

# **Body Worn Camera Compliance Audit**

**November 17, 2021**





*City of Gainesville Office of the City Auditor*

**GAINESVILLE CITY COMMISSION**

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## City of Gainesville Office of the City Auditor

### Body Worn Camera Compliance Audit

# Executive Summary

November 17, 2021

#### **What We Did**

The objective of this audit engagement was to assess Gainesville Police Department's (GPD) compliance with Florida's Body Camera statutes, GPD's internal Body Worn Camera (BWC) policies and procedures, and the effectiveness of the GPD body worn camera supervisory review program.

Over the course of engagement, we performed a narrowly focused review of BWC policies, procedures, and activities within the GPD. We assessed policies and procedures for adequacy and completeness and verified their compliance with Florida body camera statutes. We also reviewed BWC supervisor oversight processes (and compliance activities) and assessed the adequacy and completeness of BWC reporting and monitoring.

Through interviews, observation, limited substantive testing and data analysis we reviewed the following activities: the operation, storage, maintenance, and security of body worn cameras and BWC recordings; processes related to the distribution of BWC recordings; the adequacy of user access controls within Axon Evidence (the BWC recording system of record); and separation of duties between key roles and responsibilities related to BWC administration and operations.

GPD has made significant progress with their BWC program. Policies and procedures are in compliance with regulations and management is leveraging reporting capabilities to strengthen their program. During our review we noted three opportunities for improvement detailed in this report.

*We would like to thank the Gainesville Police Department, General Government Technology, Gainesville Regional Utility IT personnel and the City Manager for their cooperation and professionalism throughout this audit.*

#### **What We Found**

##### Supervisor Review of Body Worn Camera Recordings Not Monitored For Compliance (Moderate)

Supervisor Reviews of Non-Operational Bureau subordinate officer's BWC recordings were not being monitored for compliance with Florida Statutes. We reviewed management's implementation plan and determined it would be adequate to detect and monitor the risk of BWC policy and procedure non-compliance once fully implemented.

##### Incomplete Documentation for Required BWC Training (Moderate)

Documentation was not available to evidence required training for two Gainesville Police Department (GPD) members who had been issued Body Worn Cameras (BWCs) and two supervisors assigned to review BWC recordings.

##### Insufficient Axon User Access Management Process (Moderate)

Audit identified 13 of 1,248 Axon user roles that had more access privileges than necessary to perform their duties and four of 300 active user accounts that had not been properly deactivated.



## INTRODUCTION

GPD's Property and Evidence Unit is responsible for BWC equipment and recordings. The BWC System Administrator governs the BWC system, assigns and tracks equipment, controls passwords, and acts as a liaison with BWC representatives. The BWC Evidence Custodian is responsible for copying, logging, redacting, disseminating, and disposing of recorded media in accordance with Florida statutes and official legal processes. The BWC Records Custodian is responsible for receiving and processing public records requests.

All BWC recordings are uploaded and stored in the GPD agency portal of [www.evidence.com](http://www.evidence.com). Between January 1, 2021 and July 31, 2021, GPD members uploaded 72,214 body worn camera recordings. This is an average of 10,316 recordings per month.

The objective of this audit engagement was to assess Gainesville Police Department's (GPD) compliance with Florida's Body Camera statutes, GPD's internal Body Worn Camera (BWC) policies and procedures, and the effectiveness of the GPD body worn camera supervisory review program. This audit was included in the City Auditor's 2021 Audit Plan.



## SCOPE AND METHODOLOGY

The scope of this engagement included a review of compliance with policy and statutes, and internal controls around GPD's body worn camera administration, operations, and maintenance activities between January 1, 2021 and July 31, 2021. Specifically, the audit team:

### Governance

- Assessed the adequacy and completeness of policies and procedures, and compliance with Florida body camera statutes.

### Oversight and Monitoring

- Reviewed body worn camera supervisor oversight processes and related compliance activities.
- Assessed the adequacy and completeness of body worn camera reporting and monitoring.
- Reviewed processes related to the distribution of body worn camera recordings.

### Operations and Maintenance

- Reviewed operation, storage, maintenance, and security of body worn cameras and recordings.

### IT Application Controls

- Reviewed adequacy of user access controls related to Axon Evidence (evidence.com) as it relates to body worn camera operations.
- Reviewed key roles and responsibilities related to body worn camera administration and operations for adequate separation of duties.



## RESULTS AND CONCLUSION

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GPD management has made significant progress in obtaining, implementing and monitoring usage of body worn cameras. Policies and procedures adequately address expectations for officers to comply with body worn camera policies, rules and regulations. In addition, management is leveraging the vendor reporting capabilities to strengthen their compliance program. To assist management with further strengthening their control environment, we identified the following three opportunities for improvement:

1. Supervisor Review Not Monitored For Compliance (Moderate)
2. Incomplete Documentation for Required BWC Training (Moderate)
3. Insufficient Axon User Access Management Process (Moderate)

**High Risk:** Key controls do not exist or are not effective, resulting in an impaired control environment. High Risk control weaknesses require immediate corrective action detailed in the management action plan.

**Moderate Risk:** Adequate control environment exists for most processes. Moderate risk control weaknesses require corrective action detailed in the management action plan.

**Low Risk:** Satisfactory overall control environment with a small number of low risk control improvement opportunities that do not require corrective action or a management action plan.

Audit issue details and management action plans are included within the *Audit Issues and Management Action Plans* section beginning on page 8. We would like to thank the Gainesville Police Department, General Government Technology, Gainesville Regional Utility IT personnel and the City Manager for their professionalism and cooperation during this engagement.

## GOVERNMENT AUDITING STANDARDS COMPLIANCE

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We conducted this audit engagement in accordance with *Generally Accepted Government Auditing Standards* and the *International Standards for the Professional Practice of Internal Auditing*. Those standards require that we plan and perform the engagement to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our observations and conclusions based on our audit objectives.

## INTERNAL AUDIT TEAM

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Ginger Bigbie, CPA, CFE, City Auditor

Brecka Anderson, CIA, CFE, CGAP, Assistant City Auditor

Gregory Robeson, CPA, CIA, CFE, Internal Audit Manager

Patrick Keegan, CISA, Senior IT Auditor (Lead Auditor for this engagement)

Diana Ferguson-Satterthwaite, FCCA, CIA, Senior Internal Auditor

## BACKGROUND

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Body worn cameras (BWC) are recording devices issued to all Gainesville Police Department (GPD) sworn officers and police service technicians. GPD began using the cameras in 2018 and on August 6, 2020 the Gainesville City Commission approved funding for the purchase of upgraded equipment (Axon Body 3



cameras). The upgraded equipment was received in September 2020 and GPD issued the new equipment and began training all sworn officers and service technicians in October 2020.

The primary purpose of the BWC is to enhance officer safety and the safety of the public, while promoting accountability and transparency. The BWC is a valuable tool for documenting police response to calls, identifying training needs, addressing complaints, recording interaction between GPD members and the public, preparing offense/incident reports, and preparing for court testimony. An additional benefit provided by the BWCs is documenting unprofessional, illegal and inappropriate behaviors by both law enforcement and the public. BWCs assist GPD members in the performance of their duties by providing recorded, unbiased accounts of an incident.

#### Potential Impact of BWC Implementation and Use

A March 2021 study released by the University of Chicago Crime Lab titled *Body-Worn Cameras in Policing: Benefits and Costs*, states, “...the ratio of benefits to society from adoption of BWC to the costs is on the order of 5 to 1... [The] estimated benefit-cost analysis of 5:1 from body-worn cameras is substantially higher, for example, than the estimated benefit-cost ratio of 2:1 for additional spending on hiring more police Chalfin and McCrary (2018).”<sup>1</sup> The study also attributes use of body worn cameras to a 16.9% estimated reduction in complaints against police and a 9.6% estimated reduction in police use of force.

#### Florida Statutory Requirements

Florida Statute Title XLVII Chapter 943.1718 *Body cameras; policies and procedures* governs BWC policies and procedures. We identified ten discreet statutory requirements and tested GPD’s General Order 40.14 *Body Worn Camera Video Systems* to verify that all legal provisions were satisfied. GPD’s current policies and procedures meet or exceed all ten of the identified statutory standards.

#### Supervisor Review System of Record

Supervisor review of subordinate officer BWC video for compliance with statutes and policy is an important component of the GPD BWC oversight program. In early 2021, GPD began transitioning from their BWC supervisor review system of record, IAPRO Blue Team, to a purpose-built solution, Axon Performance. Axon Performance is directly integrated into Evidence.com (where all BWC video is uploaded and stored). This integration allows for many administrative efficiencies, including access to recording metadata (time, location, case ID, etc.). Law enforcement agencies around the world utilize Axon Performance to monitor and document BWC compliance.



#### BWC Supervisor Review Selection Process

BWC recordings are selected for supervisor review based on the following criteria: response to resistance (formerly known as “use of force”), display of force, and monthly random review. All BWC video that

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<sup>1</sup> Morgan C. Williams Jr., Nathan Weil, Elizabeth A. Rasich, Jens Ludwig, Hye Chang, and Sophia Egrari (March 2021) *Body-Worn Cameras in Policing: Benefits and Costs*. Working paper, [https://bfi.uchicago.edu/wp-content/uploads/2021/04/BFI\\_WP\\_2021-38.pdf](https://bfi.uchicago.edu/wp-content/uploads/2021/04/BFI_WP_2021-38.pdf), pg. 18

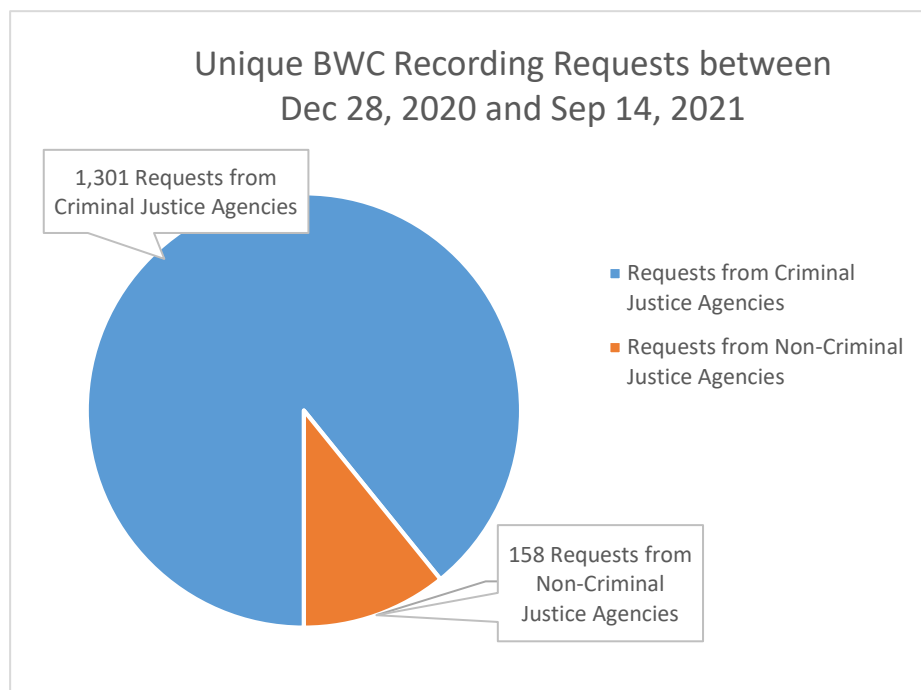


includes response to resistance and display of force events are reviewed by GPD supervisors. GPD defines "response to resistance" as an *"Applied force which causes or is alleged to have caused an injury but does not result in death or intended or likely to cause death."* GPD defines "display of force" as *"Anytime a Sworn Department Member points their firearm or Taser at an individual."* Note: un-holstering/readying the taser or firearm does not constitute "display of force"; the taser or firearm must be drawn *and* pointed at an individual to be considered "display of force." In addition, two randomly selected BWC videos per GPD member are selected every month for supervisor review.

### BWC Video Records Requests

The GPD Records Section coordinates all records requests for BWC video and forwards them to the BWC Evidence Custodian, as appropriate. The Evidence Custodian utilizes Redaction Studio, a module within the *Evidence.com* system, to perform redaction reviews and actual redactions (blurring of objects, muting audio, etc.). To determine what requires redaction from BWC recordings, the Evidence Custodian utilizes the *GOVERNMENT-IN-THE-SUNSHINE MANUAL* prepared by the Office of the Attorney General. Between December 28, 2020 and September 14, 2021, GPD processed 1,459 unique BWC recording requests. **See Figure 1 below.** Requests often include video from multiple BWC devices for a single event. All BWC video is meticulously reviewed for redaction prior to being shared with non-criminal justice agencies.

Figure 1 – Number of Body Worn Camera Recording Requests



### Enterprise IT Governance

Audit contacted the General Government (GG) Technology and GRU Information Technology staff regarding coverage of BWC-related systems and applications in the Enterprise IT Governance program. The GG Technology Director maintains an inventory of GG systems and applications that are shared with the GRU IT Enterprise Strategy and Governance Director and IT staff. As the Enterprise IT Governance program continues to develop, the new IT risk assessment processes are expected to extend to existing applications and systems that have not yet been risk assessed.



## AUDIT ISSUES AND MANAGEMENT ACTION PLANS

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### ISSUE #1 Body Worn Camera Supervisor Review Compliance Not Being Monitored

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**Risk rating:** [Moderate]

**Observation:**

Supervisor Reviews of subordinate officer's Body Worn Camera (BWC) recordings are not being monitored for compliance with Florida Statute Title XLVII Chapter 943.1718 Body cameras; policies and procedures and Gainesville Police Department [GPD] General Order 40.14 – Body Worn Camera Video Systems (BWC), which require periodic review of actual agency body camera practices to ensure conformity with the agency's policies and procedures and specifically requires immediate supervisors to randomly review subordinate officer's BWC recordings on a monthly basis. While management attests that Operations Bureau GPD members' recordings have been reviewed and monitored within the previous system of record (Blue Team), Supervisor reviews of Non-Operations Bureau members' BWC recordings were not being monitored for compliance. Audit reviewed management's implementation plan for the new system of record (Axon Performance) and the proposed Supervisor Review process and determined the plan and proposed process would be adequate to detect and monitor the risk of BWC policy and procedure non-compliance once they are fully implemented.

**Criteria:**

Florida Statute Title XLVII Chapter 943.1718 Part 3(d) states:

*(3) A law enforcement agency that permits its law enforcement officers to wear body cameras shall:*

*...*

*(d) Perform a periodic review of actual agency body camera practices to ensure conformity with the agency's policies and procedures.*

General Order 40.14 - Body Worn Camera Video Systems (BWC) Section V Part H2 states:

*On a monthly basis, immediate supervisors will randomly review at least one BWC recording per officer to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required. Immediate supervisors will review two BWC recordings per officer if that officer is not also assigned an in-car video system.*

**Cause:**

At the time of the audit engagement, Gainesville Police Department (GPD) was transitioning its Body Worn Camera (BWC) Supervisor Review to a new system of record (Axon Performance) and management was in the process of training all impacted personnel. As such, they had not yet implemented a process for Supervisor Review BWC compliance monitoring of subordinate officers in accordance with F.S. 943.1718 and General Order 40.14.





***Risk:***

Failing to perform periodic review of actual agency body camera practices increases the likelihood of policy and procedure non-compliance which could lead to reputational and legal impacts for the City.

***Recommendation:***

The City Auditor recommends and agrees with the following management action plan.

***Management Action Plan***

Management will continue moving forward with the established implementation plan and ensure supervisor review of BWC recordings are being conducted in accordance with Florida Statutes and the General Order. Areas in which management will focus attention and create specific and measurable timelines include:

- Completion of required BWC supervisor review within 60 days of moving into the supervisory role.
- Development and implementation of a process to report on the status of BWC supervisor review training and compliance with BWC recording review processes outlined the General Order.
- Development and implementation of a disciplinary process for supervisors who are not maintaining compliance with the General Order.

**Due date:** Full implementation of the program – January 01, 2022

**Responsible Parties:** Alison Novak, Staff Specialist  
Mark Green, BWC System Administrator

**Accountable Party:** Jaime, Kurnick, Chief Inspector

**Consulted Party:** Tony Jones, Police Chief

**Informed Party:** Cynthia Curry, Interim City Manager



## ISSUE #2 Incomplete Documentation for Required BWC Training

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**Risk rating:** [Moderate]

### **Observation:**

Body Worn Camera (BWC) related training documentation was incomplete. Documentation was not available to evidence required training for two Gainesville Police Department (GPD) members who had been issued Body Worn Cameras (BWCs) and two supervisors who are assigned to review BWC recordings.

### **Criteria:**

Florida Statute Title XLVII (47) Chapter 943.1718 Part 3(a) states:

*(3) A law enforcement agency that permits its law enforcement officers to wear body cameras shall: (a) Ensure that all personnel who wear, use, maintain, or store body cameras are trained in the law enforcement agency's policies and procedures concerning them.*

GPD General Order 40.14 - Body Worn Camera Video Systems (BWC) Section V Part B.3 states:

*Members who are assigned BWC's and their supervisors must complete training provided by or approved through the Department's Occupational Skills Unit to ensure proper use and operation.*

### **Cause:**

Per management, the GPD members Audit identified as not having training documentation available for review failed to sign the training roster when they received the training.

### **Risk:**

Failure to ensure that all GPD members who use BWCs and their supervisors are properly trained in their use could result in the loss of accreditation from The Commission on Accreditation for Law Enforcement (CALEA). Additionally, improperly trained BWC users increase the risk of inappropriate police activity going undetected which could result in a loss of reputation for the department as well as increasing the likelihood of citizen complaints and lawsuits leading to a financial burden on GPD and the City.

### **Recommendation:**

The City Auditor recommends and agrees with the following management action plan.

#### **Management Action Plan**

Management understands that paperwork for only 2 individuals was not found during the audit, which most likely was them not signing the roster when attending training. We will ensure that the training attendance is documented in the future. Additionally, Management will verify



completed training is appropriately documented through periodic quality control review of training documentation.

**Due date:** February 28, 2022

**Responsible Party:** Mark Green, BWC Systems Administrator

**Accountable Party:** Jaime Kurnick, Chief Inspector

**Consulted Party:** Tony Jones, Police Chief

**Informed Party:** Cynthia Curry, Interim City Manager



## ISSUE #3 Insufficient Axon User Access Management Process

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**Risk rating:** [Moderate]

### **Observation:**

Audit reviewed a total of 1,248 Axon user role access privileges and identified 13 instances of user roles having more access privileges than necessary to perform their duties and four of 300 active user accounts that had not been properly deactivated. Additionally, Audit identified a Segregation of Duties best practice violation in which the Armorer user role had access privileges allowing them to reassign and delete their own body worn camera recordings.

### **Criteria:**

COBIT 2019 (Control Objectives for Information Technologies) recommends the following as best practice for segregation of duties and least privileged access: 1) allocate roles for sensitive activities so there is a clear segregation of duties; 2) allocate access rights and privileges based on the minimum that is required to perform job duties and to remove or revise access rights immediately if the job role changes or a staff member leaves the business process area.

### **Cause:**

Axon user access is not periodically reviewed by management to ensure access privileges are aligned with job duties.

### **Risk:**

User accounts that improperly remain active and user access privileges that are not sufficiently limited increase the risk of unauthorized access or fraudulent activity which could lead to reputational harm, litigation or other loss for the City.

### **Recommendation:**

The City Auditor recommends and agrees with the following management action plan.

#### **Management Action Plan**

Management will perform standardized periodic user access reviews and coordinate with Enterprise IT Governance for user access review best practices. Reviews will verify user access privilege appropriateness, including whether access privileges are sufficiently limited to the minimum that is required to perform job duties. The reviews will be completed every six months.

**Due date:** February 28, 2022 and ongoing

**Responsible Party:** Mark Green, BWC System Administrator

**Accountable Party:** Jaime Kurnick, Chief Inspector



**Consulted Parties:** David Duda, Director of Technology and Innovation  
T.C. Kelley, Director of Enterprise Strategy and Governance for IT

**Informed Parties:** Tony Jones, Police Chief  
Cynthia Curry, Interim City Manager

