

INDEPENDENT AUDIT REPORT

Sheriff Barry Fitzgibbons
Otter Tail County Sheriff's Office
417 South Court Street
Fergus Falls, MN 56537

Dear Sheriff Fitzgibbons:

An independent audit of Otter Tail County Sheriff's Office Automated License Plate Reader (ALPR) System was conducted on August 11, 2026. The objective of the audit was to verify Otter Tail County Sheriff's Office compliance with Minnesota Statute §§13.824.

Data elements of the audit include:

Minnesota Statute §13.824

- Data Collection; Classification; Use Restrictions
- Destruction of Data Required
- Sharing Among Law Enforcement Agencies
- Log of Use Required
- Biennial Audit
- Authorization to Access Data
- Notification to Bureau of Criminal Apprehension

Otter Tail County Sheriff's Office is located in Fergus Falls, Minnesota and is authorized for forty-three (43) peace officers. Otter Tail County Sheriff's Office utilizes Axon squad ALPRs in thirty-one (31) squads. ALPR data is stored/managed in Evidence.com. The audit covers the period November 12, 2024, through July 31, 2026.

Audit Requirement: Data Collection; Classification; Use Restrictions

Data Collection: Determine if data collected by the ALPR is limited to license plate numbers; date, time, and location data on vehicles; and pictures of license plates, vehicles, and areas surrounding the vehicles.

A review of ALPR data stored in Evidence.com confirmed that ALPR Data collected by Otter Tail County Sheriff's Office is limited to license plate numbers; date, time; and pictures of license plates, vehicles, and areas surrounding the vehicles.

Classification: Determine if the data collected by ALPRs are appropriately classified.

Otter Tail County Sheriff's Office ALPR data is presumptively private. All data collected by Otter Tail County Sheriff's Office during the audit period is classified as private data.

Use Restrictions: Determine if data collected by an ALPR is only matched with data in the Minnesota license plate data file and that data is not stored in a central state repository of ALPR

data and that ALPRs are not used to monitor or track an individual who is the subject of an active criminal investigation unless authorized by a warrant, issued upon probable cause, or exigent circumstances justify the use without obtaining a warrant.

Otter Tail County Sheriff's Office ALPR data is matched only with data in the Minnesota License Plate Data File. ALPR data is not stored in a central state repository of ALPR data.

In accordance with policy and Minnesota Statute 13.824, Otter Tail County Sheriff's Office does not monitor or track individuals who are the subject of an active criminal investigation using ALPR, nor have they applied for a warrant to do so. The Otter Tail County Sheriff's Office has not under exigent circumstances used ALPR data to monitor or track individuals who are the subject of an active criminal investigation.

No discrepancies noted.

Audit Requirement: Destruction of Data Required

Determine if the data collected by ALPRs are appropriately destroyed in accordance with statutes.

Otter Tail County Sheriff's Office's ALPR data has a retention period of sixty (60) days from the date of collection. Data is systematically deleted upon reaching the retention period. A query in Evidence.com confirmed that no ALPR data older than sixty (60) days was retained.

Otter Tail County Sheriff's Office received neither requests from individuals who are the subject of a pending criminal charge or complaint to preserve ALPR data until the criminal charge or complaint is resolved or dismissed nor requests from program participants under chapter 5B to have ALPR data destroyed at the time of collection or upon receipt of the request.

No discrepancies noted.

Audit Requirement: Sharing Among Law Enforcement Agencies

Determine if the sharing of ALPR data with other law enforcement agencies is in accordance with statutes.

Otter Tail County Sheriff's Office's ALPR policy governs the sharing of ALPR data among law enforcement agencies. ALPR data may be shared only for official law enforcement purposes or as otherwise permitted by law.

During the audit period, Otter Tail County Sheriff's Office shared one ALPR-collected vehicle photo with another law enforcement agency in connection with a homicide investigation. Law enforcement agencies seeking ALPR data are required to submit a

written request documenting the factual basis and case file number, complaint or incident that is the basis for access.

The Otter Tail County Sheriff's Office does not share with, disseminate to, sell to, or trade ALPR data with any other individual or entity.

No discrepancies noted.

Audit Requirement: Log of Use Required

Determine if the agency maintains a public log of ALPR use in accordance with statute.

The Otter Tail County Sheriff's Office public log of use consists of an online transparency portal. The online portal summarizes data collected from ALPRs in the last thirty (30) days. A review of the online transparency portal verified that the data includes:

- The aggregate number of vehicles or license plates on which data was collected in the last thirty (30) days;
- The Minnesota License Plate Data File Hot List database the license plates were compared to;
- The number of hits/alarms for vehicles or license plates where the data identify a vehicle or license plate that has been stolen, a warrant for the arrest of the owner of a vehicle or an owner with a suspended or revoked driver's license or similar category or are active investigative data.

The online transparency portal does not include the specific time of day ALPRs actively collected data. Going forward the Otter Tail County Sheriff's Office will utilize System generated reports, which include the specific time of day ALPRs actively collected data, going forward.

The Otter Tail County Sheriff's Office has no stationary or fixed location ALPRs.

Discrepancy noted.

Audit Requirement: Biennial Audit

Determine if the agency maintains records showing the date and time automated license plate reader data were collected and the applicable classification of the data, how the data are used, and whether data are destroyed as required.

Otter Tail County Sheriff's Office maintains records in Evidence.com showing the date and time automated license plate reader data were collected. All data collected during the audit period is classified as private or nonpublic data. Access to ALPR data is captured in the User Audit Report. A query in Evidence.com confirmed that all ALPR data was destroyed sixty (60) days after its collection.

No discrepancies noted.

Audit Requirement: Authorization to Access Data

Determine if the law enforcement agency complies with statutes governing the operation of and access to ALPR software and data.

Otter Tail County Sheriff's Office's ALPR policy governs the operation of and access to ALPR data. No member may operate or access ALPR data without first completing office-approved training.

Nonpublic ALPR data is only available to persons whose work assignment reasonably requires access to the data. Members approved to access ALPR data may access it for legitimate law enforcement purposes only and when data relate to a specific criminal investigation or department-related civil or administrative action. Access to ALPR data is captured in the User Audit Report.

Access to ALPR data is managed by the assignment of roles and permissions in Evidence.com. Administration of Axon/Evidence.com is managed by the Chief Deputy and Technology Analyst.

The ALPR policy states that any member who violates Minn. Stat. § 13.09 through the unauthorized acquisition or use of ALPR data will face discipline and possible criminal prosecution.

Otter Tail County Sheriff's Office reported no security breaches impacting Axon/Evidence.com or the ALPR system. A BCA CJIS Security Audit was conducted in May of 2025.

No discrepancies noted.

Audit Requirement: Notification to Bureau of Criminal Apprehension

Determine if the agency notified the Bureau of Criminal Apprehension of its ALPR program.

The Otter Tail County Sheriff's Office notified the Bureau of Criminal Apprehension (BCA) of its ALPR use as required by statute. Otter Tail County Sheriff's Office has no fixed or stationary ALPRs.

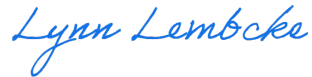
Otter Tail County Sheriff's Office has not integrated the ALPR technology into another surveillance device.

No discrepancies noted.

This report was prepared exclusively for Otter Tail County and the Otter Tail County Sheriff's Office by Lynn Lembcke Consulting. The findings in this report are impartial and based on Otter Tail County Sheriff's Office ALPR policy and information and documentation provided by Otter Tail County Sheriff's Office and examined by Lynn Lembcke.

Dated: October 4, 2026

Lynn Lembcke Consulting

A handwritten signature in blue ink that reads "Lynn Lembcke". The signature is written in a cursive, flowing style.

Lynn Lembcke