 626.8473. These requirements include the following MN Statutes that were considered during this engagement:

- *13.82 Comprehensive Law Enforcement Data (see 13.825 Subd. 2 and 4)*
- *13.43 Subd. 2, Personnel Data, Public Data (see 13.825 Subd. 2)*

- 13.04 Subd. 2, Rights of Data Subjects, Tennessean Warning (see 13.825 Subd. 2 data classification; disclosure)
- 138.17, Government Records (see 13.825 Subd. 3 retention of data)
- 13.05 Subd. 5 Duties of Responsible Authority, Data Protection (see 13.825 Subd. 7)
- 13.055 Disclosure of Breach in Security; Notification and Investigation Report (see 13.825 Subd. 7); and
- The US FBI Criminal Justice Information Services (CJIS) Division Security Policy 5.5 Access Control.

Results

As a result of this engagement, Internal Audit noted opportunities to enhance the MPRB body worn camera policy and improve monitoring controls to better prepare for the first Biennial Audit of the MPRB Body Worn Camera program planned in 2020.

Please note that detailed audit comments were provided to Park Board Police.

We also recommend implementing the following activities to strengthen your body worn camera control environment:

- Establish a quality assurance process that includes random reviews of body worn camera recordings on a periodic basis. Testing should include sampling events where body worn camera recordings are expected, to ensure the equipment was activated.
- Add a change log to the policy to summarize key changes to the policy as they are made and include the name of the authorized person making the policy change and the date.

Sincerely,



Ginger Bigbie, CPA, CFE
Internal Audit Director

Audit Team:

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