

## Requesting Government Data About You

July 2024

Minnesota Statutes, section 13.025, subdivision 3, requires this document.

### Data About You

The Data Practices Act (Minnesota Statutes, chapter 13) gives every individual important rights when government collects, creates, and keeps government data about them. This document explains these rights and how to use them.

An individual is a living human being. The law classifies data about individuals as public, private, or confidential.

Public Data	Private Data	Confidential Data
We must give public data to anyone who asks; it does not matter who is asking for the data or why.	We cannot give private data to the general public, but you have access when the data are about you.	Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you.
Example: Your name on a license or permit made through the Electronic Licensing System (ELS)	Example: Your social security number	Example: Information collected during an active investigation

### Your Rights Under the Data Practices Act

If DNR has data about an individual, and the individual can be identified from the data, the individual is the data subject. DNR can collect and keep only those data about data subjects that is needed to administer and manage programs that are permitted by law. As a data subject, you have the following rights.

#### Access to Your Data

You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Data Practices Act allows us to charge for copies.

#### When We Collect Data from You

When we ask you to provide data about yourself that are not public, we must give you a notice called a Tennesen Warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice. We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent, which must be signed and notarized.

#### Protecting Your Data

The Data Practices Act requires us to protect private and confidential data about you as the subject of data. We have established appropriate safeguards to ensure that your data are safe. In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your data, we will notify you as required by law.

**Inaccurate and/or Incomplete Data**

You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

**How to Make a Request for Your Data**

To look at data or request copies of data that DNR keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make your request for data to the DNR Data Practices Compliance Official. You may use the data request form, but you are not required to use the form. Send your request in writing by email, fax or letter and include the following information:

- that you are making a request, under the Data Practices Act (Minnesota Statutes, chapter 13), as a data subject, for data about you
- whether you would like to inspect the data, have copies of the data, or both
- a clear description of the data that you would like to inspect or have copied
- identifying information that proves you are the data subject, or data subject's parent/guardian if you are requesting private data.

**Identification**

The Department of Natural Resources requires proof of your identity before we can respond to your request for private data. One of the following will provide proof of identity: a state driver's license, military ID, passport, or Minnesota ID.

**How We Respond to a Data Request**

Once you make your request, we will work to process your request.

- If it is not clear what data you are requesting, we will ask you for clarification.
- If we do not have the data, we will notify you within 10 business days.
- If we have the data, but the data are confidential, we will notify you within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
  - arrange a date, time, and place to inspect data for free or
  - provide you with copies of the data. You may choose to pick up your copies or we will mail them to you. We will provide electronic copies upon request if we keep the data in electronic format. Any charges must be paid prior to receiving the documents.

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. 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.

After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

When DNR has conducted search and retrieval for a request, that request must be completed before DNR will proceed with any additional requests. Completed means documents have been provided or an inspection has taken place.

The Department of Natural Resources may charge data subjects for copies of government data under the Minnesota Government Data Practices Act, section 13.04, subdivision 3.

- You must pay for the copies before we will give them to you.
- We do not charge for copies if the cost is less than \$10.
- We do not charge to inspect data or to separate public from not public data.
- When data is about you we do not charge for search and retrieval time.

### **Charges**

**Paper Copies** (black and white, letter or legal size paper copies cost .25 cents for a one-sided copy, or .50 cents for a two-sided copy)

- For 100 or Fewer Paper Copies – .25 cents per page
- For 100 or More Paper Copies – Actual costs

**For All Other Copies** (data stored electronically, CDs, DVDs, photographs, etc.)

### **Actual Costs**

Actual cost is employee time to make, certify, and electronically transmit copies; material costs (CD, DVD, etc.); and mailing costs. The cost of employee time is calculated using the hourly salary of the lowest paid employee able to complete the task, plus 25% for fringe benefits.

At the discretion of the DNR, requestors may be required to pay up to one-half of the estimated copy cost prior to search and retrieval. Considerations include the amount of data requested, number of locations data is kept, and number of staff required to conduct searches.

DNR Responsible Authority:	Sarah Strommen, Commissioner 500 Lafayette Road St. Paul, MN 55155
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DNR Data Practices Compliance Official:	Jill Anderson 500 Lafayette Road St. Paul, MN 55155-4075 651.259.5345 Jill.F.Anderson@state.mn.us
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<b>Submit requests to: <a href="mailto:datarequest.dnr@state.mn.us">datarequest.dnr@state.mn.us</a></b>
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