Body Worn Camera Compliance Audit

April 2022

Fort Smith Police Department Body Worn Camera Audit

Executive Summary

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What We Did

The scope considered video footage and information related to body-worn cameras from 2019 through 2021. The objective of this audit was to assess:

- Fort Smith Police Department's (FSPD) compliance with their Body Worn Camera (BWC) and In Car Camera (ICC) policies and procedures.
- The effectiveness of the supervisory review, accessibility, authorization and documentation of reviewed videos.
- The video upload and categorization by role to ensure compliance with policy.
- Review Evidence.com system controls to determine whether videos were retained in accordance with the retention guidelines and whether videos could be deleted by unauthorized users.
- Review video activated and deactivated procedures.

Over the course of the audit, we performed a narrowly focused review of BWC policies and procedures within FSPD. We assessed policies and procedures for adequacy and completeness and verified their compliance. We also reviewed BWC supervisor oversight processes and assessed the adequacy and completeness of BWC reporting and monitoring.

Through interviews, observation, limited testing and data analysis we reviewed the following activities: the operation, officer video user roles, the reports in ICIS and related videos, and security of BWC and ICC videos in Evidence.com; and separation of duties between key roles and responsibilities related to BWC administration and operations.

FSPD throughout the audit process implemented changes and made correction with their BWC program. During our review we noted seven opportunities for improvement detailed in this report and several observations.

What We Found - Conclusion

PROCESSES ARE NOT IN PLACE TO ENSURE THAT ALL VIDEOS ARE UPLOADED TO EVIDENCE.COM. (HIGH) – Call For Service numbers are not compared to all videos uploaded to Evidence.com to ensure all Call for Services have been recorded and all videos have been uploaded.

CAMERA ACTIVATION AND DEACTIVATION NOT UTILIZED ACCORDING TO POLICY. (HIGH) - Our review identified a relatively small number of officers who did not manually start the recording at the beginning of the incident. Without a full video and audio recording of the officer's interaction, it is unclear what was happening in the incident and a full evaluation of officer performance cannot be completed.

NOT ALL QUARTERLY VIDEO REVIEWS WERE SUBMITTED AND NOT ALL OFFICERS HAD A VIDEO REVIEWED. (HIGH) - Quarter review documentation was not provided for each division and not every officer who had a video in each division was reviewed. Additionally, not all of the quarter review documentation contained the information necessary to identify which officer video was reviewed

VIDEO DID NOT BELONG TO OFFICER. (MODERATE) - Not all officer's ensured the video they were categorizing is their video. If IIC videos do not completely upload before connection is terminated, then the ICC videos not uploaded will attach to the incoming officer's ICC videos.

Additionally, it was noted that officers documented in Evidence.com "not my video" if the video was not their video. Supervisors did not ensure on a weekly basis that all videos were correctly classified according FSPD policy 1109.10 Body Worn Camera (BWC) and In-Car Camera (ICC) Systems.

We would like to thank the Fort Smith Police Department, specifically Captain Wes Milam and Captain Daniel Grubbs for their cooperation and professionalism throughout this audit. We also recognize the work and effort to implement this program within the Police Department and officers. The BWC implementation was built from the ground up, beginning with learning not only the camera system, but writing the policies, ensuring all officers were trained and learning the Evidence.com software. They also worked with other agencies and the prosecutor's office to ensure that the videos had a reasonable retention period. Lastly they worked to ensure that the In-Car-Camera system integrated with the BWC's. Management also worked with us to ensure recommendations were achievable and reasonable since they are the subject matter experts in this area.

What We Found - Continued

VIDEOS DO NOT AGREE TO THE INCIDENT CRIME INFORMATION SYSTEM (ICIS) REPORT. (HIGH) - Officers did not ensure that the video category, the ICIS report category and assisting officers report categories agreed to the call for service. It was noted that an officer would categorize the incident a different category as other officers on the scene and therefore the retainage time for the video was shorter and deleted prematurely.

VIDEO NOT CATEGORIZED CORRECTLY AND THEREFORE DELETED PREMATURELY. (HIGH) - Not all videos were categorized correctly according to the video and/or to the report. Videos with an incorrect category were deleted before the proper retention date. Videos with an incorrect category were deleted before the proper retention date or retained for longer than necessary.

CALL FOR SERVICE (CFS) NUMBER NOT CORRECT. (HIGH) - Not all videos had a CFS number or the correct CFS number assigned. Without the CFS number, the video would not be found in a search, so it would be difficult to locate the video related to that case for an interested party (for example the officer's supervisor, a detective working on the case, or a member of the public requesting the video).

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.

OTHER FINDINGS/OBSERVATIONS TO BE CONSIDERED FOR CORRECTION

The following observations were noted during the review and should have steps implemented to strengthen and correct these actions:

A. Camera view was blocked at some point in the video – Throughout the course of their normal duties, officers may briefly block the view of the camera and we identified some examples of this in our review. Examples that we observed were officers seatbelt over the camera, officers are covering the camera while speaking on the phone, officer leaning on counter and camera pointing down or arms covering viewing area, and officers arm covering camera as speaking on mic. The risk and potential impact to the officer and FSPD would be not capturing the officer's safety, not capturing the event of evidentiary significance.

B. Videos not uploaded timely was relatively small, however policy requires that officers upload the BWC videos created during their shift by the end of their work day. Regularly uploading videos is important because once the camera's memory is full, it will not record additional data and users may fail to record events of evidentiary significance. It also minimizes the risk should the camera fall or is pulled off an officer and subsequently lost, the more data stored on the camera, the more data that could be lost.

For accountability and transparency, Department leadership should consider receiving, monitoring and tracking through an analysis the following:
- Videos captured and compared to dispatch calls
- Videos uploaded within one day
- Uncategorized videos
- Videos streamed by supervisors
- Videos deleted before the retention schedule
- Videos audited that complied with activation and deactivation procedures
- Audited videos that were accurately categorized
- Call for Service numbers were corrected by Captain during testing of videos.
- Videos did not delete as scheduled
- Videos expired retention category

<u>Additional Recommendations</u>:

☐ Randomly select videos scheduled for deletion to ensure the video is categorized for appropriate deletion period, has the correct CFS number and correct officer.

☐ Conduct quarterly reviews of user roles and permissions.

☐ The development of oversight policies and procedures that ensure those wearing BWCs operate the equipment in compliance with established guidelines. This should include, but may not be limited to, camera placement that ensures clear audio and video recording as well as compliance with established activation and deactivation requirements.

Audit recommends that FSPD acquire Axon Performance to help with data/metrics, queries to ensure all CFS have a video in Evidence.com

Axon Performance is a data analysis software that helps in effectively managing the BWC program. It provides data/metrics for BWC and Taser utilizations to show activation rate, powering cycle, categorization rate and ID rate. Performance allows for mining through large databases and extract patterns of behavior to help supervisors identify training and developmental needs.

Axon Performance makes auditing easy by automating BWC policy review workflows by having configurable workflows that adapt to existing police department review process. It increases review coverage and the system measures compliance of all officers wearing BWCs. Provides at-a-glance policy compliance scoring.

Additionally, Axon Performance automatically measures camera-use during calls for service and provides actionable reporting and insights. The supervisor can set up a dashboard that list all officers under their command. The list will show if each officer is consistently complying with Department policy and allows for the supervisor to click on an officer's name to jump to their individual performance page. It also allows the supervisor to select a Random Video Review workflow that is based on an algorithm that selects body-worn videos randomly for review, while trying to ensure that officers are reviewed on a similar frequency and cadence.

Lastly, Axon Performance metrics can be set to show the total number of TASER 7 arm events, arc events, trigger events, cartridge deployments, TASER Docking, and TASER function Tests across the agency, for individual officers. The information is presented in the TASER Metrics tab on the Management View, Dashboard, and Officer pages.