

Data Access Policy for Members of the Public

Right to Access Public Data

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

The Data Practices Act also provides that the Benton County Sheriff's Office 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 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 the Benton County Sheriff's Office keeps, make a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts document on page 3. You may make your written request for data by mail, fax, email, or in person using the data request form on page 4.

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

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

The Benton County Sheriff's Office 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 written request, we will work to process it.

- If we do not have the data, we will notify you either in person, via telephone, or in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you in writing 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 3. We also will arrange for you to pre-pay for the copies.

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 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 Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. The Benton County Sheriff's Office will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page 4 – 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.

Minnesota Statutes, section 13.025, subdivision 2, requires us to have this document.

Data Practices Contacts

Benton County Sheriff's Office

Responsible Authority

Sheriff Troy Heck

581 Hwy 23

PO Box 159

Foley, MN 56329

Phone number 320-968-7201, fax number 320-968-6885, email address

troy.heck@co.benton.mn.us

Data Practices Designee(s)

Chief Deputy Neal Jacobson

Divisions Supervisor Julie Fraley

581 Hwy 23

PO Box 159

Foley, MN 56329

Phone number 320-968-7201, fax number 320-968-6885

Data Practices Compliance Official

Sheriff Troy Heck

581 Hwy 23

PO Box 159

Foley, MN 56329

Phone number 320-968-7201, fax number 320-968-6885, email address

troy.heck@co.benton.mn.us

Copy Costs – Members of the Public

Benton County Sheriff's Office

The Benton County Sheriff's Office charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). You must pay for the copies before we will give them to you.

For 100 or Fewer Paper Copies – 25 Cents Per Page

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most Other Types of Copies – Actual Cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

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

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

**BENTON COUNTY
SHERIFF'S OFFICE**

581 Highway 23 NE, PO Box 159, Foley, MN 56329
Administrative: (320) 968-7201, Fax: (320) 968-6885
Jail: (320) 968-8180, Fax: (320) 968-6347
Records: (320) 968-8150



Troy Heck, Sheriff
Neal Jacobson, Chief Deputy

INFORMATION DISCLOSURE REQUEST
Minnesota Government Data Practices Act

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REQUESTER NOTE:

- A. Request Frequency – Private Data on individuals. After you have been shown the data and informed of its meaning, the data need not be disclosed for six months thereafter unless a dispute or action is pending or additional data on you has been disclosed.
- B. You may be required to pay the actual cost of making, certifying, and/or compiling the copies of information requested.
- C. Requester's name, address, signature and any other identifying information is not required when requesting public information.

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REQUESTER COMPLETE:

Date: _____

Name _____

Last	First	M
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Address: _____

Street	City	State	Zip
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Phone: (____) _____

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DESCRIPTION OF INFORMATION REQUESTED:

REQUESTER SIGNATURE: _____

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SHERIFF'S OFFICE COMPLETE:

Date: _____

Requested Handled By: _____

Request type: ___ In-person ___ Mail ___ Phone

Requested by: ___ Subject of Data ___ Not Subject of Data

The Information Requested is Classified:

___ Public ___ Non-Public ___ Private ___ Protected, Non-Public ___ Confidential

Request: ___ Approved ___ Denied ___ Approved in part (explain below)

Authorized Signature: _____

Remarks/Comments: _____