

CITY OF LITTLE FALLS
POLICY

Number 74

SUBJECT: Data Practices Policy

DATE COUNCIL APPROVED: 08/06/12; Amended 08/18/14, Amended 07/18/22

LOCATION IN MINUTES: Motion

Introduction

This policy is adopted to comply with the Data Practices Act of Minnesota Statutes Chapter 13, Section 13.03, Subdivision 2, and for the purposes of establishing guidelines and procedures for obtaining government data, and to meet the new requirements in Minnesota Statutes, Section 13.05, Subdivision 5, effective August 1, 2014, related to ensuring appropriate access to “not public” data.

Policy

These procedures are adopted to comply with the requirements of the Minnesota Data Practices Act, specifically Minnesota Statute Chapter 13, Section 13.03, Subdivision 2, and Section 13.05, Subdivision 5.



DATA PRACTICES POLICY AND PROCEDURES

Adopted: August 6, 2012;
Amended: August 18, 2014; July 18, 2022

I. Introduction. These procedures are adopted to comply with the Minnesota Data Practices Act (the “Act”), specifically Minnesota Statute Chapter 13, Section 13.03, Subdivision 2, and Section 13.05, Subdivisions 5.

II. Responsible Authority. The person who is the responsible authority for compliance with the Act shall be appointed by Resolution of the City Council. The Responsible Authority may designate certain other City employees to assist in complying with the Act. These designees are listed on attached Exhibit 1.

III. Access to Public Data. All information maintained by the City of Little Falls is public unless there is a specific statutory designation which gives it a different classification. Categories of classification are as follows:

Data on Individuals* (Natural Persons)	Data Not on Individuals*	Degree of Accessibility
Public	Public	Accessible to anyone
Private	Nonpublic	Accessible to data subjects and to government officials whose duties reasonably require access.
Confidential	Protected Nonpublic	Accessible only to government officials whose duties reasonably require access.

**Individual is defined at Minnesota Statute 13.02, Subdivision 8. Individual means a living human being. It does not mean any type of entity created by law such as a corporation.*

The City of Little Falls has adopted the “General Records Retention Schedule of Minnesota Cities”, as amended from time to time, as approved and authorized by the Minnesota Historical Society and the Minnesota Department of Administration; and lists data series maintained by the City and their classifications.

A. People Entitled to Access. Any person has the right to inspect and copy public data. The person also has the right to have an explanation of the meaning of the data. The person does not need to state his or her name or give the reason for the request.

B. Form of Request. The request for public data shall be submitted on the Data Request Form / Members of the Public [Exhibit 2].

The City cannot require you to identify yourself or explain the reason for your data request; however, depending on how you want us to process your request, [i.e. mail copies], we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

C. *How We Respond.* Requests will be received and processed only during normal business hours.

- ✓ If we do not have the data, we will notify you in writing as soon as reasonably possible;
- ✓ If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public;
- ✓ If we have the data and the data are public, we will respond to your request within a reasonable amount of time.

If you do not understand some of the date let us know and we will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. [For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.] If we agree to create data in response to your request, we will work with you on the details of your request, including costs and response time.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

D. *Fees.* Fees will be charge pursuant to Minnesota Statute 13.03, Subdivision 3(c), as amended; and must be paid prior to the release of the requests.

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for the retrieving the data, and making the copies or electronically transmitting the data.

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the date, [i.e. paper, CD, DVD, etc.], and mailing costs. When calculating employee time for making the copies, the City will use the hourly wage of the lowest-paid employee who is able to search for, retrieve, and make copies. If because of the subject matter of your request, we find the necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charges at the higher salary/wage. If you request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies

The responsible authority may also charge an additional fee if the copies have commercial value and are substantial and discrete portion of a formula, compilation, program, process, or system developed with significant expenditure of public funds. This additional fee must relate to the actual development costs of this information.

IV. **Access to Data of Individuals.** Information about individual people is classified by law as public, private or confidential. A list of the private and confidential information maintained by the City is contained in Appendix A.

A. *People Entitled to Access.*

- ✓ Public information about an individual may be shown or given to anyone.
- ✓ Private information about an individual may be shown or given to:
 - The individual, but only once every six months, unless a dispute has arisen or additional data has been collected.
 - A person who has been given access by the express written consent of the data subject. This consent must be on the form attached as Exhibit 3 or a form reasonably similar.

- People who are authorized access by federal, state or local law, or court order.
 - People about whom the individual was advised at the time the data was collected. The identity of those people must be part of the *Tennessee Warning* described below.
 - People within the City staff, the City Council and outside agents, such as attorneys, whose work assignments or responsibilities reasonably require access.
- ✓ Confidential information may not be given to the subject of the data, but may be shown or given to:
- People who are authorized access by federal, state or local law or court order.
 - People within City staff, the City Council, and outside agents, such as attorneys, whose work assignments or responsibilities reasonably require access.

B. *Form of Request.* Any individual may request in writing, [Exhibit 4], if the City has stored data about that individual whether the data is classified as public, private or confidential.

The City cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request, if, for example, you want us to mail you copies of data; we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

All requests to see or copy private or confidential information must be in writing. An *Information Disclosure Request*, attached as Exhibit 4, must be completed to document who requests and who receives this information. The responsible authority or designee must complete the relevant portions of the form. The responsible authority or designee may waive the use of this form if there is other documentation of the requesting party's identity, the information requested, and the City's response.

C. *Identification of Requesting Party.* The responsible authority or designee must verify the identity of the requesting party as a person entitled to access. The City requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. See Exhibit 7A for the Standards of Verifying Identify.

D. *How We Respond.*

- ✓ Requests. Request will be received and processed only during normal business hours.
- ✓ Response. If we have the data and the data is public, we will respond to your request within ten business days: 1) arrange a date, time and place to inspect data, for free, if your request is to look at the data; or 2) provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies, such as email, upon request if we keep the data in electronic format. Information about copy charges is on Exhibit 2. We will also arrange for you to prepay for the copies.

After we have provided you with access to data about you, we do not have to show you the data again for six [6] months unless there is a dispute or we collect or create new data about you.

If you do not understand some of the data, [technical terminology, abbreviations, or acronyms], let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required under the Government Data Practices Act to respond to questions that are not specific requests for data.

E. *Fees.* Fees may be charged in the same manner as for public information.

F. *Summary Data.* Summary data is statistical records and reports derived from data on individuals but which does not identify an individual by name or any other characteristic that could uniquely identify an individual. Summary data derived from private or confidential data is public. The responsible authority or designee will prepare summary data upon request, if the request is in writing and the requesting party pays for the costs of preparation. The responsible authority or designee must notify the requesting party about the estimated costs and collect those costs before preparing or supplying the summary data. This should be done within ten (10) days after receiving the request. If the summary data cannot be prepared within ten (10) days, the responsible authority must notify the requester of the anticipated time schedule and the reasons for the delay.

Summary data may be prepared by “blacking out” personal identifiers, cutting out portions of the records that contain personal identifiers, programming computers to delete personal identifiers, or other reasonable means.

The responsible authority may ask an outside agency or person to prepare the summary data if: 1) the specific purpose is given in writing; 2) the agency or person agrees not to disclose the private or confidential data; and 3) the responsible authority determines that access by this outside agency or person will not compromise the privacy of the private or confidential data. The responsible authority may use the form attached at Exhibit 5.

G. *Juvenile Records.* The following applies to *private* (not confidential) data about people under the age of eighteen (18).

- ✓ **Parental Access.** In addition to the people listed above who may have access to private data, a parent may have access to private information about a juvenile data subject. “Parent” means the parent or legal guardian of a juvenile data subject, or individual acting as a parent or guardian in the absence of a parent or legal guardian. The parent is presumed to have this right unless the responsible authority or designee has been given evidence that there is a state law, court order or other legally binding document which prohibits this right.
- ✓ **Notice to Juvenile.** Before requesting private data from juveniles, City personnel must notify the juveniles that they may request that the information not be given to their parent(s) or guardian(s). This notice should be in the form attached as Exhibit 6.
- ✓ **Denial of Parental Access.** The responsible authority or designee may deny parental access to private data when the juvenile requests this denial and the responsible authority or designee determines that withholding the data would be in the best interest of the juvenile. The request from the juvenile must be in writing stating the reasons for the request. In determining the best interest of the juvenile, the responsible authority or designee will consider:

- Whether the juvenile is of sufficient age and maturity to explain the reasons and understand the consequences;
- Whether denying access may protect the juvenile from physical or emotional harm;
- Whether there is reasonable grounds to support the juvenile's reasons; and
- Whether the data concerns medical, dental, or other health services provided under Minnesota Statutes Section 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize the health of the minor.

The responsible authority or designee may also deny parental access without a request from the juvenile under Minnesota Statutes Section 144.335.

V. Denial of Access. If the responsible authority or designee determines that the requested data is not accessible to the requesting party, the responsible authority or designee must inform the requesting party orally at the time of the request or in writing as soon as it has been determined inaccessible. The responsible authority or designee must give the specific legal authority, including statutory section, for withholding the data. The responsible authority or designee must place an oral denial in writing upon request. This must also include the specific legal authority for the denial.

VI. Collection of Data on Individuals. The collection and storage of information about individuals will be limited to that necessary for the administration and management of programs specifically authorized by the state legislature, City Council or federal government.

When an individual is asked to supply private or confidential information about the individual, the City employee requesting the information must give the individual a *Tennessee Warning*. This warning must contain the following:

- ✓ The purpose and intended use of the requested data;
- ✓ Whether the individual may refuse or is legally required to supply the requested data;
- ✓ Any known consequences from supplying or refusing to supply the information; and
- ✓ The identity of other persons or entities authorized by state or federal law to receive the data.

A *Tennessee Warning* is not required when an individual is requested to supply investigative data to a law enforcement officer.

A *Tennessee Warning* may be on a separate form or may be incorporated into the form which requests the private or confidential data. See attached Exhibit 7.

VII. Challenge of Data Accuracy. An individual who is the subject of public or private data may contest the accuracy or completeness of that data maintained by the City. The individual must notify the City's responsible authority in writing describing the nature of the disagreement. Within 30 days, the responsible authority or designee must respond and either: 1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or 2) notify the individual that the authority believes the data to be correct and the reason(s) why.

An individual who is dissatisfied with the responsible authority's action may appeal to the Commissioner of the Minnesota Department of Administration, using the contested case procedures under Minnesota Statutes Chapter 14. The responsible authority will correct any data if so ordered by the Commissioner.

VIII. Data Protection.

A. Accuracy and Currency of Data.

- ✓ All employees will be requested, and given appropriate forms, to provide updated personnel information to the appropriate supervisor or City Administrator which is necessary for tax, insurance, emergency notification, and other personnel purposes. Other people who provide private or confidential information will also be encouraged to provide updated information when appropriate.
- ✓ The City Administrator should periodically review forms used to collect data on individuals to delete items that are not necessary and to clarify items that may be ambiguous.
- ✓ All records must be disposed according to the City's records retention schedule.

B. Data Safeguards.

- ✓ Private and confidential information will be stored in files or databases which are not readily accessible to individuals who do not have authorized access and which will be secured during the hours when the offices are closed.
- ✓ Private and confidential data must be kept only in City offices, except when necessary for City business.
- ✓ Only those employees whose responsibilities require them to have access will be allowed access to files and records that contain private or confidential information. These employees will be instructed to:
 - Not discuss, disclose or otherwise release private or confidential data to City employees whose job responsibilities do not require access to the data;
 - Not leave private or confidential data where non-authorized individuals might see it; and
 - Shred private or confidential data before discarding.
- ✓ When a contract with an outside party requires access to private or confidential information, the contracting party will be required to use and disseminate the information consistent with the Act. The City may include in a written contract, the language contained in Exhibit 8.

EXHIBIT 1

CITY OF LITTLE FALLS

The Minnesota Data Practices Act establishes a system for compilation and distribution of data gathered by government agencies. All data collected and maintained by the City of Little Falls is presumed public and is accessible to the public for both inspection and copying, unless classified as Private, Confidential, Nonpublic or Protected Nonpublic in accordance with federal law, state statute or a temporary classification. (Minnesota Statute 13.01)

The City of Little Falls has appointed the following position to administer this system.

<i>Responsible Authority:</i>	City Administrator City of Little Falls 100 Northeast Seventh Avenue P O Box 244 Little Falls MN 56345-0244 (320) 616-5500
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Position appointed as *Designee* in system administration are as follows:

Other positions responsible for maintenance of City records are as apparent or assigned.

EXHIBIT 2

**CITY OF LITTLE FALLS
DATA REQUEST
COST CALCULATION FORM**

Fees charged are in accordance with Minnesota Statute 13.03, Subdivision 3.

Date of Request: _____

Description of Information Requested (be specific): _____

Costs for duplication of standard materials are included on the City's Fee Schedule. Please use this section to calculate fees for other data requests.

				<i>Estimated Cost</i>	<i>Actual Cost</i>
A.	<i>Labor</i>	<i>No. of Hours</i>	<i>Hourly Rate</i>		
		<i>No. of Hours</i>	<i>Hourly Rate</i>		
B.	<i>Photocopy</i>	<i>Rate</i>	<i>No. of Pages</i>		
C.	<i>Mailing</i>				
D.	<i>Printing Costs</i>				
E.	<i>Other Costs</i>	May include computer time, programming terminal access, and any other costs not listed.			
1.					
2.					
3.					
4.					
5.					
TOTAL CHARGES					
AMOUNT TO BE PREPAID (50% of Estimated total if exceeds \$50)					
AMOUNT DUE UPON COMPLETION					

Prepared by: _____

Department: _____

Date: _____

EXHIBIT 3

**CITY OF LITTLE FALLS
CONSENT TO RELEASE PRIVATE DATA**

I, _____ authorize the City of Little Falls to release the following private data about me: _____

_____;

to the following person or persons: _____

_____.

The person or persons receiving the private data may use it only for the following purpose or purposes: _____

This authorization is dated _____ and expires on _____.

The expiration cannot exceed one year from the date of the authorization, except in the case of authorizations given in connection with applications for life insurance or non-cancelable or guaranteed renewable health insurance and identified as such, two years after the date of the policy.

I agree to give up and waive all claims that I might have against the City of Little Falls, its agents and employees for releasing data pursuant to this request.

Signature

<i>Identity Verified By:</i>	
<input type="checkbox"/>	Witness: X
<input type="checkbox"/>	Identification: Driver's license, state identification, passport, other:
<input type="checkbox"/>	Comparison with signature on file:
<input type="checkbox"/>	Other:
Responsible Authority/Designee:	

EXHIBIT 4

**CITY OF LITTLE FALLS
INFORMATION DISCLOSURE REQUEST**

Minnesota Government Data Practices Act. All requests for private or confidential information must be in writing.

Completed by Requester:

Date of Request: _____ Telephone No.: _____

Requester Name: _____

Requester Street Address: _____

Requester Signature: _____

Description of information requested (attached additional sheets of needed): _____

Completed by Department:

Department name:				Handled by:	
Information Classified As:				Action:	
<input type="checkbox"/>	Public	<input type="checkbox"/>	Non-Public	<input type="checkbox"/>	Approved
<input type="checkbox"/>	Private	<input type="checkbox"/>	Confidential	<input type="checkbox"/>	Approved in Part (explained below)
<input type="checkbox"/>	Protection Non-Public			<input type="checkbox"/>	Denied (explained below)
Remarks or basis for denial including Statute section:					
Charges:				Identity verified for private information:	
<input type="checkbox"/>	None			<input type="checkbox"/>	Identification type:
<input type="checkbox"/>	Photocopy			<input type="checkbox"/>	Comparison with signature on file
<input type="checkbox"/>	Special rate (explanation attached)			<input type="checkbox"/>	Personal knowledge
<input type="checkbox"/>	Other (explanation attached)			<input type="checkbox"/>	Other:
Authorized Signature:				Date:	

Acknowledgement by Requester:

I hereby acknowledge receipt of data requested.

Signature of Requester: _____ Date: _____

EXHIBIT 5

CITY OF LITTLE FALLS GOVERNMENT DATA ACCESS AND NONDISCLOSURE AGREEMENT

1. *Authorization.* The City of Little Falls hereby authorizes: _____
("Authorized Party") access to the following government data: _____

2. *Purpose.* Access to this government data is limited to the objective of creating summary data for the following purpose: _____

3. *Cost.* (Check which applies):

_____ The Authorized Party is the person who requested the summary data and agrees to bear the City's costs associated with the preparation of the data which has been determined to be \$_____.

_____ The Authorized Party has been requested by the City to prepare summary data and will be paid in accordance with attached Exhibit 2.

4. *Security.* The Authorized Party agrees that it and any employees or agents under its control must protect the privacy interests of individual data subjects in accordance with the terms of this Agreement.

The Authorized Party agrees to remove all unique personal identifiers which could be used to identify any individual from data classified by state or federal law as not public which is obtained from City records and incorporated into reports, summaries, compilations, articles, or any document or series of documents.

Data contained in files, records, microfilm, or other storage media maintained by the City are the City's property and are not to leave the City's custody. The Authorized Party agrees not to make reproductions of any data or remove any data from the site where it is provided, if the data can in any way identify an individual.

No data which is not public and which is irrelevant to the purpose stated above will ever be disclosed or communicated to anyone by any means.

The Authorized Party warrants that the following named individual(s) will be the only person(s) to participate in the collection of the data described above: _____

5. *Liability for Disclosure.* The Authorized Party is liable for any unlawful use or disclosure of government data collected, used and maintained in the exercise of this Agreement and is classified as not public under state or federal law. The Authorized Party understands that it may be subject to civil or criminal penalties under those laws.

The Authorized Party agrees to defend, indemnify; and hold the City, its officers and employees harmless from any liability, claims, damages, costs, judgments, or expenses, including reasonable attorneys' fees, resulting directly or indirectly from an act or omission of the Authorized Party, its agents, employees or assignees under this Agreement and against all loss by reason of the Authorized Party's failure to fully perform in any respect all obligations under this Agreement.

EXHIBIT 5, CONT.

6. *Insurance.* In order to protect itself as well as the City, the Authorized Party agrees at all times during the term of this Agreement to maintain insurance covering the Authorized Party's activities under this Agreement. The insurance will cover \$1,000,000 per claimant for personal injuries and/or damages and \$1,000,000 per occurrence. The policy must cover the indemnification obligation specified above.

7. *Access Period.* The Authorized Party may have access to the information described above from _____ to _____.

8. *Survey Results.* (Check which applies):

____ If the Authorized Party is the requester, a copy of all reports, summaries, compilations, articles, publications or any document or series of documents which are created from the information provided under this Agreement must be made available to the City in its entirety.

____ If the Authorized Party is a contractor of the City, all copies of reports, summaries, compilations, articles, publications or any documents or series of documents which are created from the information provided under this Agreement must be provided to the City. The Authorized Party may retain one copy of its own records but may not disclose it without City permission, except in defense of claims brought against it.

Authorized Party:

By: _____
Title: _____
Date: _____

City of Little Falls:

By: _____
Its: _____
Date: _____

EXHIBIT 6

NOTICE TO PERSONS UNDER AGE 18

Some of the information you are asked to provide is classified as private under State law. You have the right to request that some or all of the information not be given to one or both of your parents/legal guardians. Please complete the form below if you wish to have information withheld.

Your request does not automatically mean that the information will be withheld. State law requires the City to determine if honoring the request would be in your best interest. The City is required to consider:

- ✓ Whether you are of sufficient age and maturity to explain the reasons and understand the consequences;
- ✓ Whether denying access may protect you from physical or emotional harm;
- ✓ Whether there is reasonable grounds to support your reasons; and
- ✓ Whether the data concerns medical, dental, or other health service provided under Minnesota Statutes Section 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize your health.

Notice given to: _____ Date: _____

By: _____ Title: _____

REQUEST TO WITHHOLD INFORMATION

I request that the following information: _____

Be withheld from: _____

For these reasons: _____

Print Name: _____

Signature: _____

Date: _____

EXHIBIT 7

DATA PRACTICES ADVISORY ~ TENNESSEN WARNING

Some or all of the information that you are asked to provide on the attached from is classified by State law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.

Our purpose and intended use of this information is: _____

You _____ are / _____ are not legally required to provide this information.

If you refuse to supply the information, the following may happen: _____

Other persons or entities authorized by law to receive this information are: _____

EXHIBIT 7A

STANDARDS FOR VERIFYING IDENTITY

A **adult individual** must provide a valid photo identification, such as:

- ✓ A state driver's license;
- ✓ A military identification;
- ✓ A passport;
- ✓ A Minnesota identification;
- ✓ A Minnesota tribal identification.

A **minor individual** must provide a valid photo identification, such as:

- ✓ A state driver's license;
- ✓ A military identification;
- ✓ A passport;
- ✓ A Minnesota identification;
- ✓ A Minnesota Tribal identification;
- ✓ A Minnesota school identification.

The **parent or guardian or a minor** must provide a valid photo identification *and either*:

- ✓ A certified copy of the minor's birth certificate *or*
- ✓ A certificated copy of documents that establish the parent or guardian's relationship to the child, such as:
 - A court order relating to divorce, separation, custody, foster care
 - A foster care contract
 - An affidavit of parentage.

The **legal guardian for an individual** must provide a valid photo identification *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as:

- ✓ Court order[s]
- ✓ Valid power of attorney.

NOTE: Individuals who do not exercise their data practices rights in person must provide *either* notarized or certified copies of the documents that are required *or* an affidavit of identification.

EXHIBIT 8

SAMPLE CONTRACT PROVISION

DATA PRACTICES COMPLIANCE. Contractor will have access to data collected or maintained by the City to the extent necessary to perform Contractor's obligations under this contract. Contractor agrees to maintain all data obtained from the City in the same manner as the City is required under the Minnesota Government Data Practices Act, Minnesota Statute Chapter 13, (the "Act"). Contractor will not release or disclose the contents of data classified as not public to any person except at the written direction of the City. Contractor agrees to defend and indemnify the City from any claim, liability, damage or loss asserted against the City as a result of Contractor's failure to comply with the requirements of the Act or this contract, Contractor agrees to return data to the City, as requested by the City.

EXHIBIT 9



Little Falls Police Department Request for Law Enforcement Data

You do not have to provide any of the following contact information. However, we may not be able to clarify your request or provide copies without contact information. If we do not understand your request and you have not identified yourself, we may not be able to fulfill your request until you contact us.

Contact Information: *Required for private or confidential data*

Date of Request:	Name:
Organization:	
Address:	
Phone Number:	Email:

If known, complete the following:

LFPD Case number:	Date and Time of Occurrence:
Type of Report:	
Or any other information to assist in responding to your request:	

If the data is about an individual, please provide:

Name:	Birthdate (if known):
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If data is about a location, please provide the address or intersection (if known):

Address:

If data is about you, please provide a valid form of photo identification. ID provided

Department Complete:

Request received: In-person Mail Email Fax

Labor	# of Hours	Hourly Rate	Total:
Photocopy	# of pages	Rate	
CD	# of CD's	Rate	
			TOTAL:

Request released by: _____ Date: _____



Little Falls Police Department Body Camera Video Request Form

Minnesota State Statute 13.825 Portable Recording Systems states that most data collected by a portable recording system are private data on individuals or nonpublic data. By submitting this form, you are attesting that you are a data subject in this body worn camera recording as such is defined in Minnesota State Statute 13.825, subd. 4(a).

Request date:		LFPD case #:	
Completed date:		Officer(s) name(s) / badge #(s)	

Date video was recorded:		Address / location of video recording:	
Type and location of Incident:			
Signature of subject involved in video:			
Printed name of person requesting video:	Name: _____ (Not required if requesting public video)		
I am a: <input type="checkbox"/> Subject involved in the video <input type="checkbox"/> Representative of a subject involved in video as authorized by (print name): _____ <input type="checkbox"/> Subject requesting the release of my image, my voice and my actions to be made public per MN Statute 13.825 <input type="checkbox"/> Non-subject requesting public video of peace officer involved in a firearm discharge or use of force resulting in substantial bodily harm per MN Statute 13.825 <input type="checkbox"/> Member of a law enforcement agency, government entity or a federal agency authorized to receive this video			
Your mailing address:			
Contact phone number:		Email address:	

OFFICE USE ONLY:

Staff verified valid photo identification:	ID TYPE:		Staff initials:	
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Release By:		Date:	
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APPENDIX A

PRIVATE AND CONFIDENTIAL DATA MAINTAINED BY CITY OF LITTLE FALLS (Alphabetical Order)

1. **Appraisal Data** (Confidential) Minnesota Statute 13.50

Appraisals made for the purpose of selling or acquiring land.

2. **Assessor's Data** (Private) Minnesota Statute 13.51,
375.192, 272.115 and 237.124
Data on sales sheets from private multiple listing service organizations.

Income information on individuals used to determine eligibility of property for classification 4c under Minnesota Statute 273.12, Subdivision 25(c).

The following data regarding income properties:

- ✓ Income and expense figures for current year and past three years;
- ✓ Average vacancy factors for past three years;
- ✓ Net rentable or useable areas;
- ✓ Projected vacancy factor for current year; and
- ✓ Lease information.

Certain data in an application for property tax abatement.

Social Security numbers (Minnesota Statute 13.49).

Deferment Applications – Verifications of income, ownership, etc. (Minnesota Statute 13.392).

3. **Auditing Data** Minnesota Statute 13.392

Data, notes, and preliminary drafts of audit reports are protected nonpublic or confidential until the final report has been published.

4. **Civil Investigative Data** (Confidential) Minnesota Statute 13.39

Data collected as a part of active investigation undertaken to commence or defend pending civil litigation, or which are retained in anticipation of pending civil litigation is confidential, except that a complainant's statement is private.

5. **City Attorney Records** (Confidential) Minnesota Statute 13.30

The use, collection, storage and dissemination of data by the City Attorney are governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility. Data, which is the subject of attorney-client privilege, is confidential. Data, which is the subject of the "work product" privilege, is confidential.

6. **Drug and Alcohol Test Results** (Private/Confidential) Minnesota Statute 471.617

7. **Elected Officials Correspondence** (Private) Minnesota Statute 13.33

Correspondence between individuals and elected officials, but either may make it public.

8. **Electronic Payments** (Nonpublic) Minnesota Statute 13.6401

9. **Examination Data** (Private/Confidential) Minnesota Statute 13.34

Completed versions of personnel and licensing examinations are private, unless the responsible authority determines that they should be confidential because access would compromise the objectivity, fairness, or integrity of the examination process.

10. **Firearms Data** (Private) Minnesota Statute 13.87,
Subdivision 2

Data about the purchase or transfer of firearms and applications for permits to carry firearms.

11. **Fire Investigation Report** (Private) Minnesota Statute 13.83

Until investigation is closed then it becomes public.

12. **Housing Data** (Private) Minnesota Statute 13.462

Names and addresses of applicants and recipients for housing, home ownership, and rehabilitation programs is public. All other information is private.

13. **Housing Agency Data** (Private) Minnesota Statute 13.54

Income information on individuals used to determine eligibility of property for 4c tax classification is private.

14. **Human Rights Data** (Confidential/Private) Minnesota Statute 13.43

Human rights investigative data are confidential. The name and address of the charging party and respondent, factual basis of the allegations, and the statute under which the action is brought are private data.

15. **Labor Relations Information** (Private) Minnesota Statute 13.37

Management positions on economic and non-economic items that have not been presented during the collective bargaining process of interest arbitration, including information collected or created to prepare the management position.

16. **Law Enforcement Data**

Data collected under the Domestic Abuse Act is confidential.

The audio recording of a 911 call is private regarding the individual making the call, but a written transcript is public.

Certain arrest data, request for service data, and response data is public under Minnesota Statute 13.82. Otherwise, investigative data collected to prepare a case against a person for the commission of a crime or civil wrong is confidential while the investigation is active. Photographs, which are part of inactive investigation files, are private if they are clearly offensive to common sensibilities. Booking photographs are public.

The identity of a victim of child abuse or neglect is private. The identity of a reporter of child abuse or neglect is confidential. Inactive investigative data, which relates to the alleged abuse or neglect of

a child by a person responsible for the child care is private. Videotapes of child abuse victims may not be released under any circumstances without a court order.

The following are private:

- ✓ The identity of undercover law enforcement officers;
- ✓ The identity of criminal sexual conduct victims;
- ✓ The identity of certain informants;
- ✓ The identity of victims, witnesses, people making a 911 call whose personal safety or property would be threatened by disclosure;
- ✓ The identity of a person making a 911 call to receive help in a mental health emergency;
- ✓ The identity of any juvenile in any case, except arrests certified to stand trial as an adult or in the case of restitution;
- ✓ Reward program data.

Unique descriptions of stolen, lost, confiscated, or recovered property are private.

Identities of customers of licensed pawnshops and secondhand goods dealers are private.

Detention data, which would disclose personal, medical, psychological or financial information or endanger an individual's life, is private (Minnesota Statute 13.85).

Criminal history data is private, except convictions of crimes within the past 15 years (Minnesota Statute 13.87).

Deliberative processes or investigative techniques are confidential.

Data in arrest warrants or search warrants is confidential until the individual has been taken into custody, served with a warrant, or appears before the court, except when the law enforcement agency determines that the public purpose is served by making the information public.

17. ***Liquor and Tobacco Applications and Licenses*** Minnesota Statute 13.41
(Private)

If license is **not** granted, then all application data for permit or licenses for individuals, except for names and addresses, are private.

18. ***Municipal Obligation Register Data*** Minnesota Statute 475.55
(Private/NonPublic)

Information with respect to the ownership of certain municipal obligations.

19. ***Personnel Data*** (Private) Minnesota Statute 13.43

Generally, all data about people who are or were an employee, applicant for employment, volunteer, independent contractor, or member of or applicant for a board or commission is private, with the exception noted below.

Public Data - Applicants

- ✓ Veterans status;
- ✓ Relevant test scores;
- ✓ Rank on eligible list;
- ✓ Job history;

- ✓ Education and training;
- ✓ Work availability;
- ✓ Name, after being certified as eligible for appointment to a vacancy or when considered a finalist for a position of public employment, which occurs when the person has been selected to be interviewed by the appointing authority;
- ✓ Names and addresses of applicants for and members of an advisory board or commission.

Public Data – Employees

The following data on current and former employees, volunteers, independent contractors, and members of advisory boards and commissions are public:

- ✓ Name;
- ✓ Job title;
- ✓ Work location;
- ✓ Work telephone number;
- ✓ Actual gross salary;
- ✓ Salary range;
- ✓ Contract fees;
- ✓ Actual gross pension;
- ✓ Value and nature of employer paid fringe benefits;
- ✓ Basis for and amount of added remuneration, including expense reimbursement;
- ✓ Job description;
- ✓ Education and training background;
- ✓ Previous work experience;
- ✓ Date of first and last employment;
- ✓ Badge number;
- ✓ Honors and awards received;
- ✓ The existence and status [but not nature] of any complaints or charges against the employee whether or not resulting in discipline;
- ✓ Final disposition of any disciplinary action, with specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees;
- ✓ Terms of any agreement settling any dispute arising from the employment relationship, including a “buyout” agreement;
- ✓ Payroll time sheets or other comparable data that are only used to account for employee’s work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee’s reasons for the use of sick or other medical leave or other non-public data.

Undercover Law Enforcement Officer

All personnel data about a law enforcement officer is private until no longer assigned to those duties. Then the officer is subject to the same rules applicable to other employees unless the law enforcement agency determines that revealing the data would threaten the officer’s safety or jeopardize an active investigation.

Access by Labor Organization

Personnel data may be given to labor organizations or the Bureau of Medication Services to the extent this is necessary to conduct elections, notify employees of fair share fee assessments, or to implement state labor laws.

Employee Assistance Program

All data associated with employee assistance programs is private.

Harassment

When there is a harassment complaint against an employee, the employee may not have access to data that would identify the complainant or other witnesses if this would threaten the personnel safety of the complainant or witness, or subject them to harassment. However, this information will be provided to the employee in order for him/her to prepare for a disciplinary proceeding that has been initiated

Peer Counseling Debriefing

Data acquired by a peer group member in a public safety counseling debriefing is private data on the person being debriefed.

Protection of Employee of Others

If it is reasonably necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, information that is relevant to the safety concerns may be released to: 1) the person who may be harmed or to the person's attorney when relevant to obtaining a restraining order; 2) a prepetition screening in the commitment process; or 3) a court, law enforcement agency or prosecuting authority.

20. **Planning Questionnaires** (Private/NonPublic) Minnesota Statute 13.59

The following data collected in surveys of individuals conducted by the City for the purpose of planning, development and redevelopment as classified as private or nonpublic: 1) names and addresses and the legal description of property owned by the individuals, and the commercial use of the property to the extent disclosure of the use would identify a particular business.

21. **Private Donor Gift Data** (Private) Minnesota Statute 13.792

22. **Proposals** (Private/NonPublic) Minnesota Statute 13.591 and 471.03

Proposals submitted in response to a Request for Proposals are private or nonpublic until the responses are opened. Once opened, the same becomes public, but all other data is private or nonpublic data until completion of the evaluation process. After the process is completed, all remaining data are public with exception of trade secrets data. If all responses to a Request for Proposals are rejected, see Minnesota Statute or various scenarios.

23. **Property Complaint Data** (Confidential) Minnesota Statute 13.44

The identities of individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real property.

24. **Public Employees Retirement Associates Data** (Private) Minnesota Statute 13.63

Data on beneficiaries and survivors of members are private: home address, date of birth, direct deposit account number, tax withholding data.

25. **Recreation Data** (Private)

Minnesota Statute 13.57

For people enrolling in recreational or other social programs: name, address, telephone number, any other data that identifies the individual, and any data which described the health or medical condition of the individual, family relationships, living arrangements, and opinions as to the emotional makeup or behavior of an individual.

26. **Salary Benefit Data** (NonPublic)

Minnesota Statute 13.435

Salary and personnel benefit survey data purchased from consulting firms.

27. **Sealed Bids** (NonPublic)

Minnesota Statute 13.37,
13.591, Subdivision 3

Sealed bids, including the number of bids received, prior to opening. After opening, only name and dollar amount is public until City has evaluated and ranked bids. If all bids are rejected before ranking is completed, the remaining information is not public until a re-solicitation has been accepted, until a decision is made to abandon, or until one year has passed.

28. **Security Information** (Private NonPublic)

Minnesota Statute 13.37

Data which is disclosed would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury. This includes crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home addresses and telephone numbers, but these may be disseminated to other volunteers participating in crime prevention programs.

29. **Social Security Number** (Private)

Minnesota Statute 13.49

30. **Trade Secret Information** (Private)

Minnesota Statute 13.367

Information that has been kept generally protected by the supplier and that has economic value. Examples: unique building plans, copyrighted questionnaires prepared by consultants (such as comparable worth), computer programs.

31. **Transportation Services Data** (Private)

Minnesota Statute 13.521

Personal, medical, financial, familial or location information, except name, of applicants or users of transportation services for the disabled or elderly.

32. **Other Data**

The above is not a comprehensive list and there may be other miscellaneous data that may be protected under various federal laws, state laws, court orders, or other legally binding document not listed. Some of these are items such as business data, social/recreational data, lodging tax data, etc. Each individual case may need to be reviewed for applicable statutes and rules. If an instance arises where the applicable laws, statute, court order, or other legally binding document in place at the time differs from the policy, the preceding will control the data classification and how the issue is handled.