



# Faribault County Sheriff's Office

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## 1701 BODY WORN CAMERA POLICY

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Approved By:	Michael Gormley, Sheriff Scott Adams, Chief Deputy

### PURPOSE AND SCOPE

This policy provides guidelines for the use of Body Worn Cameras by members of this department while in the performance of their duties (Minn. Stat. § 626.8473). Body Worn Cameras include all recording systems whether body-worn, handheld or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Faribault County Sheriff's Office, undercover operations, wiretaps or eavesdropping (concealed listening devices) unless captured by a Body Worn Cameras.

The Sheriff or Sheriff's designee may supersede this policy by providing specific instructions for BWC use to individual officers, or providing specific instructions pertaining to particular events, including but not limited to political rallies and demonstrations. The Sheriff or designee may also provide specific instructions on standard operating procedures for BWC use to Officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities.

### DEFINITIONS

Definitions related to this policy include:

**MGDPA or Data Practices Act** - refers to the Minnesota Government Data Practices Act, Minn. Stat. §13.01, et seq.

**Data Subject** - The image or voice of any person recorded by a BWC, except of the officer wearing the BWC that captured the data.

**Data Transfer** - The movement of digital data from a BWC device to the agency digital evidence storage location.

**Digital Evidence** - Digital data files from BWC or any other agency device capable of capturing audio, video, photographs and stored in digital format that have an evidentiary value.

**Evidentiary value** - means that the information may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against law enforcement agency or officer.

**General citizen contact** - means an informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Examples include, but are not limited to, assisting a motorist with directions, summoning a tow truck, or receiving generalized concerns from a citizen about

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crime trends in his or her neighborhood.

**Official Duties** - For the purposes of this policy, means that the officer is on duty and performing law enforcement services on behalf of this agency

**Body Worn Camera (BWC)** – A camera system that is worn on an individual officer's person that records and stores audio and video data.

**Records Retention Schedule** - refers to the General Records Retention Schedule for Minnesota Cities.

**Adversarial** - means a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

**Unintentionally recorded footage** - is video recording that results from an officer's inadvertence or neglect in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage includes, but not limited to, recording made in the station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of non-business, personal nature with the expectation that the conversation was not being recorded.

### MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time or while acting in an official capacity of this department, regardless of ownership of the device, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### MEMBER RESPONSIBILITIES

Prior to going into service, each patrol officer will be responsible for making sure that he/ she is equipped with a body worn camera issued by the Department, and that the camera is in good working order (Minn. Stat. § 13.825). If the camera is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor, designee, or coordinator and obtain a functioning device as soon as reasonably practicable.

Officers should ensure the BWC is worn in one of the approved locations to record events.

#### A. Approved BWC wear locations:

1. On the vertical button edge of a uniform shirt or outer jacket.
2. On a dedicated tab of a uniform shirt or outer jacket.
3. On a dedicated tab located on outer body armor carrier.
4. On the pocket of an outer body armor carrier.
5. Other locations can be approved by the Sheriff or Designee.

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The following members are not required to wear a body worn camera:

1. Members on special or investigative assignments (SWAT, K9, UAV, drug task force, welfare fraud, etc.)
2. Members that are off duty and are called out to respond to incidents.
3. Members that are not assigned a body worn camera, whether or not they are in uniform and/or covering patrol duties (ex. Part-time deputies, Welfare Fraud Investigator in duty uniform covering a patrol shift, Chief Deputy responding to an incident, etc.)
4. Designated members at designated special events (ex. Faribault County Fair, etc.)
5. During adverse weather events as determined by the Sheriff, Chief Deputy, and/or the Sheriff's designee.
6. Members designated by the Sheriff, Chief Deputy, and/or the Sheriff's designee.

Any member assigned to a non-uniformed position may carry an approved body worn camera at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the BWC in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a BWC, the assigned member shall record his/her name, employee number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording (Minn. Stat. § 626.8473). Members should include the reason for deactivation.

## **ACTIVATION OF THE AUDIO/VIDEO RECORDER**

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations.
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
- (c) Self-initiated activity in which a member would normally notify Dispatch.
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound

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discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

### **CESSATION OF RECORDING**

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident. The recording may also be stopped when entering a secure detention facility, mental health facility, hospitals and medical calls where the recording would hold no evidentiary value.

### **SURREPTITIOUS RECORDINGS**

Minnesota law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Minn. Stat. § 626A.02).

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Sheriff or the authorized designee.

### **SPECIAL GUIDELINES FOR RECORDING**

Officers may, in the exercise of sound discretion, determine:

- A. Officers have discretion to record any police-citizen encounter regardless if the recording would yield information having evidentiary value, unless such recording is otherwise expressly prohibited.
- B. To use their BWC to take recorded statements from persons believed to be victims and witnesses of crimes, and persons suspected of committing crimes, considering the needs of the investigation and the circumstances pertaining to the victim, witness, or suspect.
- C. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, BWC shall be activated as necessary to document any use of force and the basis for it, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.

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- D. Officers should use their BWC and Squad camera to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or use-of-force incident.
- E. Officers should avoid when possible, recording law enforcement restricted data on a BWC that may be in a verbal, written or electronic format. Examples including, but not limited to: school or medical information, computer screen containing confidential CJIS information such as: Driver's Licenses, criminal histories.

### **EXPLOSIVE DEVICES**

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

### **PROHIBITED USE OF Body Worn Cameras**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on- duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Sheriff or designee. Any member who uses a personally owned recorder for department- related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

### **IDENTIFICATION AND PRESERVATION OF RECORDINGS**

To assist with identifying and preserving data and recordings, members should download, tag or mark the recordings in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

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- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an under-cover officer or confidential informant.
- (g) The recording or portions of the recording may be protected under the Minnesota Data Practices Act.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

### RETENTION REQUIREMENTS

Portable recordings may be considered criminal investigative data subject to public disclosure (Minn. Stat. § 13.82, Subd. 7). All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days.

### DOWNLOADING AND LABELING

- A. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera to the evidence library. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, the Sheriff or designee shall take custody of the officer's BWC and assume responsibility for transferring the data from it.
- B. Officers shall label the BWC data files at the time of capture or transfer to storage and should consult with the Sheriff or designee if in doubt as to the appropriate labeling. Officers should assign as many of the following labels as are applicable to each file:
  - 1. **Evidence – Criminal:** The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision.
  - 2. **Evidence - Force:** Whether or not enforcement action was taken, or an arrest resulted, the event involved the application of force by an officer of Faribault County Sheriff's Office of sufficient degree or under circumstances triggering a requirement for supervisory review.
  - 3. **Evidence—Property:** Whether or not enforcement action was taken, or an arrest resulted, an officer seized property from an individual or directed an individual to dispossess property.
  - 4. **Evidence—Administrative:** The incident involved an adversarial encounter or resulted in a complaint against the officer.
  - 5. **Evidence—Other:** The recording has potential evidentiary value for reasons identified by the officer at the time of labeling.
  - 6. **Training:** The event was such that it may have value for training.

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7. **Not Evidence:** The recording does not contain any of the foregoing categories of information and has no apparent evidentiary value. Recordings of general citizen contacts and unintentionally recorded footage are not evidence.

C. In addition, officers shall flag each file as appropriate to indicate that it contains information about data subjects who may have rights under the MGDPA limiting disclosure of information about them. These individuals include:

1. Victims and alleged victims of criminal sexual conduct and sex trafficking.
2. Victims of child abuse or neglect.
3. Vulnerable adults who are victims of maltreatment.
4. Undercover officers.
5. Informants.
6. When the video is clearly offensive to common sensitivities.
7. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.
8. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
9. Mandated reporters.
10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
11. Juveniles who are or may be delinquent or engaged in criminal acts.
12. Individuals who make complaints about violations with respect to the use of real property.
13. Officers and employees who are the subject of a complaint related to the events captured on video.
14. Other individuals whose identities the officer believes may be legally protected from public disclosure.

D. Labeling and flagging designations may be corrected or amended based on additional information.

### REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (See the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report. However, transcription of the event may be used as part of the detailed report.

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Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation. Any instructor or supervisor can review footage for training purposes.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) In compliance with the Minnesota Data Practices Act request, if permitted or required by the Act, including pursuant to Minn. Stat. § 13.82, Subd. 15, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (See the Records Maintenance and Release Policy). Recordings that are clearly offensive to common sensibilities should not be publicly released unless disclosure is required by law or order of the court (Minn. Stat. § 13.82, Subd. 7; Minn. Stat. § 13.825, Subd. 2).

### **COORDINATOR**

The Sheriff or the authorized designee should designate a coordinator responsible for (Minn. Stat. § 626.8473; Minn. Stat. § 13.825):

- (a) Establishing procedures for the security, storage and maintenance of data and recordings.
  - 1. The coordinator should work with the Custodian of Records and the member assigned to coordinate the use, access and release of protected information to ensure that procedures comply with requirements of the Minnesota Government Data Practices Act (MGDPA) and other applicable laws (Minn. Stat. § 13.01 et seq.) (See the Protected Information and the Records Maintenance and Release policies).
- (b) Establishing procedures for accessing data and recordings.
  - 1. These procedures should include the process to obtain written authorization for access to non-public data by FRC members and members of other governmental entities and agencies.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging or marking events.
- (e) Establishing an inventory of BWC including:
  - 1. Total number of devices owned or maintained by the Faribault County Sheriff's Office.



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2. Daily record of the total number deployed and used by members and, if applicable, the precinct or district in which the devices were used.
  3. Total amount of recorded audio and video data collected by the devices and maintained by the Faribault County Sheriff's Office.
- (f) Preparing the biennial audit required by Minn. Stat. § 13.825, Subd. 9.
- (g) Notifying the Bureau of Criminal Apprehension (BCA) in a timely manner when new equipment is obtained by the Faribault County Sheriff's Office that expands the type or scope of surveillance capabilities of the department's BWC.

The criterion for the Coordinator listed above for a, b, c, d and e has been addressed in this BWC policy. The Coordinator, Sheriff, or designee will address items f and g when needed.

### **RETENTION OF RECORDINGS**

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days.

If an individual captured in a recording submits a written request, the recording may be retained for an additional time period. The coordinator, Sheriff, or designee should be responsible for notifying the individual prior to destruction of the recording (Minn. Stat. § 13.825). This is addressed in further detail in the "Data Retention" section of this policy.

### **RELEASE OF AUDIO/VIDEO RECORDINGS**

Requests for the release of audio/video recordings that is not specifically covered in this policy, shall be processed in accordance with the Records Maintenance and Release Policy.

### **ACCESS TO RECORDINGS**

Except as provided by Minn. Stat. § 13.825, Subd. 2, audio/video recordings are considered private or nonpublic data.

Any person captured in a recording may have access to the recording. If the individual requests a copy of the recording and does not have the consent of other non-law enforcement individuals captured on the recording, the identity of those individuals must be blurred or obscured sufficiently to render the subject unidentifiable prior to release. The identity of on-duty peace officers may not be obscured unless their identity is protected under Minn. Stat. § 13.82, Subd. 17.

#### **A. Data subjects:**

Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:

1. Any person or entity whose image or voice is documented in the data.
2. The officer who collected the data.
3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

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### **B. BWC data is presumptively private.**

BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

1. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
2. Some BWC data is classified as confidential (see C. below).
3. Some BWC data is classified as public (see D. below).

### **C. Confidential data.**

BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the "private" classification listed above and the "public" classifications listed below.

### **D. Public data.**

The following BWC data is public:

1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.
2. Data that documents the use of force by a peace officer that results in substantial bodily harm.
3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted [if practicable]. In addition, any data on undercover officers must be redacted.
4. Data that documents the final disposition of a disciplinary action against a public employee. However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

### **E. Access to Body Worn Camera data by non-employees.**

Officers shall refer members of the media or public seeking access to BWC data to the Sheriff, designee, or Faribault County Attorney who shall process the request in accordance with the MGDPA and other governing laws. In particular:

1. An individual shall be provided with access and allowed to review recorded BWC data about him- or herself and other data subjects in the recording, but access shall not be granted:
  - a. If the data was collected or created as part of an active investigation.
  - b. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.

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2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:
  - a. Data on other individuals in the recording who do not consent to the release must be redacted.
  - b. Data that would identify undercover officers must be redacted.
  - c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.

### **F. Access by peace officers and law enforcement employees.**

No employee may have access to the department's BWC data except for legitimate law enforcement or data administration purposes:

1. Agency personnel may access and view stored BWC data only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Officers may review BWC recorded data of an incident which they recorded, for the purpose of preparing a report, giving a statement, or providing testimony about the incident.
2. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC digital data recorded or maintained by this agency onto public and social media websites. Agency personnel shall document their reasons for accessing stored BWC data at the time of each access.
3. Agency personnel shall refer members of the media or public seeking access to BWC recorded data to the responsible authority/data practices designee, who will process the request in accordance with the MGDPA and other governing laws. Employees seeking access to BWC recorded data for non-business reasons may make a request for it in the same manner as any member of the public.
4. Officers may display portions of BWC data to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. Officers should limit these displays, including but not limited to: showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video, to protect against the incidental disclosure of individuals whose identities are not public.
5. BWC digital data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.
6. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.

### **DATA SECURITY SAFEGUARDS**

- A. All security measures employed by Evidence.com shall be in effect for data management
- B. Officers shall only use agency designated digital data storage, as approved by the Sheriff or designee.

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- C. Personally owned devices, including but not limited to computers and mobile devices, shall not be programed or used to access or view or record agency BWC digital data, without prior approval from the Sheriff or designee.
- D. Officers shall not intentionally edit, destroy, erase or in any manner alter BWC digital data unless otherwise expressly authorized by the Sheriff or designee.
- E. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

### **AGENCY USE OF DATA**

The following purposes are approved by the Sheriff as having a legitimate and specified law enforcement purpose, for the access to the BWC recorded data as provided by Minnesota Statute 13.825, subd 7(b).

- A. The Sheriff or Designee may randomly review BWC usage by each officer to whom a BWC is issued or available for use, to ensure compliance with this policy, ensure equipment is operating properly and to identify any performance areas in which additional training or guidance is required.
- B. In addition, the Sheriff and other assigned personnel may access BWC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.
- C. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.
- D. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis.
- E. Field training officers may review BWC recorded data, recorded by them or their trainee, with trainees for the purpose of providing coaching and feedback on the trainee's performance.

### **DATA RETENTION**

- A. All data compiled by a body worn cameras will be subject to the following data retention schedules. When a particular recording is subject to multiple classifications and retention periods, it shall be maintained for the longest applicable period. All data will be retained for a minimum of 90 days. There is no exceptions for erroneously recorded or non-evidentiary data.
- B. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous, must be maintained for a minimum period of one year.
- C. Certain kinds of BWC data must be retained for six years:

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1. Data that documents the use of deadly force by a peace officer, or force of a sufficient type or degree to require a use of force report or supervisory review.
2. Data documenting circumstances that have given rise to a formal complaint against an officer.
- D. Other data having evidentiary value shall be retained for the period specified in the Records Retention Schedule. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.
- E. Subject to Part F (below), all other BWC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days. Upon written request by a BWC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 180 days. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.
- F. The department will post this policy on its website.
  - (a) **Evidence-Criminal: Three-year retention period**  
The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision.
  - (b) **Evidence-Force: Six-year retention period**  
Whether or not enforcement action was taken, or an arrest resulted, the event involved the application of deadly force by a peace officer, or force of a sufficient type or degree to require a use of force report or supervisory review of this or another agency.
  - (c) **Evidence-Property: One-year retention period**  
Whether or not enforcement action was taken, or an arrest resulted, an officer seized property from an individual or directed an individual to dispossess property.
  - (d) **Evidence-Administrative: Six-year retention period**  
The incident involved an adversarial encounter or resulted in a complaint against the officer.
  - (e) **Evidence-Other: Three-year retention period**  
The recording has potential evidentiary value for reasons identified by the officer at the time of labeling.
  - (f) **Not Evidence: 90-day retention period**  
The recording does not contain any of the foregoing categories of information and has no apparent evidentiary value. Recordings of general citizen contacts and unintentionally recorded footage are not evidence.

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Data listed below will have the following retention period.

Uncategorized - Until Manually Deleted	Evidence (Long Term) - Until Manually Deleted
Adversarial / Complaint - 6 Years	Juvenile Contact – 180 Days
Assault – 3 Years	Motor Vehicle Accident - 3 Years
Assist (General/Civil) - 120 Days	Property Seizure/Release - 3 Years
Assist (Other Agency) - 180 Days	Pursuit (Motor Vehicle) - Until Manually Deleted
Burglary - 3 Years	Suspicious Circumstance/Person/Vehicle - 90 Days
Disturbance - 90 Days	Test / Accidental - 90 Days
Domestic (Arrest) - 3 Years	Traffic Citation - 3 Years
Domestic (No Arrest) - 180 Days	Traffic Warning - 90 Days
Drug Task Force Contact – 180 Days	Training - 180 Days
Drugs/Narcotics - 3 Years	Transport - 180 Days
DWI - 3 Years	Vehicle Search - 180 Days
Evidence (Criminal) - 6 Years	Warrant Service – 180 Days
Evidence (Force) - 6 Years	

### ACCOUNTABILITY

Any member who accesses or releases recordings without authorization may be subject to discipline (See the Standards of Conduct and the Protected Information policies) (Minn. Stat. § 626.8473).

### TRAINING

The Faribault County Sheriff's Office shall provide all employees responsible for the operation, handling, and management of the BWC equipment and data files with training to ensure compliance with this policy.