

# INDEPENDENT AUDIT REPORT

Chief Scott Peterson  
Windom Police Department  
444 9<sup>th</sup> St.  
Windom, MN 56101

Dear Chief Peterson:

An independent audit of the Windom Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on August 27, 2025. The objective of the audit was to verify Windom 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 Windom Police Department is located in Cottonwood County and employs ten (10) peace officers. The Windom Police Department utilizes Axon BWCs and Evidence.com cloud-based evidence management storage. The audit covers the time period June 1, 2023, through August 15, 2025.

## **Audit Requirement: Data Classification**

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

BWC data is presumptively private. All BWC data collected by the Windom Police Department during the audit period is classified as private or nonpublic data. The Windom Police Department had no instances of the discharge of a firearm by a peace officer in the course of duty, use of force by a peace officer 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 Windom 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, an Evidence.com category type is assigned. Each Evidence.com category type has an associated retention period. Upon reaching the retention date, data is systematically deleted.

An Evidence Created Report consisting of 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. All records were deleted or maintained in accordance with the record retention schedule and were maintained for at least the minimum ninety (90) days required by statute. 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 schedule.

The Windom Police Department received no requests from data subjects to retain BWC data beyond the applicable retention period during the audit 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 written request. During the audit period, the Windom Police Department had received no requests to view BWC data but did receive and fulfill a request for a copy of BWC data. Data subjects who had not consented to the release of the data were redacted.

*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.*

Windom Police Department's BWC inventory consists of ten (10) 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 Windom 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 conduct a function test of their issued BWC at the beginning of each shift to make sure the device is operating properly. Officers noting a malfunction during testing, or any other time must promptly report the malfunction to the Assistant Chief.

Peace officers were trained on the use of BWCs 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 total calls for service and the total number of BWC videos created 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 Windom Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention in Evidence.com. BWC video is fully deleted from Evidence.com upon reaching the 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 written request.

*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 Windom 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 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.*

Random reviews of BWC data are conducted to ensure BWCs are being utilized in compliance with policy.

Nonpublic BWC data is only available to department employees 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 a Sergeant. Access to Evidence.com is password protected and requires dual authentication.

The BWC policy governs access to BWC data. Agency personnel may access BWC data for legitimate law enforcement or data administration purposes only. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law-enforcement related purposes. 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.

When BWC data is deleted from Evidence.com, its contents cannot be determined. Windom Police Department has had no security breaches. A BCA CJIS Security Audit was conducted in June 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 Windom Police Department's BWC policy allows for the sharing of data with other law enforcement agencies, 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. Sharing of BWC data is captured in the audit trail and documented in an Evidence.com Sharing Audit Report and in the records management system. The written request is maintained in a request file.

*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 trails, the Sharing Audit Report,

and the records management system 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*

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.*

The Windom Police Department solicited for public comment on the City's Facebook site and an online Survey Monkey. The Windom City Council held a public hearing at their June 15, 2021, meeting. The body worn camera program was implemented June 16, 2023.

*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 Windom 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). The BWC policy is posted on the agency's website.

*No discrepancies noted.*

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

Dated: October 5, 2025

Lynn Lembcke Consulting



---

Lynn Lembcke