

# INDEPENDENT AUDIT REPORT

Chief Mike VanHorn  
Crosby Police Department  
2 Second St. SW  
Crosby, MN 56441

Dear Chief VanHorn:

An independent audit of the Crosby Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on May 14, 2025. The objective of the audit was to verify Crosby 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

The Crosby Police Department is located in Crow Wing County, Minnesota and employs eight (8) peace officers. The Crosby Police Department utilizes Visual Labs body-worn cameras and cloud-based evidence management storage. The audit covers the time period May 1, 2023, through April 30, 2025.

## **Audit Requirement: Data Classification**

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

Crosby Police Department BWC data is presumptively private. All data collected during the audit period is classified as private or nonpublic data. The Crosby 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 BWC's are appropriately retained and destroyed in accordance with statutes.*

The Crosby Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods for BWC data in Visual Labs. At the conclusion of a BWC recording, officers assign meta data, including a caption, tag, and retention period to the recording. Upon reaching its retention date, evidence is systematically deleted. Deletion/expiry date is captured in the audit log.

Randomly selected BWC videos were queried and the date and time the data was created was verified against the retention and expiry date. Each record was deleted or maintained in accordance with the record retention schedule. All records were maintained for at least the minimum ninety (90) days required by statute.

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

*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 City of Crosby Data Request Form. During the audit period, the Crosby Police Department received no requests to view but did receive and fulfill requests for copies of BWC video from data subjects. Data subjects who had not consented to the release of data were redacted. Data requests are documented in the records management system dissemination log.

*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.*

Crosby Police Department's BWC inventory consists of nine (9) devices. Inventory is maintained in Visual Labs.

The Crosby Police Department's BWC policy governs the use of portable recording systems by peace officers while in the performance of their duties. The policy requires officers to conduct a function test of their BWC at the beginning of each shift to ensure the device is operating properly. Officers noting a malfunction are required to promptly report the malfunction to their supervisor.

Peace officers were trained on the use of BWCs by the Visual Labs-trained Chief of Police during implementation. Newly hired officers are trained as part of their field training program.

Officers working on randomly selected dates, and randomly selected calls for service, were verified against data stored in Visual Labs and confirmed that BWCs are being deployed and officers are wearing and activating their BWCs.

A report produced from Visual Labs details the total amount of BWC data created, stored/maintained, and deleted. BWC audio/video is fully deleted from Visual Labs upon reaching the scheduled expiration date. Meta data and audit logs are permanently maintained in Visual Labs.

BWC data is available upon request, and access may be requested by submission of a City of Crosby Data Request 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.*

The Crosby Police Department's BWC policy states that officers may use only department-issued BWCs in the performance of official duties for the Agency or when otherwise performing authorized law enforcement services as an employee of the department.

*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.*

The Chief of Police and Sergeant conduct reviews of BWC data to ensure BWCs are being utilized in compliance with policy.

Nonpublic BWC data is only available to personnel whose work assignment reasonably requires access to the data. User access to BWC data is managed by the assignment of roles and permissions in Visual Labs. Permissions are based on staff work assignments. Access to Visual Labs is password protected and requires dual authentication.

The agency's BWC policy governs access to BWC data. Crosby Police Department personnel may only access and share BWC data for legitimate law enforcement purposes. Access to BWC data within Visual Labs requires users to enter a justification for the access. Access is captured in the audit log. The BWC policy states that unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.

When BWC data is deleted from Visual Labs, its contents cannot be determined. The Crosby Police Department has had no security breaches. A BCA CJIS security audit was in process at the time of this audit.

*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.*

The Crosby Police Department's BWC policy allows for the sharing of data with other law enforcement agencies for legitimate law enforcement purposes only and for the sharing of data with prosecutors, courts and other criminal justice entities as provided by law. Agencies seeking access to BWC data are required to submit a written request. The request is documented in the records management system dissemination log. The download and electronic sharing of data within Visual Labs is captured in the audit log.

*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.*

The date and time portable recording system data was collected and deleted is accessible in Visual Labs. All BWC data collected during the audit period is classified as private or nonpublic data. The Audit Log Report within Visual Labs and the RMS dissemination log document how the data are used. The audit log is maintained in Visual Labs after deletion of BWC 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.*

Visual Labs BWC data is stored in the Microsoft Azure Government Cloud. Microsoft and Visual Labs appear on the BCA Vendor Screening Program list of approved and screened vendors and are vetted in accordance with the security requirements of the United States Federal Bureau of Investigation Criminal Justice Information Services Division Security Policy.

*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.*

The City of Crosby solicited for public comment by website notice. The Crosby City Council held a public hearing at their February 8, 2021, meeting. The body worn camera system was implemented February 10, 2021.

*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.*

The Crosby Police Department has established and enforces a BWC policy. The policy was compared to the requirements of Minn. Stat. § 626.8473. The policy includes all minimum

requirements of Minn. Stat. § 626.8473, Subd. 3(b) with the exception of Subd. 3(b) (2), (3), (4) and (5). The BWC policy is posted on the agency's website.

*Discrepancy noted.*

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

Dated: July 14, 2025

Lynn Lembcke Consulting

---

Lynn Lembcke