

# **Murray County Sheriff's Office Requests for Data by Members of the Public**

## **The Freedom of Information Act (FOIA)**

The Freedom of Information Act, enacted in 1966, is a federal law that establishes the public's right to obtain information from federal government agencies. The FOIA is codified at 5 USC Section 552 and states that "any person" can file a FOIA request, including U.S. citizens, foreign nationals, organizations, associations, and universities. In 1974, after the Watergate scandal, the FOIA Act was amended to force greater agency compliance. It was also amended in 1996 to allow for greater access to electronic information. Each state, city and county has their own request process. There is no central federal location to send Freedom of Information Act Requests.

## **Right to Access Public Data**

The Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13) allows the public access to all government data. This statute presumes that all government data is public unless a state or federal laws says the data is not public. "Government data" is a term that means all recorded information a government entity has including paper, e-mail, CD-ROMs, photographs, etc.

The Minnesota Government Data Practices Act also stipulates that Murray 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. You have the right to look at, free of charge, all public data that we keep. You also have the right to get copies of public data, although the Data Practices Act allows us to charge for copies.

## **How to make a data request**

To look at or request copies of data that Murray County Sheriff's Office keeps, you must make a written request. You may make your request by mail, e-mail, letter or fax, using the Requests for Data by Members of the Public that is attached.

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

- That you 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 and detailed description of the data you would like to inspect or have copied.

Murray 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, (e.g., you want us to mail you copies of the 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. 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 process your request.

## **How we respond to a data request**

Upon receiving your written request, Murray County Sheriff's Office 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 it is not public, we will notify you in writing as soon as is reasonably possible and will

provide the specific law stating it is not public. If we have the data and it is public, we will respond to your request within a reasonable amount of time by doing one of the following:

- If your request is to look at the data, we will arrange a date, time and place for you to inspect data at no cost
- If your request is for a copy of data, we will provide copies as soon as reasonably possible. You may choose to pick up your copies. If you want us to send you the copies, you will need to provide an address or fax number. We will provide electronic copies such as e-mail or CD-ROM, upon request if we keep the data in electronic format. Information about copy charges follows. In certain cases, we may ask that you prepay a part of the anticipated expenses.

If you do not understand some of the data, such as technical terminology, abbreviations or acronyms, we will explain it to you.

The Data Practices Act does not require Murray County Sheriff's Office to create or collect new data in response to a data request if we do not already have the data. We are also not required to provide data in a specific form or arrangement if we do not currently 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. We will work with you on the details of your request including costs and response time.

In addition, the Data Practices Act does not require Murray County Sheriff's Office to answer questions that are not included in the Request for Data.

### **Requests for summary data**

Summary data are statistical records or reports that are prepared in aggregate 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. Murray County Sheriff's Office will prepare summary data if you make your request in writing and pre-pay half of the estimated costs of creating the data. Upon receiving your written request, (use the attached Data Request Form) we will respond within ten business days with the data requested or details regarding the anticipated response time and/or anticipated costs.

### **Copy Costs**

Murray County Sheriff's Office charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes §13.03, subdivision 3(c).

For 100 or fewer paper copies we charge \$0.25 per copy.

The charge for most other types or volumes of copies, when a charge is not set by rule or statute, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data. In determining the actual cost of copies we factor in employee time, the cost of the materials onto which we are copying the data, and mailing costs. The cost of employee time to search for data, retrieve data and make copies is the cost of the lowest paid employee in that group who can perform the tasks. 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 the anticipated total cost of responding to your request will exceed \$50.00, we will ask that you pay half of the estimated charges before we begin to respond to the request.