

INDEPENDENT AUDIT REPORT

Chief Matthew Gannon
Albany Police Department
400 Railroad Ave.
Albany, MN 56306

Dear Chief Gannon:

An independent audit of the Albany Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on May 29, 2025. The objective of the audit was to verify Albany 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 Albany Police Department is located in Stearns County, Minnesota and employs five (5) peace officers. The Albany Police Department utilizes Axon body-worn cameras and Evidence.com cloud-based evidence management storage. The audit covers the time period January 1, 2023, through April 30, 2025.

Audit Requirement: Data Classification

Determine if the data collected by BWCs are appropriately classified.

Albany Police Department BWC data is presumptively private. All data collected during the audit period is classified as private or nonpublic data. The Albany 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.

The Albany 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, officers assign metadata, including an Evidence.com category, to the recording. Each Evidence.com 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. One record was deleted prior to the minimum ninety (90) days required by statute. All other records were deleted or maintained in accordance with the record retention schedule and maintained for at least the minimum ninety (90) days required by statute.

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

The Chief of Police monitors BWC data for proper categorization to ensure BWC data are appropriately retained and destroyed.

Discrepancy 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 are redacted.

BWC data is available to data subjects and access may be requested by submission of an Albany Police Department Request for Release of Information form. During the audit period, the Albany 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 release of the data were redacted. A copy of the redacted video is stored in Evidence.com along with the original copy. An ICR is generated to document the data request, and the Request for Release of Information form is scanned into Laserfiche.

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.

Albany Police Department's BWC inventory consists of sixteen (16) devices. An inventory report produced from Evidence.com detailed the total number of recording devices owned and maintained by the agency. The inventory included the device model, serial number, device name, officer assigned to the device, date of last upload, device status, error status, firmware version, warranty date, date last docked, and camera state.

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

Peace officers were trained on the use of the BWC system by Axon-trained trainers 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 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 total 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.

The Albany 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 an Albany Police Department Request for Release of 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.

The Albany 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.

Officers are required to randomly select three (3) to five (5) videos at the end of their work schedule to review for policy violations, other issues, and documentation. Reviews are documented in an Excel spreadsheet for Chief of Police.

Nonpublic BWC data is only available to persons whose work assignment reasonably requires access to the data. User access to BWC data 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 Chief of Police and Administrative Assistant. Access to Evidence.com is password protected and requires dual authentication.

The agency's BWC Policy governs access to BWC data. Agency personnel may access BWC data for legitimate law enforcement or data administration purposes and only when there is a business need for doing so. User access to data is captured in the audit trail. 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 Evidence.com, its contents cannot be determined. Albany Police Department has had no security breaches. A BCA CJIS Security audit was conducted in October 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.

The Albany Police Department's BWC policy governs the sharing of BWC data. BWC data may be shared with other law enforcement agencies for legitimate law enforcement purposes only and with prosecutors, courts, and other criminal justice entities as provided by law. Law enforcement agencies seeking access to BWC data are required to submit a written request. The Chief of Police authorizes the sharing of BWC data, and the request and a routing form are saved in the

case file. Sharing of data is captured in the audit trail, and the Evidence.com Sharing Audit Report provides documentation of shared data.

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 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 and case file 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.

Albany Police Department solicited for public comment in the City's official publication and

accepted comments by mail and email. The Albany City Council held a public hearing at their April 15, 2020 council meeting.

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.


Albany 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 that were in effect prior to August 1, 2023. The policy does not include the requirements that became effective on August 1, 2023. The policy was updated to include all minimum requirements prior to the completion and submission of the final BWC Audit Report. The BWC policy is posted on the agency's website.

Discrepancy noted.

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

Dated: August 1, 2025

Lynn Lembcke Consulting



Lynn Lembcke