

Benton County

Data Practices Policy for Members of the Public

Adopted September 2, 2014

Revised May 21, 2019

Right to Access Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

To look at data or request copies of data that this government entity keeps, make a written request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may make your request by U.S. mail, electronic mail, fax or in person, using the data request form on page 7.

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

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

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

How We Respond to a Data Request

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

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. If you want us to send you the copies,

you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page 6.

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

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

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

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. We will prepare summary data if you make your request in writing and pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page 7 – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Data Practices Contacts

Responsible Authority – Human Services (Social Services and Public Health)

Name: Robert Cornelius, Director
Address: 531 Dewey Street, Box 740, Foley, MN 56329
Phone number: (320) 968-5087
Fax number: (320) 968-5330
Email address: robert.cornelius@co.benton.mn.us

Responsible Authority – Sheriff's Office and Jail

Name: Sheriff Troy Heck
Address: 581 Highway 23, Box 159, Foley, MN 56329
Phone number: (320) 968-7201
Fax number: (320) 968-6885
Email address: troy.heck@co.benton.mn.us

Responsible Authority – County Attorney's Office

Name: Philip Miller, County Attorney
Address: 615 Highway 23, Box 189, Foley, MN 56329
Phone number: (320) 968-5175
Fax number: (320) 968-5346
Email address: philip.miller@co.benton.mn.us

Responsible Authority – Auditor-Treasurer

Name: Nadean Inman, Auditor-Treasurer
Address: 531 Dewey Street Box 129, Foley, MN 56329
Phone number: (320) 968-5006
Fax number: (320) 968-5337
Email address: ninman@co.benton.mn.us

Responsible Authority – All Other County Departments

Name: Montgomery Headley, County Administrator
Address: 531 Dewey Street, Box 129. Foley, MN 56329
Phone number: (320) 968-5000
Fax number: (320) 968-5329
email address: mheadley@co.benton.mn.us

Data Practices Compliance Official

Name: Montgomery Headley, County Administrator
Address: 531 Dewey Street, Box 129. Foley, MN 56329
Phone number: (320) 968-5000
Fax number: (320) 968-5329
email address: mheadley@co.benton.mn.us

Data Practices Designee

Name: Johanna Mattson, Human Resources Director
Address: 531 Dewey Street, Box 129. Foley, MN 56329
Phone number: (320) 968-5000
Fax number: (320) 968-5329
Email address: jmattson@co.benton.mn.us

Copy Costs – Members of the Public

This government entity charges data subjects for copies of government data. These charges are authorized under Minnesota Statutes, section 13.04, subdivision 3. You must pay for the copies before we will give them to you.

Benton County charges 25 cents per page for black and white copies or computer print-outs. These and other fees for data requests can be found in the Benton County fee schedule, which is available on the County's website (http://www.co.benton.mn.us/About_Benton/documents/current_fee_schedule.pdf), or from the County Administrator's Office.

Data Request Form – Members of the Public

Date of request: _____

I am requesting access to data in the following way:

Inspection

Copies

Both inspection and copies

Note: Inspection is free but we will charge you 25 cents per page for black and white copies or computer print-outs. See the Benton County fee schedule for other data request fees.

These are the data I am requesting:

Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Name: _____

Address: _____

Phone number: _____ Email address: _____

You do not have to provide any of the above contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

We will respond to your request as soon as reasonably possible.