

**AUDIT SERVICES OVERSIGHT COMMITTEE**  
**Monday, August 23, 2021**  
**Virtual Meeting via Zoom 3:30 P.M.**

The Audit Services Oversight Committee met at the above date and time with the following members present: Chair-Nick Long and Vice Chair-Shanell Frazer, Resident Member Matthew Ruterbories, Mayor Steve Schewel and Mayor Pro Tempore Jillian Johnson.

Also present: Bo Ferguson, Deputy City Manager; Bertha T. Johnson, Interim Deputy City Manager, Shari Montgomery, Interim Police Chief, Durham Police Department; David Anthony, Major, Durham Police Department, Emily Desiderio, Interim Finance Director (Assistant Director), Christina Riordan, Interim Assistant Director, Chris Bushek, EIS Coordinator, Dr. Germaine F. Brewington, Director, Audit Services Department, and the Audit Services Department Staff.

Not present: City Manager Wanda Page.

The Chair, Nick Long, called the meeting to order at 3:30 p.m.

**SUBJECT: APPROVAL OF MINUTES – JUNE 14, 2021**

**Motion** was made and it was properly seconded to approve the minutes of the June 14, 2021 Audit Services Oversight Committee meeting.

The motion passed unanimously.

**SUBJECT: ADJUSTMENTS TO AGENDA**

There were no adjustments to the agenda.

**Motion** was made and properly seconded to approve the excused absence for City Manager Wanda Page.

**SUBJECT: POLICE BODY-WORN CAMERAS PERFORMANCE AUDIT AUGUST 2021**

Director Brewington gave a PowerPoint presentation. She stated that this audit report was important because proactively reviewing body-worn camera policies and practices helps identify gaps and address them before problems arise; as well as highlights good practices that should be sustained. The audit also ensures that the benefits of implementing a body-worn camera program are being realized at the City.

Dr. Brewington discussed the two objectives of the audit: review the Body-worn Camera Program; and determine whether Durham Police officers are using body-worn cameras in accordance with Durham Police Department General Order 4083-R2.

Dr. Brewington summarized the findings as follows: officers cannot relinquish to the CAD system, their responsibility to categorize the video footage; supervisors must randomly conduct reviews to ensure the equipment is operating as it should and that the video footage was properly categorized and the Incident Response number was synced with the correct footage. Also, the monitoring will ensure the records retention period assigned based on the classification was accurate, which impacts the evidentiary data. Specifically, increased compliance with General Order (GO) 4083-R2 can be achieved through strengthening the Department's monitoring of body-worn camera activities and providing ongoing training for continued awareness of GO 4083-R2. Without review, a misclassified video with an incorrect categorization or tag may be deleted before the proper retention date resulting in potential loss of evidentiary data. Audit services staff conducted a survey to understand body-worn camera practices at the user level. Based on survey results it appears that ongoing training to reemphasize certain General Order requirements will assist with compliance.

**Recommendation 1 (Management Concurred)**

The Police Department staff should establish a formal process for periodic supervisory reviews, including the number and selection of videos, criteria for review and required documentation. A standardized form should be implemented and provided to the supervisors to document their monthly reviews. The Police Department staff should also utilize reports available from Evidence.com to enhance monitoring.

The Police Department staff should determine how to review unclassified videos before they are deleted to mitigate the possibility of loss of evidentiary data.

**Value Added:** *Risk Reduction; Compliance*

**Recommendation 2 (Management Concurred)**

The Police Department should enhance body-worn camera training by providing on-going informal training to officers to reinforce policy requirements. The officers should be reminded that video classification is required as part of their duties, and they should not rely solely on the CAD system classification.

**Value Added:** *Risk Reduction; Compliance*

**Recommendation 3 (Management Concurred)**

The Police Department staff should periodically perform access reviews of Evidence.com users to ensure that users have the appropriate access needed to perform their job duties.

**Value Added:** *Risk Reduction*

**Questions/Comments:**

Questions by ASOC members:

Chair Nick Long: Who are those 3% who did not upload their videos and who are the 65% who do not classify their videos? Major David Anthony stated that with regard to the 3%, certain supervisory levels are not required to maintain cameras and other individuals are issued cameras but they may not come into contact with one of the incidents outlined in the GO resulting in no need to turn the equipment on.

With regard to the 65% who did not classify their videos, Major Anthony stated that the CAD or computer aided dispatch system will sync the videos and assign an appropriate category. Major Anthony speculated that officers rely on CAD and they don't check the classification; they think the CAD's classifications are accurate.

Mayor Schewel thanked the Audit staff for a great report. He asked: what is the criteria for classifications of the videos. Dr. Brewington stated that the authority comes from the GO, an internal policy. With that said Mayor Schewel asked, "what is the accuracy of the CAD classification"? Major Anthony and Dr. Brewington agreed to get back with Mayor Schewel on this question.

Vice-Chair Shanell Frazer asked: When Audit staff were testing, did we look at specific units or did we select a judgmental sample of persons and how did we decide who to test? Dr. Brewington stated that the 236 persons in the judgmental sample were all captains and below. The City has approximately 437 active officers in the ranks of Captain and below. Vice-Chair Frazer asked a little later if there are controls in place or is there a system generated report that can identify who is not uploading videos? Major Anthony stated that they consider that to be a negative event (something that did not happen) and it is very difficult to know who did not upload their videos. For this reason the response of DPD is to have a rigorous review by supervisors at the captain, lieutenant and sergeant levels of a predetermined number of videos per month (minimum of 4 for 4 separate officers). Major Anthony stated that staff at DPD are also investigating if the Evidence.com cloud based management system can provide information going forward to help with this oversight.

Vice-chair Frazer also asked Dr. Brewington if the Audit staff looked at instances where cameras may have failed. Dr. Brewington stated that the Audit staff did not test for this specifically because the only way to know if a device failed is when a repair is requested or a supervisor identifies a malfunctioning device when they perform their monitoring of random cameras. However, the Audit staff addressed that concern by recommending that supervisors be held to the General Order to randomly review videos of subordinates. This review by the supervisors would be another way to check on whether the cameras were functioning properly.

Member Ruterbories thanked Dr. Brewington and the DPD staff for the audit and the response to the audit findings/recommendations. He asked how many videos should be reviewed based on the results of the sample examined by the Audit staff? Major Anthony reiterated that the DPD leadership plan to have captains, lieutenants and sergeants review a minimum of 4 videos for four different officers per month.

There was no further discussion on the audit report.

## **OTHER BUSINESS**

After the discussion on the Police Body-worn Camera Performance Audit, Germaine introduced Dredlin Rodriguez to present the quarterly reports for 4Q FY21.

Member Matthew Ruterbories asked if staff are held accountable in the evaluation/SMART goal process for implementing the audit recommendations by the proposed due dates. Dr. Brewington stated that to her knowledge there is no accountability via the SMART goals. Dr. Brewington asked DCM Bo Ferguson who was sitting in for City Manager Page, if he wanted to add any additional insight to Member Ruterbories' question. Mr. Ferguson stated that there is no policy that allows for accountability via an employee's SMART goals. Each employee only has two (2) SMART goals for specific performance so that doesn't leave room for this kind of accountability. DCM Ferguson stated however that the leadership gets this report quarterly outlining the progress of staff towards these proposed recommendations and the deputy City Managers follow-up and track the completion of these recommendations.

There was no further discussion on the quarterly reports.

Chair Nick Long adjourned the meeting at 4:28 p.m.

Respectfully submitted,

Dr. Germaine F. Brewington