

Buffalo

CITY OF BUFFALO, MINNESOTA

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Data Practices Policy

Update Policy #56

May 18, 2020

Government Data

The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all “government data” are public unless a state or federal law says the data are not public. “Government data” means all recorded information a government entity has collected, created, received, maintained or disseminated, including paper, email, flash drives, CDs, DVDs, photographs, etc. Government Data is categorized as follows:

Data on individuals or decedents: All government data in which any individual or decedent is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual or decedent.

- Public data are any data not classified as private or confidential. Public data are accessible to anyone upon request.
- Private data are any data expressly classified as private. Private data are accessible only to the subject of the data; City officials or employees whose work assignments reasonably require access; outside entities or agencies authorized by law; and entities or individuals given access by express written direction of the subject of the data.
- Confidential data are any data expressly classified as confidential. Confidential data are accessible only to City officials or employees whose work assignments reasonably require access; and outside entities or agencies authorized by law. Confidential data are not accessible to the data subject.

Data not on individuals: All government data that is not data on individuals. Data not on individuals includes data on corporations, partnerships and other organizations and entities.

- Public data are any data not classified as nonpublic or protected nonpublic. Public data are accessible to anyone upon request.
- Nonpublic data are any data expressly classified as nonpublic. Nonpublic data are accessible only to the subject of the data; City officials or employees whose work assignments reasonably require access; outside entities or agencies authorized by law; and entities or individuals given access by express written direction of the subject of the data.
- Protected Nonpublic data are any data expressly classified as protected nonpublic. Protected Nonpublic data are accessible only to City officials or employees whose work assignments reasonably require access; and outside entities or agencies authorized by law. Protected Nonpublic data are not accessible to the data subject.

Your Data

When we ask you to provide data about yourself that are not public, we must give you a notice called a Tennessen warning. The notice includes the purpose and intended use of the requested data, whether you can refuse to supply the requested data, any known consequences from supplying or refusing to supply the data, and the identity of other persons authorized to receive the data. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent.

You have the right to challenge the accuracy and/or completeness of data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

Your Right to Access Government Data

The Data Practices Act requires that the City keep all government data in a way that makes it easy for you to access. You have the right to look at (inspect), free of charge, all public data and private data that you are the subject of. You also have the right to get copies of this data, but the City will charge for copies.

How to Request Government Data

The City requires that all requests for data be submitted in writing on the “Data Request Form” attached to this policy. This form may be emailed, mailed or delivered in person to the Responsible Authority, except that requests for Police Department related data shall be submitted to the Responsible Authority Designee for the Police Department (contact information is provided below).

Please be as specific as possible about what data you are seeking to help facilitate the request.

If you are requesting public data you are not required to identify yourself or explain the reason for your data request. However, you may need to provide the City with some personal information for practical reasons (for example, you need to provide us with an address or P.O Box if you want us to mail it to you). If we do not understand your request and have no way to contact you, we cannot respond to your request.

If you are requesting private or nonpublic data as the data subject or the data subject’s parent or guardian, you must provide proof of your identity and relationship to the minor if applicable. If you do not provide this proof, we cannot respond to your request.

How We Will Respond to Your Data Request

Upon receiving your request, we will review it. We may ask you to clarify what data you are requesting.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but we are not allowed to give it to you, we will notify you as soon as reasonably possible and identify the law that prevents us from providing the data.
- If we have the data, and we are allowed to give it to you, we will respond to your request by doing one of the following:
 - Arranging a date, time, and place for you to inspect the data at our offices; or
 - Notifying you that you may pick up your copies, or we will mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request, if we keep the data in that format and we can reasonably make a copy.

If you are the subject of the data we will provide you with the requested data within 10 business days. After we have provided you with your requested data, we do not have to provide the same data again for 6 months unless there is a dispute about the data or we collect or create new data about you.

If you are not the subject of the data we will provide you with the requested data in an appropriate and prompt manner and within a reasonable amount of time.

Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time. If you ask we will provide you with the estimated cost of your data request before completing the request to confirm you wish to proceed. In some cases, the City may require pre-payment or may provide the data in phases. If the City deems pre-payment or a phased response appropriate we will notify you as soon as reasonably possible.

If you do not respond to our questions or notices or if you do not make arrangements to inspect or retrieve the data within 10 business days, we will conclude that you no longer want the data and will consider your request closed.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request, 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 cost and response time.

We are also not required to respond to questions that are not about your data requests or questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from private or confidential data. You may use the data request form to request summary data. We will respond to your request as soon as reasonably possible with the data, details of when the data will be ready and how much we will charge you, or that the data will not be provided and the reasons why providing the data would compromise the private or confidential data. The City may require pre-payment for the cost of creating the data.

Requests for Private Data about Minor Children

As a parent, you have the right to request public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to request public and private data about an individual for whom you are appointed guardian.

However, minors have the right to ask us not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We will ask you to put your request in writing and to include the reasons that we should deny your parents or guardians access to the data. We will make the final decision

about your request based on your best interests. In determining the best interest of the minor, the City will consider:

- Whether the minor is of sufficient age and maturity to be able to explain the reasons for and to understand the consequences of the request to deny access;
- Whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
- Whether there is ground for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
- Whether the data in question is of such a nature that disclosure of it to the parent could lead to physical or emotional harm to the minor data subject; and
- Whether the data concerns medical, dental, or other health services provided pursuant to Minnesota Statutes, sections 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 City may also deny parental access without a request from the minor under applicable state or federal law.

Copy Costs

There is no charge or fee for the inspection of data. There may be charges or fees for copies of physical or electronic data. The City may require pre-payment of allowable costs associated with your data request before releasing the data to you. The City will not charge you for costs related to separating public data from not public data.

Public Data - For 100 or fewer paper copies – 25 cents per page

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy. The City does not charge for copies if the cost is less than \$10.00. Multiple requests within the same 15 business day period will be treated as a single request for the purposes of calculating whether the minimum of \$10.00 is met. (Not applicable for requests in which you are the subject of the data.)

Data Subject – actual cost

If you are the subject of the requested data, the City will charge you the actual cost of making the copies or electronically sending the data. The rate charged will be the actual hourly rate of the employee performing the work. If based on your request, we find it necessary for a higher-paid employee to provide the data, we will calculate the charges at the higher wage. All time will be charged based upon 15 minute increments. Responses under 15 minutes will not be charged.

In determining the actual cost of making copies, we include employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

Most other types of copies – actual cost

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 and retrieving the data, and making the copies or electronically sending the data.

The rate charged will be the actual hourly rate of the employee performing the work. If based on your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate search and retrieval charges at the higher wage. All time will be charged based upon 15 minute increments. Searches under 15 minutes will not be charged.

In determining the actual cost of making copies, we include employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

CD Rom, Flash Drives, Thumb Drives or other information storage devices – Per Annual Fee Schedule

The City will not allow requestors to provide their own storage devices. Requestor must accept and pay for the implement provided by the City to fulfill the data request. The City will not allow you to use your own implement on City equipment.

Data Protection

Accuracy of Data

All employees will be requested to provide updated personal information to the appropriate supervisor and Human Resources. The information is necessary for tax purposes, insurance coverage, emergency notifications, and other personnel purposes. Other people who provide private or confidential data to the City will also be encouraged to provide updated information when appropriate.

Department heads 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 of according to the City's records retention schedule.

Data Safeguards

Not public data 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 hours when the offices are closed.

Not public data must be kept only in City offices, except when necessary for City business.

Only those employees whose job responsibilities require them to have access will be allowed access to files and records that contain not public data. These employees will be instructed to:

- not discuss, disclose or otherwise release not public data to City employees whose job responsibilities do not require access to the data;
- not leave not public data where non-authorized individuals might see it; and
- shred not public data before discarding, or dispose through confidential locked recycling.

When a contract with an outside party requires access to not public data, the contracting party will be required to use and disseminate the data consistent with the Act.

Data Retention

The City retains and destroys government data pursuant to the General Records Retention Schedule for Minnesota Cities as approved and as may be amended from time to time by the Minnesota Records Disposition Panel. The schedule can be located online from the Municipal Clerks and Finance Officers Association of Minnesota at <http://www.mcfoa.org/> or the Minnesota Historical Society at <http://www.mnhs.org/preserve/records/retentionsched.php>. Any City specific amendments to the schedule will be attached to this policy.

Data Inventory

An inventory of the private and confidential data on individuals maintained by the City is attached to this policy. The inventory includes the type of data and the statutory cite which classifies the data as private or confidential. This inventory will be updated by the Responsible Authority as appropriate.

State Law

This policy is subject to the Minnesota Data Practices Act in Minnesota Statutes Chapter 13 and the related rules in Minnesota Rules Chapter 1205.

Data Practices Contacts

The data practices Responsible Authority is the designated City employee who is responsible for the collection, use, and dissemination of government data. The data practices compliance official is the designated City employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The data practices designees are designated City employees who are in charge of individual files or systems containing government data and receive and comply with requests for government data.

| Title | Name | Address | Phone # | Email Address |
|--|-------------------------------------|--|--------------|----------------------------------|
| Submit Requests to: | | | | |
| Responsible Authority | Susan Johnson, City Clerk | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-1181 | Susan.johnson@ci.buffalo.mn.us |
| Submit Police Department Related Requests to: | | | | |
| Designee for Police | Kelly Prestidge, Records Supervisor | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-5976 | Kelly.prestidge@ci.buffalo.mn.us |
| Submit Complaints to: | | | | |
| Compliance Official | Taylor Gronau, Asst. Administrator | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-1181 | Taylor.Gronau@ci.buffalo.mn.us |

| Other's that may be directed to handle requests by the Responsible Authority: | | | | |
|---|---|--|--------------|---------------------------------|
| Designee | Kelly Horn, Finance Director | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-1181 | Kelly.Horn@ci.buffalo.mn.us |
| Designee | Carmen Merrill, Human Resources | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-1181 | Carmen.Merrill@ci.buffalo.mn.us |
| Designee | David Kelly, Comm. & Economic Dev. Director | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-628-1181 | David.kelly@ci.buffalo.mn.us |
| Designee | | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-1181 | |
| Designee | | 212 CENTRAL AVENUE BUFFALO MN 55313 | 763-682-1181 | |

Updated Designees 7-30-2021, 1-10-2022, 7-5-2022

Updated Compliance Official 12-5-2022

Data Request Form

Requester Complete Items 1-7:

| | |
|--|---|
| <p>1. DATE OF REQUEST</p> | <p>REQUESTER NOTES:</p> <ul style="list-style-type: none"> A. Identification is not required for public data; Contact information is required for us to be able to provide the requested data. B. Identification is required for release of private or nonpublic data. C. <u>You must have the complete name and date of birth if you are requesting a background check on an individual.</u> D. Disclosure of information depends on the data requested and the status of any related case or investigation. E. The City may require pre-payment or may provide a phased response depending on the request. |
| <p>2. REQUESTER NAME (<i>Last, First, Middle</i>)</p> | |
| <p>3. ADDRESS</p> | |
| <p>4. PHONE (Home/Cell)</p> | |
| <p>5. EMAIL</p> | |
| <p>6. DESCRIPTION OF DATA REQUESTED</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Inspection <input type="checkbox"/> Copies (Email or Hard Copy) <input type="checkbox"/> Both Inspection and Copies </p> | |
| <p>7. SIGNATURE</p> | |

To Be filled out by the City:

| | |
|---|---|
| <p>REQUEST TYPE:</p> <p style="padding-left: 20px;"> <input type="checkbox"/> In-person <input type="checkbox"/> EMail <input type="checkbox"/> Mail <input type="checkbox"/> Fax </p> | <p>REQUESTED BY:</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Subject of data <input type="checkbox"/> Not Subject of data </p> |
| <p>DATA REQUESTED IS CLASSIFIED:</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Public <input type="checkbox"/> Private/Nonpublic <input type="checkbox"/> Confidential/Protected Nonpublic </p> | |
| <p>RESPONSE</p> <p>Clarification Requested: _____</p> <p>Pre-payment: _____</p> <p>Estimated Cost: _____</p> <p>Phased Response: _____</p> | |
| <p>REQUEST</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved in Part <i>(explain in REMARKS)</i> </p> | <p>REQUEST HANDLED BY:</p> |
| <p>DATA SENT BY & DATE:</p> <p>Not Public Data Has Been Removed.</p> <p>Emailed _____</p> <p>Mailed _____</p> <p>Faxed _____</p> <p>In Person _____</p> | <p>ADDITIONAL REMARKS:</p> |
| <p>PAYMENT DUE: _____</p> | |
| <p style="text-align: right;">PAYMENT RECEIVED: _____</p> | |

Data Inventory

DATA MAINTAINED BY CITY OF BUFFALO CLASSIFIED AS PRIVATE OF CONFIDENTIAL DATA ON INDIVIDUALS

Private, Confidential, Nonpublic and Protected Nonpublic data are available only to those employees and volunteers who need to access the data in order to perform their specific work assignments. The Responsible Authority and Designees are responsible for ensuring that not public data is accessed only as needed or as provided by law.

Personnel Data (Private)

Minn. Stat. § 13.43

All data about an individual who is employed as, or an applicant for employment as, an undercover law officer is private data.

All personnel data is private except for the following which is public:

- Name
- Employee identification number (which must not be employee Social Security number)
- Actual gross salary
- Salary range
- Terms and Conditions of employment relationship
- Contract fees
- Actual gross pension
- Value and nature of employer paid fringe benefits
- Basis for and amount of added remuneration, including expense reimbursement
- Job title
- Bargaining unit
- Job description
- Education and training background
- Previous work experience
- Date of first and last employment
- 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
- Work location
- Work telephone number
- Badge number
- Work related continuing education
- Honors and awards received
- Payroll time sheet 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 medical leave or other not public data

Data Inventory

If it is 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 pre-petition screening team in the commitment process, or (3) a court, law enforcement agency or prosecuting authority.

Applicant Data (Private)

Minn. Stat. § 13.43, Subd. 4

Data about current and former applicants for employment is private, except the following which is public:

- Veteran 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)

Applicant for Appointment

Minn. Stat § 13.601, Subd. 3

Data about applicants for appointment to a public body collected by a government entity as a result of the applicant's application for appointment to the public body are Private Data on individuals except that the following are public: name, city of residence (except when appointment has residency requirement), education and training, employment history, volunteer work, awards and honors, prior government services, data required to be provided for application to a multimember agency pursuant to section 15.0597, and veteran status.

Once an individual is appointed to a public body, the following additional data are public: residential address, either a telephone number or email address where the appointee can be reached or both at the request of appointee, first and last dates of service on the public body, existence and status of any complaints or charges against the appointee, and the final investigative report related to any complaint or charge unless access to the data would jeopardize an active investigation.

Property Complaint Data (Confidential)

Minn. Stat. § 13.44, Subd. 1

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

Security Information (Private/Nonpublic)

Minn. Stat. § 13.37, Subd. 2

Data which if 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 checking account numbers, 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

Data Inventory

programs. This also includes interior sketches, photos, or plans of buildings where detailed information about alarm systems or similar issues could jeopardize security.

Registered Voter Lists/Absentee Ballots (Private/Nonpublic) Minn. Stat. §§ 13.37, Subd. 2; 203B.12, 201.091

Sealed absentee ballots before opening by an election judge. Names of voters submitting absentee ballots are private until the close of voting.

Registered voter lists are private, except for use related to elections, political activities, or law enforcement. The data of birth on voter lists is always private.

Bids, Proposals, Sealed Bids (Private/Nonpublic) Minn. Stat. § 13.37, Subd. 2; 13.591, Subd. 3 and 5

Sealed bids, including the number of bids received, prior to opening.

Data submitted by a business to a government entity in response to a request for bids or request for proposals. Once opened the following data becomes public, for a request for bids the name dollar amount, for a request for proposals the name. After the process is completed, all remaining data are public with the exception of trade secret data.

Data in an internal competitive response

Evaluative Data (Protected Nonpublic) Minn. Stat. § 13.37, Subd. 2; 13.591, Subd. 3

Data created or maintained by a government entity as part of the selection or evaluation process for a request for bids or request for proposals are protected nonpublic data until completion of the selection process or completion of the evaluation process at which time the data are public with the exception of trade secret data.

Trade Secret Information (Private/Nonpublic) Minn. Stat. § 13.37, Subd. 2

Government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the City, (2) that is the subject of efforts by the City that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

Labor Relations Information (Private/Nonpublic/Protected Nonpublic) Minn. Stat. § 13.37, Subd. 2

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

Firearms Data (Private) Minn. Stat. § 13.87, Subd. 2

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

Data Inventory

Examination Data (Private)

Minn. Stat. § 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.

Elected Officials Correspondence (Private)

Minn. Stat. § 13.601, Subd. 2

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

Federal Contracts Data (Private/Nonpublic)

Minn. Stat. § 13.35

To the extent that a federal agency requires it as a condition for contracting with a City, all government data collected and maintained by the City.

Civil Investigative Data (Confidential/Protected Nonpublic/Private)

Minn. Stat. § 13.39, Subd. 2

Data collected as part of an active investigation undertaken to commence or defend pending civil legal action, or which are retained in anticipation of pending civil legal action.

Appraisal Data (Confidential/Protected Nonpublic)

Minn. Stat. § 13.44, Subd. 3

Appraisals made for the purpose of selling or acquiring land through purchase or condemnation.

Appraisal Value (Private/Nonpublic)

Minn. Stat. § 13.44, Subd. 3

Appraised values of individual parcels of real property that are made by appraisers working for fee owners or contract purchasers who have received an offer to purchase their property from a government entity.

Appraisal Data – Personal or Intangible Property (Nonpublic)

Minn. Stat. § 13.44, Subd. 3

Appraisals of personal or intangible property owned by the city or county.

Recreational Data (Private)

Minn. Stat. § 13.548

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

Domestic Abuse Data (Confidential)

Minn. Stat. §§ 13.80

Data collected, created, received or maintained by the police department, sheriff's office or clerk of court under the Domestic Abuse Act is confidential.

Data Inventory

Law Enforcement Data (Private) Minn. Stat. §§ 13.82, 13.821, 13.871

See also §§ 169.09, 168.10, 169A.70, 171.043, 171.07, 171.071, 171.12, 171.32, 243.166, 299A.61, 299C.065, 299C.091, 299C.093, 299C.095, 299C.46, 299C.53, 299C.56, 611.272, 626.53, 609.324, 609.3457, 609.3471, 626.556, 626.557, 626.558, 626.89, 629.341, 299C.68, 299F.035, 299F.05, 299F.054, 299F.055, 299F.056, 299F.095, 299F.096

Certain arrest data, request for service data, response or incident data, and written transcripts of 911 calls (unless it reveals the individual's identity) are public under Minn. Stat. § 13.82. Otherwise, investigative data collected to prepare a case against a person for the commission of a crime or civil wrong is confidential or protected nonpublic information while the investigation is active. A person's financial account number or transaction numbers are private or nonpublic even after the investigation is inactive. Photographs which are part of inactive investigation files are private or nonpublic if they are clearly offensive to common sensibilities.

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's care is private. Videotapes of child abuse victims may not be released under any circumstances without a court order.

Certain data in reports and investigations related to maltreatment of vulnerable adults is confidential or private.

Name change data related to a name change under section 259.10, Subd. 2 is private.

Data which would reveal the identities of the following individuals is private:

- The identity of undercover law enforcement officers.

- The identity of criminal sexual conduct victims.

- The identity of certain informants.

- The identity of victims or witnesses to a crime whose personal safety or property would be threatened by disclosure.

- The identity of a deceased person whose body was unlawfully removed from a cemetery.

- The identity of a person making a 911 call, or the identity or telephone number of a service subscriber whose phone is used to place a 911 call, if revealing the person's identity would threaten his or her personal safety or property or if the objective of the call was to receive help in a mental health emergency.

- The identity of a juvenile witness and the agency reasonably determines that the subject matter of the investigation justifies protecting the identity of the witness.

- The identity of a mandated reporter under sections 60A.952, Subd. 2, 609.456, 626.559 or 626.557.

Data in arrest warrants or search warrants are 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.

Data Inventory

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

Financial records of a program that pays rewards to informants are protected nonpublic data, or in the case of individuals, confidential data.

Data on missing children bulletins shall be classified by section 299C.54.

Deliberative processes or investigative techniques are confidential.

Booking photographs are public. A law enforcement agency may temporarily withhold access to a booking photograph if the agency determines that access will adversely affect an active investigation.

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

Predatory offender registration status shall be classified by section 244.052.

Sexual Assault Data (Private)

Minn. Stat. §§ 13.822

Sexual assault communication data.

Automated License Plat Reader Data (Private/Nonpublic)

Minn. Stat. §§ 13.824

Data collected by an automated license plate reader.

Portable Recording System Data (Private/Nonpublic)

Minn. Stat. §§ 13.825

Data collected by a portable recording system are private or nonpublic except as set forth in Subd. 2 (a).

Corrections and Detention Data (Private/Confidential)

Minn. Stat. § 13.85

Corrections or detention data which would disclose medical, psychological or financial information or endanger an individual's life.

Corrections or detention data to the extent release of the data would (a) endanger an individual's life, (b) endanger the effectiveness of an investigation authorized by statute and relating to the enforcement of rules or law, (c) identify a confidential informant, or (d) clearly endanger the security of any institution or its population.

Investigative Detention Data (Private/Confidential)

Minn. Stat. § 13.86

Investigative detention data which: (a) if revealed, would disclose the identity of an informant who provided information about suspected illegal activities, and (b) if revealed, is likely to subject the informant to physical reprisals by others.

Criminal History Data (Private/Confidential)

Minn. Stat. § 13.87, Subd. 1

Criminal history data is private, except convictions of crimes which are public data for 15 years following the discharge of the sentence imposed.

Mental Health Data obtained by Law Enforcement (Private/Confidential)

Minn. Stat. § 144.294

Health records obtained by law enforcement under section 144.294.

Data Inventory

Juvenile Justice Data (Private/Confidential) **Minn. Stat. § 13.875, 260B.171, 260B.198, 260B.235**

Certain juvenile justice data.

Planning Survey Data (Private/Nonpublic) **Minn. Stat. § 13.59**

The following data collected in surveys of individuals conducted for the purposes of planning, development and redevelopment: names and addresses of individuals and the legal descriptions 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. In surveys of businesses conducted for the purposes of planning, development and redevelopment, the names, addresses, and legal descriptions of business properties and the commercial use of the property to the extent disclosure of use would identify a particular business.

City Attorney Records (Privileged/Protected) **Minn. Stat. § 13.393**

The use, collection, storage, and dissemination of data by the city attorney is governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility.

Business Data (Private/Nonpublic) **Minn. Stat. § 13.591**

The following data that are submitted by a business requesting financial assistance, a license, or other benefit are private or nonpublic: financial information about the business, including credit reports; financial statements; net worth calculations; business plans; income and expense projections; balance sheets; customer lists; income tax returns; and design, market and feasibility studies not paid for with public funds. This data becomes public when financial assistance is granted except the following remain private or nonpublic: business plans; income and expense projections not related to the financial assistance provided; customer lists; income tax returns; and design, market, and feasibility studies not paid for with public funds.

Municipal Obligation Register Data (Private/Nonpublic) **Minn. Stat. § 475.55, Subd. 6**

Information with respect to the ownership of certain municipal obligations.

Auditing Data (Confidential/Protected Nonpublic/Private) **Minn. Stat. § 13.392**

Data, notes and preliminary drafts of audit reports created, collected and maintained by the internal audit office of the City until the final report has been published or the audit or investigation is no longer being actively pursued. Data on an individual supplying information for an audit or investigation that could reasonably be used to determine the individual's identity if the data was needed and would not have been provided without assurances that the individual's identity would remain private.

Data Inventory

Salary Benefit Survey Data (Nonpublic)

Minn. Stat. § 13.435

Salary and personnel benefit survey data purchased from consulting firms or nonprofit organizations or obtained from employees with written understanding that such data shall not be made public.

Public Employees Retirement Association Data (Private)

Minn. Stat. § 13.63, Subd. 3

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

Drug and Alcohol Test Results (Private/Confidential)

Minn. Stat. § 181.954

Drug and alcohol test results for public sector employees and job applicants.

Safe at Home Program Participant Data (Private)

Minn. Stat. § 13.045, Subd. 3

Identity and location data on program participants who submit required notice.

Electronic Access Data (Private)

Minn. Stat. § 13.15, Subd. 2

Data related to a person's access to a government entity's computer.

Social Security Numbers (Private)

Minn. Stat. § 13.355, Subd. 1

The Social Security numbers of individuals, whether provided in whole or in part, collected or maintained by a government entity.

Personal Contact and Online Account Information (Private)

Minn. Stat. § 13.356

Telephone number, e-mail address, internet user name, password, Internet protocol address, and any other similar data related to the individual's online account or access procedures collected, maintained, or received by the entity for notification purposes or as part of a subscription list for the entity's electronic periodic publications.

Drinking Water Testing Data (Private/Nonpublic)

Minn. Stat. § 13.3805, Subd. 4

Data that identify the address of the testing site and the name, address, and telephone number of residential home owners of each specific site that is tested for lead and copper as required by the federal Safe Drinking Water Act, the United States Environmental Protection Agency's lead and copper rule, and the department's drinking water protection program.

Medical Data (Private)

Minn. Stat. § 13.384, Subd. 3

Data collected because an individual was or is a patient or client of a hospital, nursing home, medical center, clinic, health or nursing agency operated by a government entity including business and financial records, data provided by private health care facilities, and data provided by or about relatives of the individual.

Data Inventory

Deferred Assessment Data (Private)

Minn. Stat. § 13.52

Any data, collected by political subdivisions pursuant to section 435.193, which indicate the amount or location of cash or other valuables kept in the homes of applicants for deferred assessment.

Address of Candidate for Office (Private)

Minn. Stat. § 204B.06, Subd. 1b

A candidate's address of residence.

Utility Disconnection (Private/Nonpublic)

Minn. Stat. § 13.681, Subd. 6

Utility data on disconnections provided to cities under section 216B.0976.

Reporting Employee Identity (Private)

Minn. Stat. § 181.932, Subd. 2

Identity of an employee making a report under section 181.932, Subd. 1.