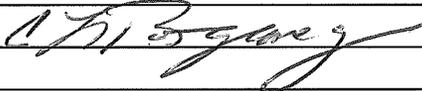


**RECORD OF ANNUAL REVIEW**

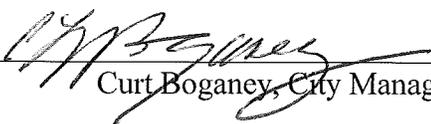
**DATA PRACTICES PUBLIC DOCUMENT**

Under the Minnesota Government Data Practices Act, I as the Responsible Authority for the City of Brooklyn Center am required to annually review the City's public document to update the document and ensure its accuracy. The following records the date on which I have done so.

DATE COMPLETED	SIGNATURE
2/6/2017	

**City of Brooklyn Center**  
**DATA PRACTICES PROCEDURES**

*Adopted April 7, 2000*  
*Updated 2017*

  
Curt Boganey, City Manager



**City of Brooklyn Center**  
**DATA PRACTICES PROCEDURES**  
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# **City of Brooklyn Center**

## **DATA PRACTICES PROCEDURES**

### **I. INTRODUCTION.**

These procedures are adopted to comply with the requirements of the Minnesota Data Practices Act (the "Act"), specifically Minn. Stat. § 13.03, subd. 2 and 13.05, subd. 5 and 8.

### **II. RESPONSIBLE AUTHORITY.**

The person who is the Responsible Authority for compliance with the Act is the City Manager. The Responsible Authority has designated certain other City employees to assist in complying with the Act. These designees are listed on attached Exhibit 1.

### **III. ACCESS TO PUBLIC DATA.**

All information maintained by the City is public unless there is a specific statutory designation which gives it a different classification.

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

- Copyrighted public documents may be shown to anyone but shall not be reproduced or photocopied without express written permission from the copyright holder. (Exhibit 9)
- The Responsible Authority reserves the right to refuse to provide copies of copyrighted data in accordance with the copyright law of the United States (Title 17, United States Code) which governs the making of photocopies or other reproductions of copyrighted material.
- Public documents created by the City of Brooklyn Center and/or its officials and employees on behalf of the City do not qualify for copyright protection and shall be available for viewing and reproduction in accordance with the Act. In certain cases, the City may enforce a copyright or acquire a patent for a computer software program or components of a program created by the City. In such cases, the data shall be treated as trade secret information.

**B. Form of Request.** The request for public data may be verbal or written. The Responsible Authority or designee may require a verbal request to be made in writing, whenever a written request will assist the Responsible Authority or designee in performing his or her duties.

**C. Time Limits.**

- **Requests.** Requests will be received and processed only during normal business hours.
- **Response.** If the request is made by someone other than the data subject and access or copies cannot be made at the time of the request, copies must be supplied as soon as reasonably possible. Whenever reasonably possible, the Responsible Authority will immediately allow a person to inspect public data. If the request is made by the data subject, the response must be immediate, if possible, or within 10 working days if an immediate response is not possible.

**D. Fees.**

- **No Fees Charged.** No fee may be charged for merely inspecting data. An inspection of data includes instances where the City prints copies of data, when the only method of providing for inspection is to print a copy. No fee may be charged for time spent separating public from not public data.
- **Fees Charged.** Fees may be charged only if the requesting person asks for a copy or electronic transmittal of the data. Fees will be charged according to the City's standard copying policy. (Exhibit 2) If the time required to search for and retrieve the requested data is more than 15 minutes, the fee will include the actual cost of searching for, retrieving, copying, or electronically transmitting the data.

The Responsible Authority may charge an additional fee if the copies have commercial value and are a substantial and discrete portion of a formula, compilation, program, process, or system developed with significant expenditure of public funds. This additional fee must relate to the actual development costs of the information. The Responsible Authority may also charge a fee for remote access to data where the data or the access is enhanced at the request of the person seeking access.

**IV. ACCESS TO DATA ON INDIVIDUALS.**

Information about individual people is classified by law as public, private, or confidential. A list of the private and confidential information maintained by the City is contained in Appendix A. The forms used to collect private and confidential information are contained in Appendix B.

**A. People Entitled to Access.**

- Public information about an individual may be shown or given to anyone.

- 
- Private information about an individual may be shown or given to:
    - The individual data subject, but only once every six months, unless a dispute has arisen or additional data has been collected.
    - A person who has been given access by the express written consent of the individual data subject. This consent must be on the form attached as Exhibit 3, or on a reasonably similar form.
    - People who are authorized access by the federal, state, or local law or court order.
    - People about whom the individual was advised at the time the data was collected. The identity of those people must be part of the Tennessee warning described below.
    - People within the City staff, the City Council, and outside agents under contract with the City (e.g., insurance adjusters or attorneys) whose work assignments or responsibilities reasonably require access.
  - Confidential information may not be given to the subject of the data, but may be shown or given to:
    - People who are authorized access by federal, state, or local law or court order.
    - People within the City staff, the City Council, and outside agents under contract with the City (e.g., insurance adjusters or attorneys) whose work assignments or responsibilities reasonably require access.

**B. Form of Request.** Any individual may request data verbally or in writing. Data will be released depending on whether or not the City has stored data about that individual and whether the data is classified as public, private, or confidential.

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

**C. Identification of Requesting Party.** The Responsible Authority or designee must verify the identity of the requesting party as a person entitled to access. Verification can be through personal

---

knowledge, presentation of written identification, comparison of the data subject's signature on a consent form with the person's signature in City records, or other reasonable means.

**D. Time Limits.**

- **Requests.** Requests will be received and processed only during normal business hours.
- **Response.** The response must be immediate, if possible, or within 10 working days, if an immediate response is not possible.

**E. Fees.** Fees may be charged in the same manner as for public information. No fees will be charged for time spent searching for and retrieval date when the requester is the data subject. (Exhibit 2)

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

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

The Responsible Authority may ask an outside agency or person, including the person requesting the summary data, to prepare the summary data if (1) the specific purpose is given in writing, (2) the agency or person signs a nondisclosure agreement that meets the requirements of Minnesota Rules, Pt. 1205.0700, subp. 5, and (3) the Responsible Authority determines that access by the outside agency or person will not compromise the privacy of the private or confidential data. The Responsible Authority may use the form attached as Exhibit 5.

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

- **Parental Access.** In addition to the people listed above who may have access to private data, a parent may have access to private information about a juvenile data subject. "Parent" means the parent or guardian of a juvenile data subject, or

individual acting as a parent or guardian in the absence of a parent or guardian. The parent is presumed to have this right unless the Responsible Authority or designee has been given evidence that there is a state law, court order, or other legally binding document which prohibits this right.

- **Notice to Juvenile.** Before requesting private data from juveniles, City personnel must notify the juveniles that they may request that the information not be given to their parent(s). This notice should be in the form attached as Exhibit 6.
- **Denial of Parental Access.** The Responsible Authority or designee may deny parental access to private data when the juvenile requests this denial and the Responsible Authority or designee determines that withholding the data would be in the best interest of the juvenile. The request from the juvenile must be in writing stating the reasons for the request. In determining the best interest of the juvenile, the Responsible Authority or designee will consider:
  - Whether the juvenile is of sufficient age and maturity to explain the reasons and understand the consequences of denying parental access,
  - Whether denying parental access may protect the juvenile from physical or emotional harm,
  - Whether there is reasonable grounds to support the juvenile's reasons for denying parental access, and
  - Whether the data concerns medical, dental, or other health services provided under Minn. Stat. § 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize the health of the minor.

The Responsible Authority or designee may also deny parental access without a request from the juvenile under any other state or federal statute that allows or requires denial of parental access and that provides standards for denying parental access.

**H. Private and Confidential Data on Decedents.** Private data on decedents means data which, prior to the death of the data subject, were classified by statute, federal law, or temporary classification as private data. Confidential data means data which, prior to the death of the data subject, were classified by statute, federal law, or temporary classification as confidential data. A list of the private and confidential information maintained by the City is contained in Appendix A. Information about individuals who are deceased will be treated the same as data that is about individuals who are living except:

- 
- Private and confidential data on decedents will become public data ten years after the death of the data subject and 30 years after the creation of the data in accordance with Minn. Stat. § 13.10, subd. 2. An individual is presumed dead if either 90 years elapsed since the creation of the data or 90 years have elapsed since the individual's birth, whichever is earlier, except that an individual is not presumed to be dead if the Responsible Authority has information readily available to it indicating the individual is still living.
  - A representative of the decedent may exercise the rights that the decedent could have exercised as a living individual. A "representative of the decedent" means a personal representative of the estate of the decedent during the period of administration, or if no personal representative has been appointed or after discharge, the surviving spouse, any child of the decedent, or, if there is no surviving spouse or children, the parents of the decedent.

#### **V. DENIAL OF ACCESS.**

If the Responsible Authority or designee determines that the requested data is not accessible to the requesting party, the Responsible Authority or designee must inform the requesting party orally at the time of the request or in writing as soon after that as possible. The Responsible Authority or designee must give the specific legal authority, including statutory section, for withholding the data. The Responsible Authority or designee must place an oral denial in writing upon request. This must also include the specific legal authority for the denial.

#### **VI. TEMPORARY CLASSIFICATION.**

If the Responsible Authority determines information not expressly classified by law should be protected, the Responsible Authority may apply to the Department of Administration Commissioner for permission to classify information as private, confidential, nonpublic or protected nonpublic for its own use and for the use of other governmental entities on a temporary basis. The application and the classification of the information shall be in accordance with Minn. Stat. § 13.06.

**VII. COLLECTION OF DATA ON INDIVIDUALS.**

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

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

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

A *Tennessee* warning is not required when:

- an individual is requested to supply investigative data to a law enforcement officer;
- the data subject is not an individual (e.g., the data subject is a corporation or partnership);
- the data subject offers information that has not been requested by the City;
- the information requested from the individual is about someone else;
- the City receives information about the subject from someone else; or
- the information requested from the subject is classified as public data.

A *Tennessee* warning may be on a separate form or may be incorporated into the form which requests the private or confidential data. (Exhibit 7)

**Data Quality Procedures.** The City is required to establish procedures to ensure that data on individuals are accurate, complete and current. The Responsible Authority shall work with employees who collect, use, or disseminate data on individuals to implement the following procedures:

- 
- At the time that data is collected from the individual data subject, the individual should be advised of his or her right to review and contest the accuracy or completeness of public or private data concerning him/herself.
  - An individual data subject should be encouraged to review his/her file for accuracy, completeness and currency.
  - Whenever possible and practical, collect data about an individual from the individual subject of the data rather than from third parties (e.g., birthdate, address, etc.). (This directive does not prohibit employees from collecting data from third parties.)
  - Design forms to collect objective types of data elements whenever possible, rather than data which calls for an opinion or conclusion or other subjective entry. Forms for the collection of data on individuals should request only necessary data.
  - Department heads should periodically review forms used to collect data on individuals. Data elements that are not necessary or that lend themselves to ambiguity or subjectivity should be removed.
  - Department heads should periodically conduct a quality/validity check on sample files that contain data on individuals.

### **VIII. CHALLENGE TO DATA ACCURACY.**

An individual who is the subject of public or private data may contest the accuracy or completeness of that data maintained by the City. The individual must notify the City's Responsible Authority in writing describing the nature of the disagreement. Within 30 days, the Responsible Authority or designee must respond and either (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual, or (2) notify the individual that the authority believes the data to be correct. The Responsible Authority should provide the data subject with a written statement that informs the data subject of the right to appeal and should also provide a copy of Minnesota Rules, Pt. 1205.1600.

An individual who is dissatisfied with the Responsible Authority's action may appeal to the Commissioner of the Minnesota Department of Administration, using the contested case procedures under Minn. Stat. Chap. 14. The Responsible Authority will correct any data if so ordered by the Commissioner.

**IX. DATA PROTECTION.****A. Accuracy and Currency of Data.**

- All employees will be requested, and given appropriate forms, to provide updated personal information to the appropriate supervisor or the City Clerk or Finance Director, which is necessary for tax, insurance, emergency notification, and other personnel purposes. Other people who provide private or confidential information will also be encouraged to provide updated information when appropriate.
- 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.

**B. Data Safeguards.**

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

**C. Procedures for Breaches in Security.**

A breach of the security of data means unauthorized acquisition of data maintained by the City that compromises the security and classification of data. “Unauthorized acquisition” means that: 1) a person has obtained, accessed or viewed government data without the informed consent of the data subjects or statutory authority and; 2) the person intends to use the data for nongovernmental purposes. Both factors must be present in order to constitute an “unauthorized acquisition” and trigger the following procedures.

In the event of an unauthorized breach of the security of not public data, the City will follow all applicable procedures pursuant to Minn. Stat. § 13.055. The City will promptly investigate a breach in the security of data. Upon completion of the investigation and final disposition of any disciplinary action related to the breach, the City will prepare a report on the facts and results of the investigation.

If the breach involves unauthorized access to or acquisition of data by an employee, contractor, or agent of the City, the report will include: 1) a description of the type of data that were accessed or acquired; 2) the number of individuals whose data was improperly accessed or acquired; 3) if there has been final disposition of disciplinary action, the name of each employee determined to be responsible for the unauthorized access or acquisition; and, 4) the final disposition of any disciplinary action taken against each employee in response.

The City will notify the subject of the data that the report is being prepared and how to access the report and that the report may be requested by mail or email. Notification to the data subject may be delayed if a law enforcement agency determines that the notification will impede an active criminal investigation. After the law enforcement agency determines that notification will not compromise the investigation, the notification must be made to the data subject.

The City will notify each data subject affected by a breach in writing either by first class mail or by electronic notice, or by substitute notice, as allowed by law.

**D. Annual Security Assessment.**

The City will conduct an annual comprehensive security assessment of any personal information stored by the City. Such information includes social security numbers, driver’s license or identification numbers, and account, credit and debit card numbers along with any security code, access code or passwords that would permit access to an individual’s financial account.

## Exhibit 1

### LIST OF RESPONSIBLE AUTHORITY AND DESIGNEES

#### Responsible Authority

Curt Boganey, City Manager

#### Access to Records

All records

#### Designees

Jim Glasoe, Community Activities, Recreation  
and Services Director

Community Activities,  
Recreation and Services  
Department

Tim Gannon, Chief of Police

Police Department

Steve Lillehaug, Public Works Director

Public Works Department

Jeremy Hulke, Fire Chief

Fire Department

Nate Reinhardt, Finance Director

Finance Department

Reggie Edwards, Deputy City Manager

All records

Kelli Wick, Human Resources Assistant

Human Resources Department

Sharon Knutson, City Clerk

All records

Dan Grinsteinner, Building Official

Building Inspections

Jill Berger, Payroll Technician

Payroll

Mike Marsh, Deputy Director of Public Works

Public Works Department

Bruce Ballanger, Earle Brown Heritage Center Manager

Earle Brown Heritage Center

## Exhibit 2

### CITY PHOTOCOPY CHARGE POLICY

<p><b>Copy Charges for Public Government Data Requests Not From the Data Subject</b></p> <p><b>100 Pages or Fewer Black and White Photocopies</b>  8.5 x 11 or 8.5 x 14  Two-Sided Copy (8.5 x 11 or 8.5 x 14)</p> <p><b>All Other Public Government Data Requests</b>  The City will charge the requester <b>actual costs</b> of <i>searching</i> for and <i>retrieving</i> the data, including the cost of employee time, and for <i>making, certifying, compiling, and transmitting</i> copies of the data or the data themselves  <b>Exception:</b> There will be no charges for searching, retrieving, compiling, and electronically transmitting readily available data</p>	<p>Minn. Stat. 13.03, subd. 3 (c)</p> <p>\$0.25  \$0.50</p> <p><b>Actual Costs</b>  Labor – \$0.40 per minute  Paper – \$0.01 per sheet  Black/White Photocopier – \$0.01 per page  Color Photocopier - \$0.07 per page  Black/White Printer – \$0.02 per page  Color LaserJet Printer – \$0.09 per color page  <b>Other Actual Costs</b> that may or may not be included – refer to the document <i>Fees For Providing Copies of Public Government Data</i> compiled by the State of Minnesota, Department of Administration, Information Policy Analysis Division at <a href="http://www.ipad.state.mn.us">www.ipad.state.mn.us</a> or 651-296-6733  <b>Total Actual Costs</b> require that you add labor cost at \$0.40 per minute to the supply and materials costs to establish total actual costs</p>
<p><b>Copy Charges for Public Government Data Requests By the Subject of Data</b></p> <p>When the requester is the subject of the data, the City <i>will not charge for searching for and retrieving data</i>. The requester will be charged the actual costs associated with <i>making, certifying, compiling, or transmitting</i> copies of the data themselves.  <b>Exception:</b> There will be no charge for compiling and electronically transmitting readily available data.</p>	<p><b>Actual Costs</b>  \$0.15 per page</p>

- Labor costs are never charged for separating public from not public data.

**Exhibit 3**

**CONSENT TO RELEASE PRIVATE DATA**

I, \_\_\_\_\_, authorize the City of \_\_\_\_\_ ("City") to  
(print name)

release the following private data about me:

\_\_\_\_\_  
\_\_\_\_\_

to the following person or people:

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

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

\_\_\_\_\_  
Signature

**IDENTITY VERIFIED BY:**

- Witness: X** \_\_\_\_\_
- Identification: Driver's License, State ID, Passport, other:** \_\_\_\_\_
- Comparison with signature on file**
- Other:** \_\_\_\_\_

**Responsible Authority/Designee:** \_\_\_\_\_

**Exhibit 4**

**CITY OF BROOKLYN CENTER  
INFORMATION DISCLOSURE REQUEST  
Minnesota Government Data Practices Act**

**A. Completed by Requester**

REQUESTER NAME (Last, First, MI):	DATE OF REQUEST:
STREET ADDRESS:	PHONE NUMBER:
CITY, STATE, ZIP CODE:	SIGNATURE:
<input type="checkbox"/> MAIL <input type="checkbox"/> PICKUP AT CITY HALL	
DESCRIPTION OF THE INFORMATION REQUESTED:	

**B. Completed by Department**

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	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 STATUTE SECTION:	
PHOTOCOPYING CHARGES: <input type="checkbox"/> NONE  <input type="checkbox"/> _____ Pages x _____ = _____  <input type="checkbox"/> _____ Pages x _____ = _____ <input type="checkbox"/> Special Rate: _____ (attach explanation)	IDENTITY VERIFIED FOR PRIVATE INFORMATION: <input type="checkbox"/> IDENTIFICATION: DRIVER'S LICENSE, STATE ID, Etc. <input type="checkbox"/> COMPARISON WITH SIGNATURE ON FILE <input type="checkbox"/> PERSONAL KNOWLEDGE <input type="checkbox"/> OTHER: _____
AUTHORIZED SIGNATURE:	DATE:

**GOVERNMENT DATA ACCESS AND NONDISCLOSURE AGREEMENT**

1. **AUTHORIZATION.** City of Brooklyn Center ("City") hereby authorizes \_\_\_\_\_, ("Authorized Party") access to the following government data:

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

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

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

The Authorized Party has been requested by the City to prepare summary data and will be paid in accordance with attached Exhibit A [*Exhibit A to be attached at time agreement is signed.*]

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

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

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

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

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

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

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

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

**7. ACCESS PERIOD.** The Authorized Party may have access to the information described above from \_\_\_\_\_ to \_\_\_\_\_.

**8. SURVEY RESULTS.** (Check which applies):

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

The Authorized Party may retain one copy for its own records but may not disclose it without City permission, except in defense of claims brought against it.

AUTHORIZED PARTY: \_\_\_\_\_

By: \_\_\_\_\_

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

Title (if applicable): \_\_\_\_\_

CITY OF \_\_\_\_\_

By: \_\_\_\_\_

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

Its: \_\_\_\_\_

**Exhibit 6**

**NOTICE TO PERSONS UNDER AGE OF 18**

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

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

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

*NOTICE GIVEN TO:* \_\_\_\_\_ *DATE:* \_\_\_\_\_

*By:* \_\_\_\_\_  
*(name)* *(title)*

**REQUEST TO WITHHOLD INFORMATION**

I request that the following information: \_\_\_\_\_  
\_\_\_\_\_

Be withheld from: \_\_\_\_\_

For these reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

**Exhibit 7**

**DATA PRACTICES ADVISORY**

**(Tennessee Warning)**

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

Our purpose and intended use of this information is: \_\_\_\_\_  
\_\_\_\_\_.

You \_\_\_\_\_ are \_\_\_\_\_ are not legally required to provide this information.

If you refuse to supply the information, the following may happen: \_\_\_\_\_  
\_\_\_\_\_.

Other persons or entities who are authorized by law to receive this information are:  
\_\_\_\_\_  
\_\_\_\_\_.

## **Exhibit 8**

### **CONTRACT PROVISION**

Data Practices Compliance. Contractor will have access to data collected or maintained by the City to the extent necessary to perform Contractor's obligations under this contract. Contractor agrees that, pursuant to Minn. Stat. § 13.05, subd. 11, to maintain all of the data created, collected, received, stored, used, maintained or disseminated in performing this Contract are subject to the requirements of obtained from the City in the same manner as the City is required under the Minnesota Government Data Practices Act, Minn. Stat. Chap. 13 (the "Act"). Contractor is required to comply with the requirements of the Act as if it were a government entity. Contractor will not release or disclose the contents of data classified as not public to any person except at the written direction of the City. Contractor will notify the City of all requests for data that Contractor receives. Contractor agrees to defend and indemnify the City from any claim, liability, damage or loss asserted against the City as a result of Contractor's failure to comply with the requirements of the Act or this contract. Upon termination of this contract, Contractor agrees to return data to the City, as requested by the City. The obligations of this section of the Contract, including the obligation to defend and indemnify the City, shall survive the termination of this Contract and shall continue so long as the data exists.

**Exhibit 9**

**CONSENT TO RELEASE COPYRIGHTED DATA**

I, \_\_\_\_\_, certify that I have the authority to authorize the City of \_\_\_\_\_ to release the following copyrighted data of which I am the copyright holder:

\_\_\_\_\_  
\_\_\_\_\_

To the following person or people: \_\_\_\_\_

\_\_\_\_\_

The person or people receiving the copyrighted data may use it only for the following purpose or purposes: \_\_\_\_\_

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

*\*The expiration cannot exceed one year from the date of the authorization.*

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

\_\_\_\_\_  
Printed Name Title

\_\_\_\_\_  
Complete Address Phone

\_\_\_\_\_  
Signature (to be notarized below) Date

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, a Notary Public within and for said County, personally appeared \_\_\_\_\_, known to me to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

\_\_\_\_\_  
Notary Public Signature

NOTARY STAMP

My Commission Expires On: \_\_\_\_\_

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**APPENDIX A****NONPUBLIC, PRIVATE, AND CONFIDENTIAL DATA MAINTAINED BY  
THE CITY OF BROOKLYN CENTER**

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**The list of data types is divided into the following categories: General; Administration; Community Development; 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. (E.g., data listed under Personnel may be physically located in more than one City department.)**

**GENERAL****Business Data**

CLASSIFICATION(S): Private/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.591

DESCRIPTION OF DATA: Data submitted to the City by a business requesting financial assistance or a benefit financed by public funds are private or nonpublic data. The data becomes public when public financial assistance is provided or the business receives a benefit from the City, except that 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 remain private or nonpublic.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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 are governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility. Data which is the subject of attorney-client privilege is confidential. Data which is the subject of the "work product" privilege is confidential.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Civil Investigative Data**

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

GOVERNING STATUTE: Minn. Stat. § 13.39

DESCRIPTION OF DATA: Data collected as part of an active investigation undertaken to

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commence or defend pending civil litigation, or which are retained in anticipation of pending civil litigation, with the exception of disputes where the sole issue is the City's timeliness in responding to a data request.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Continuity of Operations**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.43, subd. 17

DESCRIPTION OF DATA: Personal home contact information used to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of operation of a government entity.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Identity of Employees Making Complaints**

CLASSIFICATION(S): Private

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

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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Internal Competitive Response**

CLASSIFICATION(S): Private/Nonpublic

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

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 Minn. Stat. § 13.37.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Personal Contact and Online Account Information**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.04, subd. 2; § 13.356

DESCRIPTION OF DATA: Data on an individual collected, maintained, or received by the City for notification purposes or as a part of a subscription list for the City's electronic periodic publications as requested by the individual. This data includes telephone numbers, e-mail addresses, Internet user names and passwords, Internet protocol addresses and any similar data related to the individual's online account or access procedures. This data may only be used for the specific purpose for which the individual provided the data. This data also does not include data submitted for purposes of making a public comment.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Requests for Proposals**

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

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

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

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EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Safe at Home Program Participants**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.805; § 5B.07, subd. 1 (b)

DESCRIPTION OF DATA: The name and address of a Safe at Home program participant that is maintained in connection with an active investigation or inspection of an alleged health code, building code, fire code, or city ordinance violation allegedly committed by a program participant.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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 (as determined by the Responsible Authority). This includes checking account numbers, crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home and mailing addresses, telephone numbers, e-mail or other digital addresses, Internet communication services accounts information or similar accounts information, and global positioning system locations, but this information may be disseminated to other volunteers participating in crime prevention programs. The Responsible Authority has determined that the password received by an identity theft victim as part of the Federal Bureau of Investigation's Identity Theft File is "security information" as defined in Minn. Stat. § 13.37, subd. 1 (a).

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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

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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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

### **State Auditor Data**

**CLASSIFICATION(S):** Confidential/Protected Nonpublic

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

**DESCRIPTION OF DATA:** Data relating to an audit conducted by the State Auditor's office and provided by the State Auditor for purpose of review and verification of the data, prior to publication of the final report of the audit.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

### **Social Security Numbers**

**CLASSIFICATION(S):** Private

**GOVERNING STATUTE:** Minn. Stat. § 13.355

**DESCRIPTION OF DATA:** Social security numbers of individuals, or any part of a social security number.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

### **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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

### **Utility Disconnections**

**CLASSIFICATION(S):** Private/Nonpublic

**GOVERNING STATUTE:** Minn. Stat. § 13.681, subd. 6; § 216B.0976, subd. 2

**DESCRIPTION OF DATA:** Data on customers provided to the City by a utility regarding

disconnection of gas or electric service.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

## **ADMINISTRATION**

### **Absentee Ballots**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37; § 13.607, subd. 7; § 203B.12, subd. 7

DESCRIPTION OF DATA: Sealed absentee ballots before opening by an election judge are private. Names of voters submitting absentee ballots may not be made available for public inspection until the close of voting on Election Day.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Assessor's Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.51

DESCRIPTION OF DATA: Data contained on sales sheets from private multiple listing service organizations; income information on individuals collected and maintained to determine eligibility of property for class 4d under Minn. Stat. § 273.128 and § 273.13; and specified data regarding income properties.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Candidates for Election to City Council**

CLASSIFICATION(S): Public/Private

GOVERNING STATUTE: Op. Atty. Gen. No. 852, October 6, 2006; Advisory Opinion No. 05-036; Minn. Stat. § 13.607, subd. 8; § 204B.06, subd. 1b

DESCRIPTION OF DATA: Data created, collected or maintained about an individual candidate for election to the City Council is public. An affidavit of candidacy must state an address of residence and telephone number. The candidate may request that the address be classified as private data by certifying that a police report has been submitted or an order for protection has been issued in regard to the safety of the candidate or candidate's family.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **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

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City's computer for the purpose of: (1) gaining access to data or information; (2) transferring data or information; or (3) using government services.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Deferred Assessment Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.52

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

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Lodging Tax Data**

CLASSIFICATION(S): Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.511

DESCRIPTION OF DATA: Data, other than basic taxpayer identification data, collected from taxpayers under a lodging tax ordinance.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Municipal Utility Customer Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.685

DESCRIPTION OF DATA: Data on customers of municipal electric utilities are private data on individuals or nonpublic data. Data on customers of other municipal utilities are public.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Municipal Self-Insurer Claims**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.202, subd. 9 (a); § 471.617, subd. 5

DESCRIPTION OF DATA: Data about individual claims or total claims made by an individual under a self-insured health benefit plan of a municipality.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Social Recreational Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.548

DESCRIPTION OF DATA: 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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

## **COMMUNITY DEVELOPMENT**

### **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. Data made confidential or protected nonpublic may, among other ways set forth in the statute, become public at the discretion of the City determine by majority vote of the City Council.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Benefit Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.462

DESCRIPTION OF DATA: Data on individuals (including officers of corporations and partners of partnerships) collected or created when an individual seeks information about becoming, is, or was an applicant or recipient of benefits or services provided under any housing, home ownership, rehabilitation and community action agency, Head Start, or food assistance programs administered by the City.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Convention Center Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.55

DESCRIPTION OF DATA: Letter or documentation from any person who makes inquiry to or who is contacted by the convention facility regarding availability of the facility; identity of firms and corporations that contact the facility; type of event that the contacting person wants to stage in the facility; suggested terms of rentals and responses of staff to such inquiries; names, addresses and contact persons for individual exhibitors if the facility determines that privacy is necessary to protect the competitive position of the facility or its customers.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Housing Agency Data**

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

GOVERNING STATUTE: Minn. Stat. § 13.585

DESCRIPTION OF DATA: Correspondence between the agency and agency's attorney containing data collected as part of an active investigation undertaken for the purpose of the commencement or defense of potential or actual litigation; income information on individuals collected and maintained to determine property tax classification eligibility; data pertaining to negotiations with property owners regarding the purchase of property.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**Redevelopment Data**

**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 or Housing and Redevelopment Authority for the purposes of planning, development, and redevelopment.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**PERSONNEL**

**Applicants for Appointment and Members of Advisory Boards**

**CLASSIFICATION(S):** Private/Public

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

**DESCRIPTION OF DATA:** Data on applicants for appointment to the City Council or a board or commission are private except that the following are public: name, city of residence (except when the appointment has a residence requirement that requires the entire address to be public), education and training, employment history, volunteer work, awards and honors, prior government service, and veteran status. Once the individual is appointed, the following additional items become public: residential address and either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee. Any electronic mail addresses or telephone number provided by the City for use by an appointee is public. *NOTE: This section also applies to applicants for appointment to the City Council (e.g., in case of vacancy), in addition to Minn. Stat. § 13.43.*

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**Employee Drug and Alcohol Tests**

**CLASSIFICATION(S):** Confidential/Private

GOVERNING STATUTE: Minn. Stat. § 13.7905, subd. 5(c); § 181.954, subd. 2 and 3

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

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Examination Data**

CLASSIFICATION(S): Private/Confidential

GOVERNING STATUTE: Minn. Stat. § 13.34

DESCRIPTION OF DATA: Completed versions of personnel and licensing examinations.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Labor Relations Information**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.37

DESCRIPTION OF DATA: Management positions on economic and noneconomic 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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Personnel and Employment Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.43

DESCRIPTION OF DATA: Data on individuals maintained 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 the City. Generally all data about people who are or were an employee, an applicant for employment, a volunteer, or an independent contractor are private, with the exceptions noted below. *NOTE: This section applies to members of the City Council after their election or appointment to the Council. It also applies to applicants for appointment to the City Council (e.g., in case of vacancy), but not to candidates for election to the City Council, together with Minn. Stat. § 13.601 (see “Applicants for Appointment and Members of Advisory Boards”).*

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EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

***Public Data – Applicants***

The following data on current and former applicants is 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.

***Public Data – Employees***

The following data on current and former employees (including council members), volunteers, and independent contractors are public:

- Name
- Employee identification number, which may not be a 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 the amount of added remuneration, including expense reimbursement, in addition to salary
- Job title
- Bargaining unit
- Job description
- Education and training background
- Previous work experience
- Date of first and last employment

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- 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 City
  - Complete terms of any agreement settling any dispute arising from the employment relationship; except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money
  - Work location
  - Work telephone number
  - Badge number
  - Work-related continuing education
  - 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 nonpublic data.

***“Final disposition” of a disciplinary action:*** a final disposition occurs when the City makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings. Final disposition includes a resignation by an individual when the resignation occurs after the final decision of the City, or arbitrator. In the case of arbitration proceedings arising under collective bargaining agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or upon failure of the employee to elect arbitration within the time provided by the collective bargaining agreement.

A disciplinary action does not become public data if an arbitrator sustains a grievance and reverses all aspects of any disciplinary action.

The City may display a photograph of a current or former employee to a prospective witness as part of the City's investigation of any complaint or charge against the employee.

A complainant has access to a statement provided by the complainant to the City in connection with a complaint or charge against an employee.

Notwithstanding other provisions contained in Minn. Stat. § 13.43, subd. 2, upon completion of an investigation of a complaint or charge against a public official, or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.

***“Public Official”*** means the chief administrative officer, or the individual acting in an equivalent position, in all political subdivisions.

Data relating to a complaint or charge against a public official are public only if: (1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or (2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement. This paragraph does not authorize the release of data that are made not public under other law.

#### ***Undercover Law Enforcement Officer***

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.

#### ***Access by Labor Organizations***

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

#### ***Employee Assistance Programs***

All data associated with employee assistance programs is private.

#### ***Harassment***

When there is a harassment complaint against an employee, the employee may not have access to data that would identify the complainant or other witnesses if 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.

#### ***Peer Counseling Debriefing***

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

***Protection of Employee or Others***

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

***Continuity of Operations***

An employee's personal home contact information may be used to ensure that an employee can be reached in event of an emergency or other disruption affecting continuity of operations of the City or other government entity, including sharing the information with another government entity.

***Grievance Arbitration Decisions***

An arbitration decision that sustains a grievance and reverses all aspects of any disciplinary action is private.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**PUBLIC SAFETY****911 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 system.

**Accident Reports**

CLASSIFICATION(S): Private/Public/Confidential, except as allowed in Minn. Stat. § 169.09, subd. 13

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

DESCRIPTION OF DATA: Any data, reports, documentation, or supplemental information relating

to a traffic incident or accident report.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Ambulance Service Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.381, subd. 12; § 144E.123

DESCRIPTION OF DATA: Ambulance reports/pre hospital medical care data are private data on individuals.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Arson Investigation**

CLASSIFICATION(S): Confidential/Public

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

DESCRIPTION OF DATA: Information relating to a fire loss or potential fire loss and obtained pursuant to Minn. Stat. § 299F.052 to 299F.057.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Automated License Plate Readers (ALPR)**

CLASSIFICATION(S): Private/Nonpublic/Public

GOVERNING STATUTE: Minn. Stat. § 13.824, subd. 2 (b)

DESCRIPTION OF DATA: All data collected by an automated license plate reader are private data on individuals or nonpublic data unless the data are public under Minn. Stat. § 13.82, subd. 2, 3, or 6, or are active criminal investigative data under Minn. Stat. § 13.82, subd. 7.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Child Abuse Report Records**

CLASSIFICATION(S): Confidential/Private

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

DESCRIPTION OF DATA: Active or inactive investigative data that identify a victim of child abuse or neglect reported under Minn. Stat. § 626.556 are private data on individuals. Active or inactive investigative data that identify a reporter of child abuse or neglect under Minn. Stat. § 626.556 are confidential data on individuals, unless the subject of the report compels disclosure under Minn. Stat. § 626.556, subd. 11. Investigative data that becomes inactive under Minn. Stat. § 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 Minn. Stat. § 626.556, subd. 2 are private data.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Crime Alert Requests**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 12; § 611A.0393

DESCRIPTION OF DATA: Contact information provided by a citizen requesting a disability accessible crime alert.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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 Minn. Stat. § 611A.06.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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 Minn. Stat. § 13.02, subd. 3, but are accessible to law enforcement agencies and may be released to the criminal justice agencies.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Criminal History Data**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.87, subd. 1

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**DESCRIPTION OF DATA:** Criminal history data maintained by agencies, political subdivisions and statewide systems are classified as private, pursuant to Minn. Stat. § 13.02, subd. 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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

Rules governing the access, use, and dissemination of Criminal History Record Information (CHRI) are found in Title 28, Code of Federal Regulations, Part 20. Proper access to, use, and dissemination of data from National Crime Information Center (NCIC) restricted files shall be consistent with the access, use and dissemination policies concerning the Interstate Identification Index (III) described in Title 28, Code of Federal Regulations, Part 20, and the NCIC Operating Manual.

#### **Data on Videotape Consumers**

**CLASSIFICATION(S):** Private

**GOVERNING STATUTE:** Minn. Stat. § 13.487, subd. 3; § 325I.02, subd. 2

**DESCRIPTION OF DATA:** Personally identifiable information concerning a videotape consumer that a law enforcement agency obtains in connection with an action commenced by the videotape seller or provider to collect fines for overdue or unreturned videotapes or collection for unpaid videotapes.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

#### **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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

#### **Diversions Program Data**

**CLASSIFICATION(S):** Private

**GOVERNING STATUTE:** Minn. Stat. § 13.6905, subd. 18; § 299C.46, subd. 5

**DESCRIPTION OF DATA:** Names and identifying data concerning diversion program participants that are maintained in the criminal justice communications network.

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**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**E-Charging Data**

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

**GOVERNING STATUTE:** Minn. Stat. § 13.871, subd. 11; § 299C.41

**DESCRIPTION OF DATA:** Credentialing data is private or nonpublic data. Auditing data and workflow and routing data are classified as provided by other law.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**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 responder's 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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

**Explosives Use and Storage**

**CLASSIFICATION(S):** Nonpublic

**GOVERNING STATUTE:** Minn. Stat. § 13.6905, subd. 28a; § 299F.28; § 299F.75, subd. 4

**DESCRIPTION OF DATA:** Data related to use and storage of explosives by individuals holding a permit, including locations of storage, place and time of intended use of explosives or blasting agents, and place and means of storage of explosives or blasting agents. Data may be shared with a government entity or utility whose job duties require access to a facility containing explosives but may not be disclosed to anyone not directly involved in work to be completed at the site where the explosives or blasting agents are stored or used.

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EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Firearms Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.87, subd. 2

DESCRIPTION OF DATA: Data about the purchase or transfer of firearms and applications for permits to carry firearms.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Hazardous Substance Emergency**

CLASSIFICATION(S): Nonpublic

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

DESCRIPTION OF DATA: Information contained in hazardous materials notification reports made pursuant to Minn. Stat. § 299F.091 to 299F.099.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Integrated Search Service Data**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.873

DESCRIPTION OF DATA: Data on individuals stored on one or more databases maintained by criminal justice agencies and accessible through the integrated search service operated by the Bureau of Criminal Apprehension.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Investigative Detention Data**

CLASSIFICATION(S): Confidential

GOVERNING STATUTE: Minn. Stat. § 13.86

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**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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

### **Law Enforcement Data**

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

**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.

**EMPLOYEE WORK ACCESS:** Certain employees on an as needed basis as part of specific work assignments.

An audio recording of a call placed to a 911 system for the purpose of requesting service from a law enforcement, fire, or medical 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 Minn. Stat. § 13.82, subd. 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.

Investigative data that consist of a person's financial account number or transaction numbers are private or nonpublic data at the close of the investigation.

Data on court records relating to name changes under Minn. Stat. § 259.10, subd. 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 the 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 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, secondhand goods dealer, or scrap metal dealer are private data on individuals.

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

### **Name and Event Index Service**

CLASSIFICATION(S): Private/Confidential

GOVERNING STATUTE: Minn. Stat. § 13.87, subd. 4

DESCRIPTION OF DATA: The data held by the Bureau of Criminal Apprehension that link data about an individual that are stored in one or more databases maintained in criminal justice agencies, as defined in Minn. Stat § 299C.46, subd. 2, and in the judiciary. Data collected, created, or maintained by the name and event index service are classified as private data, pursuant to Minn. Stat. § 13.02, subd. 12, and become confidential data, pursuant to Minn. Stat. § 13.02, subd. 3, when the data links private or public data about a specific individual to any confidential data about that individual. The data in the name and event index service revert to the private data classification when no confidential data about a specific individual are maintained in the databases. The classification of data in the name and event index service does not change the classification of the data held in the databases linked by the service.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Orders for Protection and No Contact Orders**

CLASSIFICATION(S): Private

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 13; § 299C.46, subd. 6

DESCRIPTION OF DATA: Data from orders for protection or no contact orders and data entered by

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law enforcement to assist in enforcement of those orders. Data about the offender can be shared with the victim for purposes of enforcement of the order.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Peace Officer Discipline Procedures**

CLASSIFICATION(S): Confidential/Private/Public

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

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

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

CLASSIFICATION(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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

### **Portable Recording Systems – Body-Worn Cameras (BWCs)**

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

GOVERNING STATUTE: Minn. Stat. § 13.825

DESCRIPTION OF DATA: Data collected by a portable recording system.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

#### ***Body-Worn Camera Data – Public***

**Discharge of a Firearm** – BWC data that documents the discharge of a firearm by a peace officer, other than for training purposes or the killing of an animal that is sick, injured or dangerous, is public data.

**Use of Force** – BWC data that documents the use of force by a peace officer that results in substantial bodily harm is public data. Substantial bodily harm means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member (Minn. Stat. § 609.02, subd. 7a).

**Public Personnel Data** – BWC data that are public personnel data under Minn. Stat. § 13.43, subd. 2 (5) are public data.

**Request by Data Subject** – BWC data are public if a subject of the data requests that it be made accessible to the public, provided that the identities of other data subjects who do not consent to the release of the data are redacted as well as the identities of any peace officer whose identity is protected under Minn. Stat. § 13.82, subd. 17 (a).

***Body-Worn Camera Data – Not Public***

**Active Criminal Investigation** – Investigative data, including BWC data, collected or created by a law enforcement agency in order to prepare a case against a person, whether known or unknown, for the commission of a crime or other offense for which the agency has primary investigative responsibility are confidential or protected nonpublic while the investigation is active.

**Classified elsewhere in the Data Practices Act** – BWC data that are classified as not public under any other provision of the Government Data Practices Act retain that classification.

**Offensive to Common Sensibilities** – Beyond redacting protected identities and other not public data, BWC data that are deemed “clearly offensive to common sensibilities” may be withheld under current law at the discretion of law enforcement.

**Certain Medical Data** – Medical data provided to law enforcement by a medical provider is protected by the Minnesota Health Records Act (Minn. Stat. § 144.294, subd. 2).

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Safe at Home Data**

CLASSIFICATION(S): Private/Nonpublic

GOVERNING STATUTE: Minn. Stat. § 13.805; § 5B.07

DESCRIPTION OF DATA: Data regarding the process for data sharing by the Bureau of Criminal Apprehension, the Secretary of State and law enforcement agencies related to the Safe at Home program is nonpublic data. Data related to applicants, eligible persons, and participants in the Safe at Home program are private data.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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 Minn. Stat. § 611A.19.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**State Motor Vehicle Records**

CLASSIFICATION(S): Confidential/Private

GOVERNING STATUTE: Minn. Stat. § 168.346; United States Code, title 18, section 2721

DESCRIPTION OF DATA: Data accessed through Minnesota Department of Public Safety Driver and Vehicle Services computer records.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Undercover Buy Fund**

CLASSIFICATION(S): Confidential/Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.6905, subd. 13; § 299C.065, subd. 4

DESCRIPTION OF DATA: An application to the Commissioner of Public Safety for a grant pursuant to Minn. Stat. § 299C.065; information within investigative files that identifies or could reasonably be used to ascertain the identity of assisted witnesses, sources, or undercover investigators; information in a report at the conclusion of an investigation pertaining to the identity or location of an assisted witness.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Use of Motor Vehicle to Patronize Prostitutes**

CLASSIFICATION(S): Private/Public

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 3 (c); § 609.324, subd. 5

DESCRIPTION OF DATA: Notation in a driving record that the driver has used a motor vehicle to patronize prostitutes, but becomes public if the person has been convicted previously of patronizing a

prostitute or another violation under Minn. Stat. § 609.324 or 609.322.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**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.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

**Vulnerable Adult Report Records**

CLASSIFICATION(S): Private/Confidential

GOVERNING STATUTE: Minn. Stat. § 13.871, subd. 6 (1); § 626.557, subd. 12 (b)

DESCRIPTION OF DATA: Reports made pursuant to Minn. Stat. § 626.557 of possible incidents of maltreatment of vulnerable adults; identities of individuals making such reports.

EMPLOYEE WORK ACCESS: Certain employees on an as needed basis as part of specific work assignments.

## APPENDIX B

### FORMS WHICH REQUEST PRIVATE OR CONFIDENTIAL DATA

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#### TENNESSEN ADVISORY #1

##### **Tennessean Warning/Voluntary Interview Employee Under Investigation**

The City of Brooklyn Center is investigating a complaint of employee misconduct which has been lodged against you.

Current Brooklyn Center City policy requires that you be advised that any admissions which you make during the course of questioning may be used against you as evidence of employee misconduct or as a basis for discipline.

The Minnesota Government Data Practices Act requires that you be advised of the following:

1. The City of Brooklyn Center is investigating a complaint of employee misconduct which has been lodged against you. You are being asked to provide information for use in investigating your performance of official duties or your fitness for office.
2. Any information that you provide will be used to complete the investigation, to determine whether discipline should be imposed, and to determine the appropriate measure of discipline, if any. The information about yourself will become a permanent part of your personnel file and may be relied upon in future performance evaluations or proceedings in which your employment or performance is at issue.
3. You may, at this time, refuse to provide this information. You may refuse entirely to make any statement, and you are free to leave this interview now and at any time. Unless advised differently, your refusal to be interviewed or to provide any information will not result in disciplinary action against you.
4. If you supply the information, it could result in no discipline or adverse effect on your employment. However, any admissions that you make during the course of questioning may be used against you as evidence of employee misconduct or as a basis of discipline. Supplying the information can result in adverse effects on your employment, including negative performance evaluations or discipline. Negative performance evaluations or discipline could adversely affect your chances for continued employment, promotion, or future employment.
5. The information which you provide may be accessible to the following persons or entities:

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- a. The subjects of data, which includes you, and may include someone other than yourself.
  - b. Individuals within the City of Brooklyn Center whose work assignments reasonably require access to the information you provide.
  - c. Any persons, entities, or agencies authorized by state or federal law to have access to the information. These include, but are not limited to, the following:
    1. **Law enforcement agencies.** The information which you provide may be made available to a law enforcement agency or prosecuting authority for purpose of initiating or furthering a criminal investigation.
    2. **Contracting parties.** If a contract between the City of Brooklyn Center and any person or entity requires access to the information you provide, such information shall be made available to such parties.
    3. **City of Brooklyn Center attorneys.** The information you provide may be shared with attorneys for the City of Brooklyn Center, if such information is related to a matter upon which the City of Brooklyn Center has sought legal advice.
    4. **Documentation supporting disciplinary action.** If disciplinary action, including oral or written reprimand, suspension with or without pay, or termination is imposed as a result of the allegations now made against you, the information which you provide may be made available to the public as documentation supporting final disciplinary action.
    5. **Change in classification.** The information you provide may be made available to other persons or entities if changes in state or federal law subsequently authorize such access, or if the State Department of Administration approves new or different uses for the information you have provided.
    6. **Court order.** The information you provide will be made available to any persons or entities authorized by court order to have access to such information.
    7. **Court/hearing officer/witnesses.** The information you provide may be submitted as evidence to an administrative body or court in any dispute concerning your employment. The information may also be made available

to witnesses, including expert witnesses or consultants, who need to review or evaluate the materials to be able to advise the City or testify in any hearing or arbitration.

8. **Authorized agencies.** Any state or federal agency authorized by law to have access to your personnel file will be provided access. The agency may not disclose the data except as authorized by state or federal law.

9. **Open Meeting.** If it is reasonably necessary to discuss the information at a meeting required by law to be open to the public, the information you provide may become available to the public at the meeting or through the meeting minutes or tape recording of the meeting.

d. Persons or entities who have the express written consent of the subject of the data, who may be someone other than yourself.

I informed \_\_\_\_\_ of the provisions of this advisory on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Investigator

I have read and understand the above advisory.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

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**Garrity/Tennessee Advisory #3  
Compelled Statement  
Employee Under Investigation**

The City of Brooklyn Center is investigating a complaint of employee misconduct which has been lodged against you. I will be asking you questions specifically, directly, and narrowly relating to your performance of official duties or fitness for office. If you refuse to answer these questions, you may be subject to disciplinary action, including dismissal.

Because the statements which you make in response to my questions are being compelled by threat of disciplinary action, including dismissal, these statements, and any evidence resulting from these statements, cannot be used against you in court in any criminal proceedings.

Current City policy requires that you be advised that any admissions which you make during the course of questioning may be used against you as evidence of employee misconduct or as a basis for discipline.

In addition, the Minnesota Government Data Practices Act requires that you be advised of the following:

1. You are being required to provide information for use in investigating your performance of official duties or your fitness for office.
2. Any information that you provide will be used to complete the investigation, to determine whether discipline should be imposed, and to determine the appropriate measure of discipline, if any. The information about yourself will become a permanent part of your personnel file and may be relied upon in future performance evaluations or proceedings in which your employment or performance is at issue.
3. The information which you provide may be accessible to the following persons or entities:
  - a. The subjects of the data, which includes you, and may include someone other than yourself.
  - b. Individuals within the City of Brooklyn Center whose work assignments reasonably require access to the information you provide.
  - c. Any persons, entities, or agencies authorized by state or federal law to have access to the information. These include, but are not limited to, the following:

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1. **Law enforcement agencies.** The information which you provide may be made available to a law enforcement agency or prosecuting authority for purpose of initiating or furthering a criminal investigation. The statements which you are being asked to make, under threat of discipline, as well as evidence obtained as a result of such statements, cannot be used against you in any such criminal proceedings.
  2. **Contracting parties.** If a contract between the City of Brooklyn Center and any person or entity requires access to the information you provide, such information shall be made available to such parties.
  3. **City of Brooklyn Center attorneys.** The information you provide may be shared with attorneys for the City of Brooklyn Center, if such information is related to a matter upon which the City of Brooklyn Center has sought legal advice.
  4. **Documentation supporting disciplinary action.** If disciplinary action, including oral or written reprimand, suspension with or without pay, or termination is imposed as a result of the allegations now made against you, the information which you provide may be made available to the public as documentation supporting final disciplinary action.
  5. **Change in classification.** The information you provide may be made available to other persons or entities if changes in state or federal law subsequently authorize such access, or if the State Department of Administration approves new or different uses for the information you have provided.
  6. **Court order.** The information you provide will be made available to any persons or entities authorized by court order to have access to such information.
  7. **Court/hearing officer/witnesses.** The information you provide may be submitted as evidence to an administrative body or court in any dispute concerning your employment. The information may also be made available to witnesses, including expert witnesses or consultants, who need to review or evaluate the materials to be able to advise the City or testify in any hearing or arbitration.
  8. **Authorized agencies.** Any state or federal agency authorized by law to have access to your personnel file will be provided access. The agency may not disclose the data except as authorized by state or federal law.

- 9. **Open Meeting.** If it is reasonably necessary to discuss the information at a meeting required by law to be open to the public, the information you provide may become available to the public at the meeting or through the meeting minutes or tape recording of the meeting.
  
- d. Persons or entities who have the express written consent of the subject of the data, who is you, but may also include someone other than yourself.

I informed \_\_\_\_\_ of the provisions of this advisory on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Investigator

I have read and understand the above advisory. I understand that I have the right to have a union representative present during this questioning and;

I choose to do so \_\_\_\_\_ (initial)

I choose not to do so \_\_\_\_\_ (initial)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

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**Tennesen Advisory #4**  
**Tennesen Warning/Voluntary Interview**  
**Employee Witness**

The City of Brooklyn Center is investigating a complaint of employee misconduct.

You are being asked to provide information for use in the investigation. With respect to information that you provide about yourself, the Minnesota Government Data Practices Act requires that you be advised as follows:

1. The City will not take any adverse action against you for supplying the information that is requested, unless you provide information implicating that you have violated City rules, regulations, or policies. If you supply information that implicates such violations by you, it could result in a separate investigation and possible discipline against you.
2. The information which you provide may be accessible to the following persons or entities:
  - a. The subjects of the data, which includes you, and may include someone other than yourself.
  - b. Individuals within the City of Brooklyn Center whose work assignments reasonably require access to the information you provide.
  - c. Any persons, entities, or agencies authorized by state or federal law to have access to the information. These include, but are not limited to, the following:
    1. **Law enforcement agencies.** The information which you provide may be made available to a law enforcement agency or prosecuting authority for purpose of initiating or furthering a criminal investigation.
    2. **Contracting parties.** If a contract between the City of Brooklyn Center and any person or entity requires access to the information you provide, such information shall be made available to such parties.
    3. **City of Brooklyn Center attorneys.** The information you provide may be shared with attorneys for the City of Brooklyn Center, if such information is related to a matter upon which the City of Brooklyn Center has sought legal advice.

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4. **Change in classification.** The information you provide may be made available to other persons or entities if changes in state or federal law subsequently authorize such access, or if the State Department of Administration approves new or different uses for the information you have provided.
  5. **Court order.** The information you provide will be made available to any persons or entities authorized by court order to have access to such information.
  6. **Court/hearing officer/witnesses.** The information you provide may be submitted as evidence to an administrative body or court in any dispute concerning your employment. The information may also be made available to witnesses, including expert witnesses or consultants, who need to review or evaluate the materials to be able to advise the City or testify in any hearing or arbitration.
  7. **Authorized agencies.** Any state or federal agency authorized by law to have access to your personnel file will be provided access. The agency may not disclose the data except as authorized by state or federal law.
  8. **Open Meeting.** If it is reasonably necessary to discuss the information at a meeting required by law to be open to the public, the information you provide may become available to the public at the meeting or through the meeting minutes or tape recording of the meeting.
- d. Persons or entities who have the express written consent of the subject of the data, who may be someone other than yourself.

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I informed \_\_\_\_\_ of the provisions of this advisory by reading them to (him) (her) on \_\_\_\_\_.

\_\_\_\_\_  
Investigator

**- OR -**

I have read and understand the above advisory.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

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**Garrity/Tennessee Advisory #6  
Compelled Statement  
Employee Witness**

The City of Brooklyn Center is investigating a complaint of employee misconduct. I will be asking you questions specifically, directly, and narrowly relating to your performance of official duties. If you refuse to answer these questions, you may be subject to disciplinary action, including dismissal.

Because the statements which you make in response to my questions are being compelled by threat of disciplinary action, including dismissal, these statements, and any evidence resulting from these statements, cannot be used against you in court in any criminal proceedings.

Current City of Brooklyn Center policy requires that you be advised that any admissions which you make during the course of questioning may be used against you as evidence of employee misconduct or as a basis for discipline.

In addition, the Minnesota Government Data Practices Act requires that you be advised of the following:

1. You are being required to provide information for use in investigating a complaint of employee misconduct.
2. Any information that you provide will be used to complete the investigation, to determine whether discipline should be imposed, and to determine the appropriate measure of discipline, if any. The information about yourself will become a permanent part of your personnel file and may be relied upon in future performance evaluations or proceedings in which your employment or performance is at issue.
3. The information which you provide may be accessible to the following persons or entities:
  - a. The subjects of the data, which includes you, and may include someone other than yourself.
  - b. Individuals within the City of Brooklyn Center whose work assignments reasonably require access to the information you provide.
  - c. Any persons, entities, or agencies authorized by state or federal law to have access to the information. These include, but are not limited to, the following:

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1. **Law enforcement agencies.** The information which you provide may be made available to a law enforcement agency or prosecuting authority for purpose of initiating or furthering a criminal investigation. The statements which you are being asked to make, under threat of discipline, as well as evidence obtained as a result of such statements, cannot be used against you in any such criminal proceedings.
  2. **Contracting parties.** If a contract between the City of Brooklyn Center and any person or entity requires access to the information you provide, such information shall be made available to such parties.
  3. **City of Brooklyn Center attorneys.** The information you provide may be shared with attorneys for the City of Brooklyn Center, if such information is related to a matter upon which the City of Brooklyn Center has sought legal advice.
  4. **Documentation supporting disciplinary action.** If disciplinary action, including oral or written reprimand, suspension with or without pay, or termination is imposed against you, the information which you provide may be made available to the public as documentation supporting final disciplinary action.
  5. **Change in classification.** The information you provide may be made available to other persons or entities if changes in state or federal law subsequently authorize such access, or if the State Department of Administration approves new or different uses for the information you have provided.
  6. **Court order.** The information you provide will be made available to any persons or entities authorized by court order to have access to such information.
  7. **Court/hearing officer/witnesses.** The information you provide may be submitted as evidence to an administrative body or court in any dispute concerning your employment. The information may also be made available to witnesses, including expert witnesses or consultants, who need to review or evaluate the materials to be able to advise the City or testify in any hearing or arbitration.
  8. **Authorized agencies.** Any state or federal agency authorized by law to have access to your personnel file will be provided access. The agency may not disclose the data except as authorized by state or federal law.

- 9. **Open Meeting.** If it is reasonably necessary to discuss the information at a meeting required by law to be open to the public, the information you provide may become available to the public at the meeting or through the meeting minutes or tape recording of the meeting.
  
- d. Persons or entities who have the express written consent of the subject of the data, who is you, but may also include someone other than yourself.

I informed \_\_\_\_\_ of the provisions of this advisory by reading them to (him) (her) on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Investigator

I have read and understand the above advisory.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**CITY OF BROOKLYN CENTER**  
*CHILDREN'S SERVICE WORKER BACKGROUND CHECK*

Because the position for which you are applying will require you to provide care, treatment, education, training, instruction, or recreation to children, the City of Brooklyn Center will perform a background check on you under Minnesota Statutes Chapter 299C.62.

The information that you supply will be used to determine your suitability to become or continue as an employee or volunteer with the City of Brooklyn Center. You are not required to provide the requested information; however, failure to provide the requested information will disqualify you from further consideration as an employee or volunteer. The information that you provide will be made available to: City employees whose jobs require access to the information and the Brooklyn Center Police Department. The information may be made available to the public if required by a court order or if in the future disciplinary action is taken to which the information relates.

Have you ever been convicted of any of the following crimes?      ~ yes      ~ no  
If yes, please attach a description of the crime and the particulars of the conviction.

**BACKGROUND CHECK CRIMES**

*Under Minnesota Statutes Ch. 299C.*

-Murder	-Kidnapping
-Manslaughter	-Arson
-Felony Level Assault	-Criminal Sexual Conduct
-Any Assault Crime Against a Minor	-Prostitution-Related Crimes
-Any of the following Child Abuse Crimes committed against a minor victim, constituting a violation of Minnesota Statutes Sections:	

609.185, (a)(5)	Murder in the 1st degree
609.221	Assault in the 1st degree
609.222	Assault in the 2nd degree
609.223	Assault in the 3rd degree
609.224	Assault in the 5th degree
609.2242	Domestic Assault
609.322	Solicitation, inducement, and promotion of prostitution
609.324	Other prohibited acts
609.342	Criminal Sexual Conduct in the 1st degree
609.343	Criminal Sexual Conduct in the 2nd degree
609.344	Criminal Sexual Conduct in the 3rd degree
609.345	Criminal Sexual Conduct in the 4th degree
609.352	Solicitation of Children to Engage in Sexual Conduct

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609.377	Malicious Punishment of a Child
609.378	Neglect or Endangerment of a Child
152.021, subd. 1,(4)	Controlled Substance Crime in 1st degree
152.022, subd. 1,(5)	Controlled Substance Crime in 2nd degree
152.022, subd. 1,(6)	Controlled Substance Crime in 2nd degree
152.023, subd. 1,(3)	Controlled Substance Crime in 3rd degree
152.023, subd. 1,(4)	Controlled Substance Crime in 3rd degree
152.023, subd. 2,(4)	Controlled Substance Crime in 3rd degree
152.023, subd. 2,(6)	Controlled Substance Crime in 3rd degree
152.024, subd. 1,(2)	Controlled Substance Crime in 4th degree
152.024, subd. 1,(3)	Controlled Substance Crime in 4th degree
152.024, subd. 1,(4)	Controlled Substance Crime in 4th degree

As the subject of a children's service worker background check, your rights include:

- to be informed that the City of Brooklyn Center will request this check for becoming or continuing as an employee or volunteer, and to determine whether you have been convicted of any of the above specified crimes, and
- to be informed of Brooklyn Center Police Department's response and obtain a copy of the report from the City of Brooklyn Center, and
- to obtain from the Brooklyn Center Police Department any record that forms the basis for the report, and
- to challenge the accuracy and completeness of any information contained in the report, and
- whether the City of Brooklyn Center has denied your application because of the response, and not to be required directly or indirectly to pay the cost of the background check.

I further understand and waive my right of privacy in this investigation and release and hold harmless the City of Brooklyn Center from any liability.

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Minnesota Statutes and the City of Brooklyn Center Police Department require you to complete the following information in order to complete the background.

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Last Name	First Name	Middle Name
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Previous Name/Maiden Name/A.K.A.'s	Date of Change
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Street Address

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City	State	Zip Code
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Please List Any Cities and States of Residence for the Past 7 Years. (Attach sheet if necessary)

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Social Security Number	Date of Birth
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Driver's License Number	State Issued
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I understand that a photocopy of this authorization would be accepted with the same authority as the original. This release will expire one year after the date of origination.

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Signature	Date
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**General Authorization and Release  
Pursuant to Minnesota Statute, Section 13.05, Subd. 4  
Minnesota Government Data Practices Act**

To: City of Brooklyn Center  
6301 Shingle Creek Parkway  
Brooklyn Center, MN 55430

FROM: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(print legibly)

I hereby authorize the City of Brooklyn Center (the "City"), including all of its departments, officers, employees, and authorized representatives, to release private data base about me, as further provided in this release document.

1. The information that the City is authorized to release includes the following category(ies) of data (in whatever physical form those data exist) that are in the City's possession or control, of which I am the data subject, and that relate(s) to my current or past employment with the City (an "X" indicates my consent to the release of the data):

- Performance evaluations
- Data regarding allegations or charges made against me, whether or not the allegations or charges resulted in discipline.
- Personal information, including: home address and telephone number; age; marital status; names of my spouse and dependents, if any
- Information concerning my health, physical condition, and medical treatments received
- All data of any kind about me which relates to my current or past employment with the City (checking this box indicates I consent to release of all of the above categories of data and any other data about me relating to my employment.)

2. The City may release the above-listed data to the following person(s) or entity(ies), their agents or authorized representatives (the "Recipient"):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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3. The Recipient is authorized to obtain the above-listed data for the following purpose(s):

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I understand that the City is not responsible for the use to which the Recipient may put the data, once the City releases the data to the Recipient. The Recipient is authorized to inspect or to obtain copies of the above listed data from the City, subject to the City's copy charge policy.

4. The City is authorized to treat a photocopy of this Authorization and Release Form in the same manner as an original.
5. This authorization is valid for one year from the date indicated below, but I reserve the right to, at any time prior to that expiration, cancel this authorization by providing written notice to the City of that fact.

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Signature

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Date



***City of Brooklyn Center***

**Release of Information**

I, \_\_\_\_\_,  
NAME: (first, full middle, last)

of \_\_\_\_\_  
ADDRESS: (number) (street)

\_\_\_\_\_  
(city) (state) (zip)

am the person named in an application for employment with the City of Brooklyn Center for the position of \_\_\_\_\_. I am seeking employment with the City and I hereby authorize the City of Brooklyn Center (including its Police Department) to inspect and gather information retained by local, county, state, and federal agencies as necessary to determine whether any convictions of a crime or moving traffic violation, for which a jail sentence of more than 90 days could have been imposed, directly relate to the position of employment sought by me. I realize I am not legally required to sign this form, but if I do not, the City of Brooklyn Center will not be able to determine whether my conviction record is a job-related consideration. I understand that if I am rejected as a candidate for the position cited above on the basis of a criminal conviction, I will be notified in writing of: the reasons for my disqualification from employment; any applicable complaint and grievance procedures; the earliest date that I may apply for a position with the City; and my right to submit competent evidence of my rehabilitation (Minnesota Statute Chapter 364). I understand that information prepared by the City of Brooklyn Center (including its Police Department) about me is private data; that is, it may be released only pursuant to the statutory provisions on Minnesota Statute Chapter 13.

\_\_\_\_\_  
signature

\_\_\_\_\_  
date

\_\_\_\_\_  
driver's license number

\_\_\_\_\_  
date of birth

City of Brooklyn Center

**Release To Contact Employers**

I, \_\_\_\_\_,  
(NAME: first, middle, last)

of \_\_\_\_\_  
(number) (street)

\_\_\_\_\_  
(city) (state) (zip)

am the person named in an application for employment with the City of Brooklyn Center for the position of \_\_\_\_\_. I am seeking employment with the City and if I am a finalist for the position, I hereby authorize the City to contact:

My current employer (*circle one*) **YES** **NO**

My previous employer(s) (*circle one*) **YES** **NO**

I understand the purpose of this authorization is to enable the City of Brooklyn Center to verify the accuracy of the information I have provided and to determine my suitability for employment in the position for which I have applied. I realize I am not legally required to complete and sign this form and acknowledge I will not be rejected as a candidate if I do not sign this form. I understand the information about me gathered related to this release is private data; that is, it may be released only pursuant to the statutory provisions of *Minnesota Statute Chapter 13*.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

COMMENTS: