

# How to Request Data from a Minnesota Government Entity

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## Ask to review access policies and procedures and locate the responsible authority

Submit your request to the government entity's responsible authority unless the entity has a policy that directs you to make your request to a different person.

- State agencies – commissioner, chief executive officer or individual appointed by the agency's governing body
- Cities or school districts – employee appointed by the city or school district's governing body
- Counties – each elected official (sheriff, county auditor, etc.) for her/his office
  - A county governing body must appoint an employee to be the responsible authority for information maintained outside of the county elected official's office
  - The responsible authority for a county social services office is the director of that office
- Constitutional offices – attorney general, state auditor, secretary of state

## Make your request under the MN Government Data Practices Act, not the federal FOIA

State that you are requesting information under Minnesota Statutes, Chapter 13.

## Ask for access to data rather than asking questions

Under the Data Practices Act, a government entity is required to respond if you ask to inspect or get copies of government data, but it does not have to answer questions. The first bullet is a question that a government entity is not required to respond to under Chapter 13. The second bullet is an example of a proper request for government data.

- Why did the county board decide to end the park program?
- I would like to inspect all data that document the county board's decision to end the park program.

## Ask to inspect data before asking for copies

Inspection is free but you may be charged for copies of government data. Ask for an estimate of the costs if you decide you want copies after inspection.

## Ask for a written denial

Ask for the specific statutory basis in writing if the entity redacts or withholds any data. An entity is required to give you this information.

## Final notes

An entity cannot require you to identify yourself or ask why you are requesting the information. You may want to provide contact information so the entity can respond if your request needs clarification.

## Sample Data Request – Public Data

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Date

Responsible Authority

Government Entity

Address

Dear Responsible Authority:

I am writing to you as the responsible authority of [government entity]. This is a formal request for access to government data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. If there is a designee to whom I should direct my data request, please inform me.

I seek access to the following: All data that document [describe your request]. [This includes, but is not limited to, any and all data contained in letters, emails, text messages, notes, reports, meeting minutes, etc.]

I am asking to inspect the data under Minnesota Statutes, section 13.03, subdivision 3.

If you determine that you will redact or withhold any otherwise responsive data, please inform me in writing of the specific statutory basis for your denial.

If you have any questions or need clarification, please contact me. I can be reached at name@email.address or [phone number]. (**Note:** *You are not required to identify yourself and can make an anonymous request. You may prefer to provide a P.O. Box or newly-created free email address for communication purposes.*)

Sincerely,

Name (optional)

## Sample Data Request – Data Subject

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Date

Responsible Authority

Government Entity

Address

Dear Responsible Authority:

I am writing to you as the responsible authority of [government entity]. This is a formal request for access to government data about me under the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13. If there is a designee I should direct my data request, please inform me.

I am making this request as the subject of certain data maintained by the [government entity]. I seek access to the following: All data about me that document [describe request]. [This includes, but is not limited to, any and all data contained in letters, emails, text messages, notes, reports, meeting minutes, etc.].

I am asking to inspect the data under Minnesota Statutes, section 13.04, subdivision 3.

Pursuant to Minnesota law, the [government entity] is required to comply with my request within 10 business days. If you determine that you will redact or withhold any otherwise responsive data, please inform me in writing of the specific statutory basis for your denial.

If you have any questions or need clarification, please contact me. I can be reached at [name@email.address] and/or [phone number].

Sincerely,

Name