

# INDEPENDENT AUDIT REPORT

Chief Matt Markham  
Columbia Heights Police Department  
3989 Central Ave. NE  
Columbia Heights, MN 55421

Dear Chief Markham:

An independent audit of Columbia Heights Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on March 19, 2025. The objective of the audit was to verify Columbia Heights Police Department's compliance with Minnesota Statutes §§13.825 and 626.8473.

Data elements the audit includes:

## Minnesota Statute §13.825

- Data Classification
- Retention of Data
- Access by Data Subjects
- Inventory of Portable Recording System Technology
- Use of Agency-Issued Portable Recording Systems
- Authorization to Access Data
- Sharing Among Agencies

## Minnesota Statute §626.8473

- Public Comment
- Body-worn Camera Policy

Columbia Heights Police Department is located in Anoka County, Minnesota and is authorized for thirty-one (31) peace officers. Columbia Heights Police Department utilizes Axon body-worn cameras and Evidence.com cloud-based evidence management storage. The audit covers the period March 1, 2023, through February 28, 2025.

### **Audit Requirement: Data Classification**

*Determine if the data collected by BWCs are appropriately classified.*

Columbia Heights Police Department BWC data is presumptively private. All data collected during the audit period is classified as private or nonpublic data. Columbia Heights Police Department had no incidents of the discharge of a firearm by a peace officer, use of force that resulted in substantial bodily harm, requests from data subjects for the data to be made accessible to the public, or court orders directing the agency to release the BWC data to the public.

*No discrepancies noted.*

### **Audit Requirement: Retention of Data**

*Determine if the data collected by BWCs are appropriately retained and destroyed in accordance with statutes.*

Columbia Heights Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods in Evidence.com. At the conclusion of a BWC recording, metadata, including an Evidence.com category, is assigned via an interface with the computer aided dispatch system. Each category has an associated retention period. Upon reaching its retention date, evidence is systematically deleted. Deletion of the data is captured in the audit trail.

A report consisting of all BWC data collected and deleted during the audit period was produced from Evidence.com. Records from the Evidence Created Report were reviewed, and the date and time the data was created was verified against the deletion date. Each of the records were deleted or maintained in accordance with the record retention. Randomly selected audit trail reports were verified against the Evidence Created Report, and each record was deleted or maintained in accordance with the record retention.

Columbia Heights Police Department had received no requests from data subjects to retain BWC data beyond the applicable retention period.

Supervisors monitor BWC data for proper categorization to ensure BWC data are appropriately retained and destroyed.

*No discrepancies noted.*

### **Audit Requirement: Access by Data Subjects**

*Determine if individuals who are the subject of collected data have access to the data, and if the data subject requests a copy of the data, other individuals who do not consent to its release must be redacted.*

BWC data is available to data subjects and access may be requested by submission of a Columbia Heights Police Department Request for Information form. During the audit period, Columbia Heights Police Department had received no requests to view BWC video but did receive and fulfill requests for copies of BWC video from data subjects. Data subjects who had not consented to the release of the data were redacted. A copy of the redacted video is stored in Evidence.com along with the original copy. The request is documented in the Evidence.com audit trail and Sharing Audit Report. Request for Information forms are retained in a folder.

*No discrepancies noted.*

## **Audit Requirement: Inventory of Portable Recording System Technology**

*Determine the total number of recording devices owned and maintained by the agency; a daily record of the total number of recording devices actually deployed and used by officers, the policies and procedures for use of portable recording systems by required by section 626.8473; and the total amount of recorded audio and video collected by the portable recording system and maintained by the agency, the agency's retention schedule for the data, the agency's procedures for destruction of the data, and that the data are available to the public.*

Columbia Heights Police Department's BWC inventory consists of thirty-seven (37) devices. An inventory report produced from Evidence.com detailed the number of recording devices owned and maintained by the agency. The inventory included the device model, serial number, device name, the officer assigned to the device, date of last upload, device status, error status, firmware version, warranty date, date last docked, and camera status.

Columbia Heights Police Department BWC policy governs the use of portable recording systems by peace officers while in the performance of their duties. The policy requires officers to ensure their BWC is in good working order prior to going into service. Officers noting a malfunction at any time are required to report the failure to his/her supervisor, submit an IT Help Desk ticket, and obtain a functioning device as soon as reasonably practicable.

Peace officers were trained on the use of the BWCs during implementation. Newly hired officers are trained as part of their field training program.

Randomly selected calls for service were verified against the Evidence Created Report and confirmed that BWCs are being deployed, and officers are wearing and activating their BWCs. A comparison between the total number of BWC videos created per quarter and calls for service shows a consistent collection of BWC data.

Evidence.com queries and the Evidence Created Report detail the total amount of BWC data created, stored/maintained, and deleted.

Columbia Heights Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods in Evidence.com. BWC video is fully deleted from Evidence.com upon reaching its scheduled deletion date. Metadata and audit trails are maintained in Evidence.com after deletion of BWC audio and video. BWC data is available upon request, and access may be requested by submission of a Columbia Heights Police Department Request for Information form.

*No discrepancies noted.*

## **Audit Requirement: Use of Agency-Issued Portable Recording Systems**

*Determine if peace officers are only allowed to use portable recording systems issued and maintained by the officer's agency.*

Columbia Heights Police Department's BWC policy states that officers are prohibited from

using personally owned recording devices while on-duty without the express consent of the Shift Sergeant.

*No discrepancies noted.*

### **Audit Requirement: Authorization to Access Data**

*Determine if the agency complies with sections 13.05, Subd. 5, and 13.055 in the operation of portable recording systems and in maintaining portable recording system data.*

Supervisors conduct monthly reviews of BWC data utilizing Axon Performance to ensure videos are properly labeled and that BWCs are being utilized in compliance with policy.

Nonpublic BWC data is only available to persons whose work assignment reasonably requires access to the data. User access is managed by the assignment of roles and permissions in Evidence.com. Permissions are based on staff work assignments. Roles and Permissions are administered by the Information Systems Specialist. Access to Evidence.com is password protected and requires dual authentication.

The agency's BWC policy and BWC procedures govern access to BWC data. Agency personnel may access BWC data pursuant to lawful process and in accordance with policy, statute, and the Minnesota Data Practices Act. User access to data is captured in the audit trail. The BWC policy states that any member who accesses or releases recordings without authorization may be subject to discipline.

When BWC data is deleted from Evidence.com, its contents cannot be determined. Columbia Heights Police Department has had no security breaches. A BCA CJIS Security audit was conducted in December of 2024.

*No discrepancies noted.*

### **Audit Requirement: Sharing Among Agencies**

*Determine if nonpublic BWC data is shared with other law enforcement agencies, government entities, or federal agencies.*

Columbia Heights Police Department's BWC and Records Maintenance and Release policies govern the sharing of BWC data. BWC data may be shared pursuant to lawful process and in compliance with policy, statute, and the Minnesota Data Practices Act. Agencies seeking access to BWC data are required to submit a written request. Sharing of data is captured in the audit trail. An Evidence.com Sharing Audit Report provides documentation of shared data. Written requests are retained.

*No discrepancies noted.*

**Audit Requirement: Biennial Audit**

*Determine if the agency maintains records showing the date and time the portable recording system data were collected, the applicable classification of the data, how the data are used, and whether data are destroyed as required.*

Evidence.com and the Evidence.com Evidence Created Report document the date and time portable recording system data were collected and deleted. All BWC data collected during the audit period is classified as private or nonpublic data. The Evidence.com audit trail document how the data are used. The audit trail is maintained in Evidence.com after deletion of video.

*No discrepancies noted.*

**Audit Requirement: Portable Recording System Vendor**

*Determine if portable recording system data stored in the cloud, is stored in accordance with security requirements of the United States Federal Bureau of Investigation Criminal Justice Information Services Division Security Policy 5.4 or its successor version.*

An Axon CJIS Compliance White paper outlines the specific security policies and practices for Evidence.com and how they are compliant with the CJIS Security Policy. Axon has signed the CJIS Security Addendum in all states and has performed statewide CJIS-related vendor requirements in Minnesota. Axon has incorporated the CJIS Security Addendum by reference into the Axon Master Services and Purchase Agreement. Axon maintains signed CJIS Security Addendum certification pages for Axon personnel. Authorized Axon personnel are required to complete Level 4 CJIS Security Training upon assignment and biennially thereafter.

*No discrepancies noted.*

**Audit Requirement: Public Comment**

*Determine if the law enforcement agency provided an opportunity for public comment before it purchased or implemented a portable recording system and if the governing body with jurisdiction over the budget of the law enforcement agency provided an opportunity for public comment at a regularly scheduled meeting.*

Columbia Heights Police Department's BWC system was purchased and implemented prior to the requirement of Minn. Statute § 626.8473, Subd. 2.

*No discrepancies noted.*

**Audit Requirement: Body-worn Camera Policy**

*Determine if a written policy governing the use of portable recording systems has been*

*established and is enforced.*

Columbia Heights Police Department's BWC policy is posted on the agency's website. The policy was compared to the requirements of Minn. Stat. § 626.8473. The policy includes all of the minimum requirements of Minn. Stat. § 626.8473, Subd. 3(b).

*No discrepancies noted.*

This report was prepared exclusively for the City of Columbia Heights and the Columbia Heights Police Department by Lynn Lembcke Consulting. The findings in this report are impartial and based on information and documentation provided and examined.

Dated: April 28, 2025

Lynn Lembcke Consulting



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Lynn Lembcke