



## CITY OF CROSSLAKE

CROW WING COUNTY  
STATE OF MINNESOTA

13888 DAGGETT BAY ROAD  
CROSSLAKE, MN 56442

## GUIDE FOR MEMBERS OF THE PUBLIC REQUESTING INFORMATION

Adopted August 12, 2013

Revised June 8, 2015

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August 12, 2013  
Resolution: 13-14

# CITY OF CROSSLAKE

## *Minnesota Government Data Practices Act*

### PUBLIC INFORMATION SUMMARY

#### Right to Access Public 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 is a term that means all recorded information a government entity has, including paper, e-mail, CD-ROMs, photographs, etc.

The Data Practices Act also provides that the City of Crosslake must keep all government data in a way that makes it easy for you, as a member of the public, to access public data that we keep. You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies and the time it may take to research and prepare the data request. You have the right to review and/or inspect data, free of charge, before deciding to request copies.

#### How to Make a Data Request

To look at data or request copies of data that the City of Crosslake keeps, make a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts document on page 2 of this document. You may make your own written request for data by mail, delivery, fax or e-mail, using the Data Request Form on page 3 of this document.

The City of Crosslake 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, we may need some information about you. (Example, we may need your address if you are requesting that data be mailed to 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, please keep in mind that if we do not understand your request or any part of your request, and you do not give us any identifying or contact information, we will not be able to begin processing your request.

#### How the City of Crosslake will respond to a Data Request

Upon receiving your written request, we will work to process it.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have that data but the requested data is not public information, we will notify you in writing as soon as reasonably possible and state which specific law is applicable to the type of data. (Also see Appendix A on the various types of Data Classifications)
- If we have the data and the data is public information, we will respond to your request appropriately and promptly, within a reasonable amount of time, by doing one of the following:
  - Arrange a date, time and place for inspection of the data, free of charge; or
  - Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail, fax, or e-mail the information to you. If you want us to send you copies, you must provide us with enough identifying information so that we may promptly complete the processing of your request. Charges for data requests must be pre-paid, before any copies of data are released.

If you do not understand some of the data, please let us know. We will give you an explanation if you request an explanation.

The 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, format or arrangement if we do not keep the requested data in that form, format or arrangement.

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

#### Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. The City of Crosslake will prepare summary data if you make your request in writing and pre-pay for the costs of creating and preparing the data. Upon receiving your written request, we will respond within ten (10) business days with the data or details of when the data will be ready and the amount we will charge for processing and completing the request for summary data.

CITY OF CROSSLAKE  
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DATA PRACTICES CONTACTS

**Responsible Authority/Compliance Official:**

Charlene Nelson  
City Clerk  
13888 Daggett Bay Road  
Crosslake, MN 56442  
Phone: 218/692-2688  
Fax: 218/692-2687  
E-mail: [cityclerk@crosslake.net](mailto:cityclerk@crosslake.net)

**Designees:**

Administration Department  
Mike Lyonais  
Phone: 218/692-2688  
E-mail: [mlyonais@crosslake.net](mailto:mlyonais@crosslake.net)

Public Works Department  
Ted Strand  
Phone: 218/692-2748  
E-mail: [publicwk@crosslake.net](mailto:publicwk@crosslake.net)

Planning & Zoning Department  
Jon Kolstad  
Phone: 218/692-2689  
E-mail: [jkolstad@crosslake.net](mailto:jkolstad@crosslake.net)

Parks & Recreation Department  
TJ Graumann  
Phone: 218/692-4271  
E-mail: [tgraumann@crosslake.net](mailto:tgraumann@crosslake.net)

Police Department  
Erik Lee  
Phone: 218/692-2222  
E-Mail: [eriklee@crosslake.net](mailto:eriklee@crosslake.net)

Fire Department  
Chip Lohmiller  
Phone: 218/692-2688  
E-mail: [chief1@crosslake.net](mailto:chief1@crosslake.net)

**CITY OF CROSSLAKE**  
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**DATA REQUEST**

**A. Completed by Requester (Please Print)**

Name (Last, First, MI)	Date of Request
Street Address	Phone Number
City, State, Zip	
Signature	Date
Detailed description of the information requested: (Include complete addresses, names and dates wherever possible. Attach additional sheets if necessary.)	

**B. Completed by the City of Crosslake**

Department Name:		Handled by:	
Information classified as:			
<input type="checkbox"/> Public <input type="checkbox"/> Non-Public <input type="checkbox"/> Private <input type="checkbox"/> Protected Non-Public <input type="checkbox"/> Confidential <input type="checkbox"/> Copyrighted			
Action:			
<input type="checkbox"/> Approved <input type="checkbox"/> Approved in Part (Explain Below) <input type="checkbox"/> Denied (Explain Below)			
Remarks or basis for denial including MN Statute if applicable:			
<b>Charges:</b> <input type="checkbox"/> None <input type="checkbox"/> Photocopy # Pages _____ X _____ cents = _____ <input type="checkbox"/> Special Rate: _____ Explanation: _____		<b>Identity Verified for Private Information:</b> <input type="checkbox"/> Identification: Driver's License, State I.D., etc. <input type="checkbox"/> Comparison with Signature on File <input type="checkbox"/> Personal Knowledge <input type="checkbox"/> Other _____	
Responsible Authority Authorized Signature:		Date	

CITY OF CROSSLAKE  
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**CONSENT TO RELEASE PRIVATE DATA**

I, \_\_\_\_\_, authorize the City of Crosslake ("City") to release the following  
(Print Name)  
private data about me:

\_\_\_\_\_

\_\_\_\_\_

to the following person(s) or entity(ies):

\_\_\_\_\_

\_\_\_\_\_

The person(s) or entity(ies) receiving the private data may use it only for the following purpose or purposes:

\_\_\_\_\_

\_\_\_\_\_

This authorization is dated \_\_\_\_\_ and expires on \_\_\_\_\_.

**I understand that my records are protected under state privacy regulations and cannot be disclosed without my written consent unless otherwise provided for by law. I also understand that I may cancel this consent at any time prior to the information being released and that in any event this consent expires automatically 90 days after signing. By signing this document, I give my full and voluntary consent to the City to release the above-listed data to the persons identified in this release, and I waive any and all claims against the City for the disclosure of private data about me in accordance with this document.**

Signature

Signature of Parent or Guardian  
(if data subject is under 18 years of age)

**IDENTITY VERIFIED BY:**

- Witness: Name: \_\_\_\_\_ X \_\_\_\_\_  
(Print Name) Signature
- Identification: Driver's License, State ID, Passport, Other:
- Comparison with Signature on File
- Other \_\_\_\_\_

Responsible Authority  
Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX A

# **NONPUBLIC, PRIVATE & CONFIDENTIAL DATA MAINTAINED BY THE CITY OF CROSSLAKE**

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**This list of data types is divided into the following categories: General, Administration, Community and Real Property, Personnel, and Public Safety. The categories are provided only for convenience in locating types of data; inclusion in any particular category is not intended to indicate an exclusive location for that data type. (For example, data listed under Personnel may be physically located in more than one City department.)**

### **GENERAL**

#### **Applications for Election or Appointment**

CLASSIFICATION(S): Private / Public

GOVERNING STATUTE: Minn. Stat. § 13.601, subd. 3

DESCRIPTION OF DATA: Data on applicants collected by the City from the applicant's application is private, except the following is public: name, city of residence, education and training, employment history, volunteer work, awards and honors, and prior government service or experience. Once appointed, the following is public: residential address and either telephone number or email where the appointee may be reached, or both at the request of the appointee.

#### **Audit Data (provided by State Auditor)**

CLASSIFICATION(S): Protected Nonpublic / Confidential

GOVERNING STATUTE: Minn. Stat. § 6.715, subd. 5

DESCRIPTION OF DATA: Data relating to an audit, examination or investigation performed by the state auditor. Data provided by the state auditor for purpose of review and verification must be protected from unlawful disclosure.

#### **City Attorney Records**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.393

DESCRIPTION OF DATA: 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. Data which is the subject of attorney-client privilege is confidential. Data which is the subject of the "work product" privilege is confidential.

**Civil Investigative Data**

CLASSIFICATION(S): Confidential / Protected Nonpublic/ Not public / Public

GOVERNING STATUTE: Minn. Stat. § 13.39

DESCRIPTION OF DATA: Data collected as part of an active investigation undertaken to commence or defend pending civil litigation, or which are retained in anticipation of pending civil litigation.

**Council Meetings Having Data Classified as Nonpublic**

CLASSIFICATION(S): Private / Public

GOVERNING STATUTE: Minn. Stat. § 13D.05

DESCRIPTION OF DATA: Any portion of a meeting must be closed if expressly required by other law or if the following types of data are discussed: data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults; active investigative data as defined in section 13.82, subdivision 7, or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system, or political subdivision; or educational data, health data, medical data, welfare data, or mental health data that are not public data under section 13.32, 13.3805, subdivision 1, 13.384, or 13.46, subdivision 2 or 7.

**Elected Officials Correspondence**

CLASSIFICATION(S): Private / Public

GOVERNING STATUTE: Minn. Stat. § 13.601, subd. 2

DESCRIPTION OF DATA: Correspondence between individuals and elected officials is private data on individuals, but may be made public by either the sender or the recipient.

**Financial Disclosure Statements**

CLASSIFICATION(S): Public

GOVERNING STATUTE: Minn. Stat. § 13.601, subd. 1.

DESCRIPTION OF DATA: Financial disclosure statements of elected or appointed officials which, by requirement of the City, are filed with the City, are public data on individuals.

**Grants**

CLASSIFICATION(S): Nonpublic / Private

GOVERNING STATUTE: Minn. Stat. § 13.599

DESCRIPTION OF DATA: Data created by state agency providing grants and persons/agencies that apply for or receive grants.

**Identity of Employees Making Complaints**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 181.932, subd. 2; 13.7905, subd. 5(b)

DESCRIPTION OF DATA: The identity of an individual who reports to any governmental body or law enforcement official a violation or suspected violation by the individual's employer of any federal or state law or rule.

**Internal Competitive Response**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. §§ 13.591, subd. 5, 13.37.

DESCRIPTION OF DATA: A bid or proposal to provide government goods or services that is prepared by the staff of a government entity in competition with bids or proposals solicited by the same government entity from the private sector or a different government entity from the private sector are classified as private or nonpublic 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 as defined and classified in Minnesota Statutes Section 13.37.

**Internal Auditing Data**

CLASSIFICATION(S): Confidential/Private/Protected Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.392

DESCRIPTION OF DATA: Data, notes, and preliminary drafts of reports created, collected and maintained by the internal audit offices of the city or by person performing audits for the city and relating to an audit or investigation; data on an individual supplying information for an audit or investigation, under specified circumstances.

**Judicial Data**

CLASSIFICATION(S): Confidential/Private/Protected Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.03, subd. 4(e)

DESCRIPTION OF DATA: Judicial branch data disseminated to the city has the same classification in the hands of the city as it had in the hands of judicial branch entity providing it.

**Pleadings**

CLASSIFICATION(S): Public

GOVERNING STATUTE: Minn. Stat. § 13.03, subd. 12

DESCRIPTION OF DATA: Pleadings in a lawsuit by or against the City.

**Requests for Proposals**

CLASSIFICATION(S): Private/Nonpublic/Not public/Public

GOVERNING STATUTE: Minn. Stat. §§ 13.591, subd. 3(b), 13.37.

DESCRIPTION OF DATA: Data submitted by a business to the City in response to a request for proposals is not public data until the responses are opened. Once the responses are opened, the name of the responder is public. All other data in a response to a request for proposal are private or nonpublic data until completion of the evaluation process. After completion of the evaluation process, all remaining data submitted by responders are public with the exception of trade secret data as classified in Minn. Stat. § 13.37. If all responses to a request for proposals are rejected prior to completion of the evaluation process, all data, other than that made public at the response opening, remain private or nonpublic until a resolicitation of the requests for proposal results in the completion of the evaluation process or a determination is made to abandon the purchase. If rejection occurs after the completion of the evaluation process, the data remains public.

## Non-Public, Private & Confidential Data Maintained by the City of Crosslake

If resolicitation of the proposals does not occur within one year of the proposal opening data, the remaining data become public.

### **Sealed Bids**

CLASSIFICATION(S): Private / Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Sealed bids, including the number of bids received, prior to opening.

### **Security Information**

CLASSIFICATION(S): Private / Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: 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 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.

### **Service Cooperative Claims Data**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.203

DESCRIPTION OF DATA: Claims experience and all related information received from carriers and claims administrators participating in a group health or dental plan, including any long-term disability plan, offered through Minnesota service cooperatives to Minnesota political subdivisions and survey information collected from employees and employers participating in these plans and programs, except when the executive director of a Minnesota service cooperative determines that release of the data will not be detrimental to the plan or program, are classified as nonpublic data not on individuals.

### **Social Security Numbers**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.355

DESCRIPTION OF DATA: Social security numbers of individuals, whether in whole or in part.

### **Social Security Numbers on Mailings**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.355, subd. 3

DESCRIPTION OF DATA: City may not mail, deliver, or cause to be mailed or delivered an item that displays a Social Security number on the outside of the item or visible without opening the item.

**Trade Secret Information**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Data, including a formula, pattern, compilation, program, device, method, technique or process: (1) that was supplied by the affected individual or organization; (2) that is the subject of efforts by the individual or organization 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.

**Utility Disconnection Notice**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.681, subd. 6

DESCRIPTION OF DATA: Utility data on disconnections provided to cities under Minn. Stat. § 216B.0976

**ADMINISTRATION**

**Absentee Ballots**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Sealed absentee ballots before opening by an election judge.

**Computer Access Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.15

DESCRIPTION OF DATA: Data created, collected, or maintained about a person's access to the City's computer for the purpose of: (1) gaining access to data or information; (2) transferring data or information; or (3) using government services.

**Deferred Assessment Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.52

DESCRIPTION OF DATA: Data collected pursuant to Minnesota Statutes Section 435.193, which indicates the amount or location of cash or other valuables kept in the homes of applicants for deferred assessment.

**Federal Contracts Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.35

DESCRIPTION OF DATA: All data collected and maintained by the City when required to do so by a federal agency as part of its contract with the City.

**Homestead Applications**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.4965, subd. 3, 273.124, subd. 13

DESCRIPTION OF DATA: Social security numbers, affidavits or other proofs of entitlement to homestead status that are submitted by property owners or their spouses. The data may be disclosed to the Commissioner of Revenue or, under limited circumstances, the county treasurer.

**Municipal Bonds Register Data**

CLASSIFICATION(S): Private / Nonpublic

GOVERNING STATUTE: Minn. Stat. §§ 13.202, subd. 12, 475.55, subd. 6

DESCRIPTION OF DATA: Data with respect to the ownership of municipal obligations.

**Registered Voter Lists**

CLASSIFICATION(S): Confidential/Public

GOVERNING STATUTE: Minn. Stat. §§ 13.607, subd. 6; 201.091

DESCRIPTION OF DATA: Information contained in the master list of registered voters.

**Solid Waste Collector Customer Lists**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. §§ 13.7411, subd. 4 (c), 115A.93, subd. 5

DESCRIPTION OF DATA: Customer lists provided to the City by solid waste collectors.

**COMMUNITY AND REAL PROPERTY**

**Appraisal Data**

CLASSIFICATION(S): Confidential / Protected Nonpublic / Public

GOVERNING STATUTE: Minn. Stat. § 13.44, subd. 3

DESCRIPTION OF DATA: Appraisals made for the purpose of selling or acquiring land through purchase or condemnation

**Property Complaint Data**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.44, subd. 1

DESCRIPTION OF DATA: Data that identifies individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real property.

**Planning Questionnaires**

CLASSIFICATION(S): Private / Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.59

DESCRIPTION OF DATA: Names and addresses of individuals and businesses and the legal descriptions of property owned by individuals and businesses, when collected in surveys of individuals conducted by the City for the purposes of planning, development, and redevelopment.

**PERSONNEL**

**Applicant Information**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43.

DESCRIPTION OF DATA: Generally, all data about people who are or were an employee, an applicant for employment, a volunteer, or an independent contractor is private with the following exceptions which are public:

- \* Veteran Status
- \* Relevant test scores
- \* Rank on eligibility 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 of applicants for appointment to and members of an advisory board or commission.

**Applicants to a Public Body**

CLASSIFICATION(S): Public

GOVERNING STATUTE: Minn. Stat. § 13.601

DESCRIPTION OF DATA: Generally, all data about people who are or were an applicant to or an appointed member of a public body is private with the following exceptions which are public:

- \* Name
- \* City of Residence
- \* Education and Training
- \* Employment History
- \* Volunteer Work
- \* Awards and Honors
- \* Prior Government Service

**Appointed (Not Elected) Members to a Public Body**

CLASSIFICATION(S): Public

GOVERNING STATUTE: Minn. Stat. § 13.601

DESCRIPTION OF DATA: Generally, all data about people who are or were an appointed, not elected, to a public body is private, with the following exceptions which are public:

- \* Name
- \* City of Residence
- \* Education and Training
- \* Employment History
- \* Volunteer Work
- \* Awards and Honors

## Non-Public, Private & Confidential Data Maintained by the City of Crosslake

- \* Prior Government Service
- \* Residential Address
- \* Either a telephone number or electronic mail address where the appointee can be reached, or both, at the request of the appointee

### **Employee Assistance Information**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.43, subd. 7

DESCRIPTION OF DATA: Results of employee drug and alcohol tests.

### **Employee Drug and Alcohol Tests**

CLASSIFICATION(S): Confidential / Private

GOVERNING STATUTE: Minn. Stat. § 13.43, subd. 5c), 181.954, subd. 2 and 3

DESCRIPTION OF DATA: Results of employee drug and alcohol tests.

### **Employee Data**

CLASSIFICATION(S): Confidential/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43.

DESCRIPTION OF DATA: Generally, all data about current and former employees, volunteers, and independent contractors are private with the following exceptions which are public:

- \* Name
  - \* Actual gross salary
  - \* Salary Range
  - \* Contract fees
  - \* Actual gross pension
  - \* Value and nature of employer paid fringe benefits
  - \* Basis for and the amount of added remuneration, including expense reimbursement, in addition to salary
  - \* Job title
  - \* 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, regardless of whether the complaint or charge resulted in a disciplinary action
  - \* 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 of the public body
  - \* Terms of any agreement settling any dispute arising from the employment relationship, including a “buyout” agreement
  - \* Work location
  - \* Work telephone number
  - \* Badge number

## Non-Public, Private & Confidential Data Maintained by the City of Crosslake

- \* Honors and awards received
- \* 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.

### **Employment and Training Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.47

DESCRIPTION OF DATA: Data on individuals collected, maintained, used, or disseminated because an individual applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state or local resources.

### **Examination Data**

CLASSIFICATION(S): Confidential / Private

GOVERNING STATUTE: Minn. Stat. § 13.34

DESCRIPTION OF DATA: Completed versions of personnel and licensing examinations

### **Harassment**

CLASSIFICATION(S): Confidential / Private

GOVERNING STATUTE: Minn. Stat. § 13.43 subd. 8

DESCRIPTION OF DATA: 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 the data would threaten the personal safety of the complainant or witness, or subject the complainant or witness to harassment. However, summary information will be provided to the employee in order for him/her to prepare for a disciplinary proceeding that has been initiated.

### **Human Rights Data**

CLASSIFICATION(S): Confidential / Private / Protected Nonpublic / Public

GOVERNING STATUTE: Minn. Stat. §§ 13.552, 363A.28 and 363A.35

DESCRIPTION OF DATA: Data maintained by the human rights department of the city, including: investigative data in an open case file; the name and address of the charging party or respondent, factual basis of the allegations, and statute or ordinance under which the charge is brought; investigative data in a closed case file.

### **Labor Relations Information**

CLASSIFICATION(S): Private / Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

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

**Peer Counseling Debriefing**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.43 subd. 9

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

**Personnel and Employment Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43.

DESCRIPTION OF DATA: Data on individuals collected because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a government entity.

**Protection of Employee or Others**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43 subd 11

DESCRIPTION OF DATA: 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 team in the commitment process, or (3) a court, law enforcement agency or prosecuting authority.

**Salary Benefit Survey Data**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.435

DESCRIPTION OF DATA: Salary and personnel benefit survey data purchased from consulting firms, nonprofit corporations or associations or obtained from employers with the written understanding that the data shall not be made public.

**Undercover Law Enforcement Officer**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43 subd. 5

DESCRIPTION OF DATA: All personnel data about an undercover 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.

**PUBLIC SAFETY**

**Arson Investigation**

CLASSIFICATION(S): Confidential / Public

GOVERNING STATUTE: Minn. Stat. §§ 13.6905, subd. 26, 299F.055 and 299F.056

DESCRIPTION OF DATA: Information relating to a fire loss or potential fire loss.

**Child Abuse Report Records**

CLASSIFICATION(S): Confidential / Private

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 6 (b), 13.82, subd. 8 and 9 and 626.556

DESCRIPTION OF DATA: Active or inactive investigative data that identify a victim of child abuse or neglect reported under Minnesota Statutes Section 626.556 are private data on individuals. Active or inactive investigative data that identify a reporter of child abuse or neglect under Minnesota Statutes Section 626.556 are confidential data on individuals, unless the subject of the report compels disclosure under Minnesota Statutes Section 626.556, subd. 11. Investigative data that become inactive under Minnesota Statutes Section 626.556, subd. 7 (a) or (b) and that relate to the alleged abuse or neglect of a child by a person responsible for the child's care, as defined in Minnesota Statutes Section 626.556, subdivision 2 are private data.

**Civil Commitment Data**

CLASSIFICATION(S):

GOVERNING STATUTE: Minn. Stat. § 253B.185, subd. 1(b)

DESCRIPTION OF DATA: Notwithstanding any provision of Chapter 13, a county attorney considering the civil commitment of a person may obtain records and data from the City upon request and without a court order.

**Corrections and Detention Data**

CLASSIFICATION(S): Confidential / Private / Public

GOVERNING STATUTE: Minn. Stat. § 13.85

DESCRIPTION OF DATA: Data on individuals created, collected, used or maintained by a municipal correctional or detention facility, the release of which would disclose medical, psychological, financial or personal information not related to the individual's detainment or which would endanger an individual's life; detention data, the release of which would endanger an individual's life, endanger the effectiveness of an investigation, identify a confidential informant, or clearly endanger the security of any institution or its population.

**Crime Victim Notice of Release**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 5 (a), 611A.06

DESCRIPTION OF DATA: All identifying information regarding a crime victim, including a victim's request for notice of release and a notice of release made pursuant to Minnesota Statutes Section 611A.06.

**Criminal Gang Investigative Data System**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. §§ 13.6905, subd. 14, 299C.091

DESCRIPTION OF DATA: Data in the criminal gang investigative data system are confidential data on individuals as defined in Minnesota Statutes Section 13.02, subdivision

3, but are accessible to law enforcement agencies and may be released to the criminal justice agencies.

**Criminal History Data**

CLASSIFICATION(S): Private / Public

GOVERNING STATUTE: Minn. Stat. § 13.87

DESCRIPTION OF DATA: Criminal history data maintained by agencies, political subdivisions and statewide systems are classified as private, pursuant to Minnesota Statutes Section 13.02, subdivision 12, except that the data created, collected or maintained by the Bureau of Criminal Apprehension that identify an individual who was convicted of a crime, the offense of which the individual was convicted, associated court disposition and sentence information, controlling agency and confinement information are public data for 15 years following the discharge of the sentence imposed for that offense. Data maintained in the integrated search service is private. An individual who is the subject of the data may only be provided with (1) a list of government entities that provided public or private data about the individual and (2) data that describes what is maintained about the individual at each government entity on the list.

**Criminal History Data – Discharge / Dismissal of Crime**

CLASSIFICATION(S): Not Public

GOVERNING STATUTE: Minn. Stat. § 13.871

DESCRIPTION OF DATA: Data in criminal discharge and dismissal records is classified under Minn. Stat. § 609.3751, subd. 5.

**Detention Data**

CLASSIFICATION(S): Private / Confidential / Public

GOVERNING STATUTE: Minn. Stat. § 13.85

DESCRIPTION OF DATA: Data on individuals created, collected, used or maintained because of their lawful confinement or detainment in a correctional or detention facility, including a municipal jail or lockup.

**Domestic Abuse Data**

CLASSIFICATION(S): Confidential / Public

GOVERNING STATUTE: Minn. Stat. § 13.80

DESCRIPTION OF DATA: Data on individuals collected, created, received or maintained by police departments pursuant to the domestic abuse act.

**E-Charging Data**

CLASSIFICATION(S): Confidential / Private / Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 11

DESCRIPTION OF DATA: Data created by local law enforcement agencies and maintained by the Bureau of Criminal Apprehension in a statewide, data sharing, electronic charging system. Credentialing data is private protected nonpublic, and auditing, workflow and routing data is confidential protected nonpublic.

**EMT or First Responder Misconduct Data**

CLASSIFICATION(S): Confidential/Protected Nonpublic

GOVERNING STATUTE: Minn. Stat. §§ 13.383, subd. 2, 144E.305, subd. 3.

DESCRIPTION OF DATA: Reports of emergency medical technicians, emergency medical technicians-intermediate, emergency medical technicians-paramedic or first responders' misconduct are considered to be confidential or protected nonpublic while an investigation is active. Except for the Emergency Medical Services Regulatory Board's final determination, all communications or information received by or disclosed to the Board relating to disciplinary matters of any person or entity subject to the Board's regulatory jurisdiction are confidential and privileged and any disciplinary hearing shall be closed to the public.

**Emergency Telephone Service**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.202, subd. 6, 403.07, subd. 3 and 4

DESCRIPTION OF DATA: Names, addresses and telephone numbers provided to a 911 or other emergency system.

**Explosives or Blasting Agents**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 299F.75, subd. 4

DESCRIPTION OF DATA: Data from application submitted by applicant and data held by law enforcement indicating applicant's place and time of intended use of explosives or blasting agents and place and means of storage of the explosives or blasting agents until such use. Data may be shared with other law enforcement whose job requires access to a facility containing explosives or blasting agents. Recipients of the data are prohibited from disclosing the data to anyone not directly involved in the work.

**Hazardous Substance Emergency**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 27, 299F.095 and 299F.096, subd. 1

DESCRIPTION OF DATA: Information contained in hazardous materials notification reports made pursuant to Minnesota Statutes Sections 299F.091 to 299F.099.

**Health Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.3805, subd. 1

DESCRIPTION OF DATA: Data on individuals created, collected, received or maintained by the city relating to the identification, description, prevention, and control of disease or as part of an epidemiologic investigation designated by the commissioner of health as necessary to analyze, describe or protect the public health.

**Investigative Detention Data**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.86

DESCRIPTION OF DATA: Data created, collected, used or maintained by a municipal correctional or detention facility that, if revealed, would identify an informant who provided

information about suspected illegal activities and is likely to subject the informant to physical reprisals by others.

**Law Enforcement Data**

CLASSIFICATION(S): Private / Confidential / Public/ Non Public

GOVERNING STATUTE: Minn. Stat. §§13.82, 259.10, subd. 2

DESCRIPTION OF DATA: Certain arrest data, request for service data, and response or incident data are public data.

An audio recording of a call placed to a 911 system for the purpose of requesting service from a law enforcement, fire or medical emergency agency is private data on individuals, except that a written transcript of the audio recording is public, unless it reveals the identity of an individual otherwise protected under Minnesota Statutes Section 13.82, subdivision 17.

Criminal investigative data collected or created by a law enforcement agency in order to prepare a case against a person for the commission of a crime or other offense for which the agency has primary investigative responsibility is confidential or protected nonpublic while the investigation is still active.

Photographs that are part of inactive investigative files and that are clearly offensive to common sensibilities are classified as private or nonpublic, provided that the existence of the photographs shall be disclosed to any person requesting access to the inactive investigative file.

Data on court records relating to name changes under Minnesota Statutes Section 259.10, subdivision 2 which is held by a law enforcement agency is confidential data on an individual while an investigation is still active and is private data on an individual when the investigation becomes inactive.

Data in arrest warrant indices are classified as confidential data until the defendant 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 that information public.

Data that uniquely describe stolen, lost, confiscated or recovered property are classified as either private data on individuals or nonpublic data depending on the content.

Financial records of a program that pays rewards to informants are protected nonpublic data in the case of data not on individuals or confidential data in the case of data on individuals.

Data on registered criminal offenders are private data on individuals.

Data in missing children bulletins are public data.

Data that reflect deliberative processes or investigative techniques of law enforcement agencies are confidential data on individuals or protected nonpublic data, provided that

## Non-Public, Private & Confidential Data Maintained by the City of Crosslake

information, reports, or memoranda that have been adopted as the final opinion or justification for a decision of a law enforcement agency are public data.

Booking photographs are public data.

Data that would reveal the identity of persons who are customers of a licensed pawnbroker or secondhand goods dealer are private data on individuals.

Data describing the property in a regulated transaction with a licensed pawnbroker or secondhand goods dealer are public.

### **Peace Officer Discipline Procedures**

CLASSIFICATION(S): Confidential / Private / Public

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 6(p), 626.89, subd. 6 and 13.43

DESCRIPTION OF DATA: Investigative report made by a law enforcement agency in connection with a peace officer disciplinary matter; identities of confidential informants in such matters; identities of witnesses expected to testify in disciplinary hearings.

### **Peace Officer Records on Juveniles**

CLASSIFICATIONS(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.875, subd. 2, 260B.171, subd. 5.

DESCRIPTION OF DATA: Peace officers' records of children who are or may be delinquent or who may be engaged in criminal acts.

### **Peace Officer Reports on Accidents**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 169.09, subd. 13

DESCRIPTION OF DATA: Data collected by law enforcement agencies as required for a report of an accident under Minn. Stat. § 169.09, subd. 8. Data must be disclosed to, upon written request by, individuals involved in an accident or representing the individual's estate, surviving spouse, next of kin, or an appointed trustee, or other person injured in person, property, or means of support, or who incurs other pecuniary loss by virtue of the accident.

### **Reports of Gunshot Wounds**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 6 (a), 626.53

DESCRIPTION OF DATA: A report made by a health professional concerning a wound or injury arising from or caused by discharge of a firearm or inflicted by the perpetrator of a crime using a dangerous weapon other than a firearm.

### **Safe at Home Program Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 5B.07, subd. 1

DESCRIPTION OF DATA: Data on Safe at Home Program participants maintained by local government in conjunction with an active investigation or inspection of health, building or fire codes, or city ordinances.

**Sex Offender HIV Tests**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 5(b), 611A.19, subd. 2

DESCRIPTION OF DATA: Results of HIV tests of sex offenders must be handled in accordance with Minnesota Statutes Section 611A.19.

**Sexual Assault Crime Victims**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 3(e), 609.3471

DESCRIPTION OF DATA: Data that identifies a victim who is a minor, in records or reports relating to petitions, complaints or indictments made for criminal sexual conduct in the first, second, third or fourth degrees.

**Videotapes of Child Abuse Victims**

CLASSIFICATION(S): Private / Confidential

GOVERNING STATUTE: Minn. Stat. §§ 13.821, 611A.90

DESCRIPTION OF DATA: Videotapes in which a child victim or alleged victim is alleging, explaining, denying, or describing an act of physical or sexual abuse.

**Vulnerable Adult Report Records**

CLASSIFICATION(S): Private / Confidential

GOVERNING STATUTE: Minn. Stat. §§ 13.871, subd. 6 (l), 626.557, subd. 12(b).

DESCRIPTION OF DATA: Reports made pursuant to Minnesota Statutes Section 626.557 of possible incidents of maltreatment of vulnerable adults; identities of individuals making such reports.