

# **City of Moorhead Data Practices Act Policy**

## **Members of the Public**

### **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, email, CD-ROMs, photographs, etc.

The Data Practices Act also provides that the City of Moorhead (City) must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that the City keeps. You also have the right to receive copies of public data. The Data Practices Act allows the City to charge for copies. You have the right to look at 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 Moorhead keeps, please make a written request. Please make your written request for data to the appropriate individual listed in the Data Practices Contacts document on page 3. You may make your written request for data by U.S. mail, facsimile, or emailing your request, utilizing the data request form on page 4.

If you choose not to use the data request form, your written request should include the following:

- That you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
- Whether you would like to look at the data, get copies of the data, or both; and
- A clear description of the data you would like to inspect or have copied.

The City of Moorhead 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 the City to process your request (e.g. if you want the City to mail you copies of data), the City may need some information about you. If you choose not to provide any identifying information, the City 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 and have no way to contact you, we will not be able to begin processing your request.

## **How the City of Moorhead Responds to a Data Practices Act Request**

Upon receiving your written request, the City will work to process it. If the City does not have the data, we will notify you in writing as soon as reasonably possible. If the City has the data, but the data are not public, we will notify you in writing as soon as reasonably possible and state which specific law states the data are not public. If the City has the data, and the data are public, 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 to inspect data, for free, if your request is to look at the data, 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 or fax them to you. If you want the City to send you the copies, you will need to provide the City with an address or fax number. The City will provide electronic copies (such as email or CD-ROM) upon request if the data is kept in electronic format. Information about copy charges is on page 4.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please advise the City. The City will give you an explanation if requested. The Data Practices Act does not require the City 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 the City agrees 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, the Data Practices Act does not require us to answer questions that are not 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 Moorhead will prepare summary data if you make your request in writing and pay for the cost of creating the data. Upon receiving your written request (you may use the data request form on page 5), the City will respond within ten (10) business days with the data or details of when the data will be ready and how much we will charge.

## **Data Practices Contacts**

### **City of Moorhead, Minnesota**

Responsible Authority:

City of Moorhead City Manager

Physical Address: 500 Center Ave, Moorhead, MN 56560

Mailing Address: PO Box 779, Moorhead, MN 56561-0779

Fax: (218) 299-5306

Telephone: (218) 299-5166

Email: [citymanager@cityofmoorhead.com](mailto:citymanager@cityofmoorhead.com)

## **Members of the Public**

### *Cost of Copies*

The City of Moorhead charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). The cost of copies is 25 cents per copy (50 cents for a two-sided copy).

### *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 transmitting the data (e.g. sending the data by email). In determining the actual cost of making copies, we factor in 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 reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies. The cost of employee time to search for data, retrieve data, and make copies is dependent upon the hourly cost of the employee. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, the City will calculate the search and retrieval portion of the copy charge at the higher salary/wage.



## REQUEST FOR INFORMATION: PUBLIC DATA, PRIVATE DATA AND POLICE RECORDS

*Requests may be submitted by mail, email or in person to the  
Police Department for police related information or the  
Administration Office for all other requests.*

**\*\*see Data Privacy and Fee Schedule notes on back before continuing**

**REQUESTED BY**

NAME:	DATE:
PHONE #:	EMAIL:

**Are you named in the data request?**    YES    NO

*If no, you may **not** be entitled to private data without a notarized signed informed consent form and photo ID from the data subject.  
If the requested data is private, a signature and photo ID and/or proof of guardianship is required to ensure you are entitled to the data.*

**Signature of above requestor or guardian (Private Data):** \_\_\_\_\_

*If not appearing in person, this signature must be notarized:*

Subscribed and sworn before me on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

  
  

\_\_\_\_\_

Notary Public Signature

**TYPE OF INFORMATION REQUESTED**

*The information you are requesting may or may not be available to you. After your request is reviewed, you will be notified when the information is available and if any fees will be assessed.*

I am requesting data in the following way:    EMAIL COPIES    PICK UP COPY    INSPECTION (appointment to look at copy)

<input type="checkbox"/> <b>POLICE REPORT</b>  ICR/Case Number: _____  Type of Incident: _____  Date/Time of Incident: _____  Location of Incident: _____	<input type="checkbox"/> <b>OTHER DATA REQUEST</b>  Time Period (from: _____ to: _____)  Location: _____  Request Details: _____  _____  _____  _____  _____		
<input type="checkbox"/> <b>CRIMINAL BACKGROUND CHECK (POLICE)</b> <input type="checkbox"/> <b>PRIVATE DATA (Human Resources/Administration)</b> <i>*See private data and signature info above</i>  Subject full name: _____  Address: _____      DOB: _____  _____      SEX: _____  Request Details: _____  _____  _____	<b>TO BE COMPLETED BY DEPARTMENT STAFF</b>  <table style="width: 100%;"> <tr> <td style="width: 50%; padding: 5px;"> <input type="checkbox"/> DATA RELEASED  <input type="checkbox"/> DATA INSPECTED ONLY  <input type="checkbox"/> REQUEST DENIED         </td> <td style="width: 50%; padding: 5px;"> <input type="checkbox"/> NO DATA           COST: \$ _____         </td> </tr> </table>	<input type="checkbox"/> DATA RELEASED <input type="checkbox"/> DATA INSPECTED ONLY <input type="checkbox"/> REQUEST DENIED	<input type="checkbox"/> NO DATA  COST: \$ _____
<input type="checkbox"/> DATA RELEASED <input type="checkbox"/> DATA INSPECTED ONLY <input type="checkbox"/> REQUEST DENIED	<input type="checkbox"/> NO DATA  COST: \$ _____		

*Please use next section if more space is needed.*

## Data Privacy Notes:

- Minnesota Government Data Practices Act, Chapter 13.04 subd.3, states that the City of Moorhead has up to 10 days (excluding weekends and holidays) to provide the above information, ***if you are the subject of the data request.***
- Minnesota Government Data Practices Act, Chapter 13.04 subd. 3, states you can only receive this information ***once, every six months***, unless additional information has been received.
- Minnesota Government Data Practices Act, Chapter 13.03 subd. 3.c, states: c) The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from non-public data.
- Submit requests for police documents and reports to the Moorhead Police Department and all other requests to the Administration department:

### City of Moorhead

Administration

PO Box 779

Moorhead, MN 56561-0779

Email: [citymanager@cityofmoorhead.com](mailto:citymanager@cityofmoorhead.com)

(218) 299-5303

### City of Moorhead Police Department

Records Division

911 11<sup>th</sup> St N

Moorhead, MN 56560

(218) 299-5120

## City of Moorhead Fee Schedule:

***NOTE: You will be notified of any costs incurred by your request prior to it being filled***

Inspection of data	FREE	Photos (plus cost of reprints)	5.00
Criminal background/Records check	\$10.00	Digital Photos (CD)	5.00
Data Request	4.00	Digital Photos (per printed photo)	0.50
Accident Reports	4.00	911 Call Transcript (per hour, min 1 hr)	30.00
Incident Reports (per printed side)	0.25	Audio Recording Transcribed (per hour)	20.00
Audio CD File	5.00	Staff time (if applicable per hour)	20.00
DVD Video File	5.00		