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Overview

This bill amends biennial audit requirements and other data-related requirements on law enforcement agencies using automatic license plate readers (ALPRs) and body cameras.

Section

- 1 ALPR: Public log-of-use.** This section amends the requirements for what data a law enforcement agency must record in a public log-of-use when it uses an ALPR. The bill requires that, for each period of active use, the agency must record and maintain the number of individual vehicles or license plates identified by the ALPR that fall into the following six categories:
 - (1) stolen vehicle or license plate;
 - (2) vehicle owner has outstanding arrest warrant;
 - (3) vehicle owner has a suspended, revoked, or canceled driver's license;
 - (4) vehicle owner is associated with other information providing reasonable suspicion to conduct a traffic stop;
 - (5) identification of vehicle or license plate results in an arrest; and
 - (6) data collected is classified as active investigative data.
- 2 ALPR: Biennial audit.** This section amends the requirements for the mandatory biennial audit of a law enforcement agency's ALPR data to ensure compliance with this section of law.

Section

(a) Changes to this paragraph require that the biennial audit be performed by a private auditing firm, and that the audit report be submitted to the legislature by July 1 of each odd-numbered year.

(b) Changes in this paragraph require that the following information be included in the public audit report:

(1) the number and types of ALPRs used by the agency and contract information for the ALPRs vendors;

(2) all information in the public log-of-use, aggregated and summarized for the biennial period; and

(3) all agency policies regarding ALPR data.

(c) Changes in this paragraph give the commissioner of administration the authority to order the agency to perform supplemental audits, if the agency's audit report contains signs of noncompliance.

3 ALPR: Notification to Bureau of Criminal Apprehension (BCA). Changes in this paragraph clarify when a law enforcement agency must notify the BCA that it is using ALPR technology.

4 Body camera: authorization to access data.

(b) Changes in this paragraph tighten controls on who at a law enforcement agency can access body camera data by requiring that access be based on "a reasonable suspicion that the data are pertinent to an active criminal investigation."

(c) This paragraph requires the agency to maintain a public "data audit trail" that records information regarding any access of the body camera data by a person within the law enforcement agency. This is similar to current audit trail requirements in the ALPR statute (§ 13.824, subd. 7, paragraph (c)).

5 Body camera: biennial audit. Changes in this section align the biennial audit subdivision in the body camera statute with the biennial audit subdivision in the ALPR statute.

(a) Changes to this paragraph require that the biennial audit be performed by a private auditing firm, and that the audit report be submitted to the legislature by July 1 of each odd-numbered year.

(b) Changes in this paragraph require that the following information be included in the public audit report:

(1) all information current required to be collected in the agency's inventory of body camera technology (*see* § 13.085, subd. 5); and

(2) all agency policies regarding body camera data.

(c) Changes in this paragraph give the commissioner of administration the authority to order the agency to perform supplemental audits, if the agency's audit report contains signs of noncompliance.