

**MINNESOTA COALITION ON GOVERNMENT INFORMATION
(MNCOGI)
Joint Hearing on body camera regulation
December 16, 2015**

Summary of position:

MNCOGI supports Rep. Scott's bill proposal (MG108), including its regulatory framework governing consent, and its data classification framework.

Materials for MNCOGI testimony are attached.

CONSENT FRAMEWORK

(Subd. 3)

Consent to use body cameras required in certain circumstances

PUBLIC PLACES:

- No notice or consent required

PRIVATE PLACES:*

- Notice to subjects required
- Consent from subjects required

EXCEPTIONS:

1. **Warrant service (Line 5.15)**
2. **Exigent circumstances (Line 5.16)**
3. **When individuals on private property are incidental to police action (Line 5.18)**
4. **Police response to domestic abuse calls (Line 5.22)**

*Private places include private property, and places where individuals have a reasonable expectation of privacy (homes, offices) (Line 5.7-5.10)

DATA CLASSIFICATION FRAMEWORK
(Subd. 2)

RECORDINGS OF “NON-CORE ACTIVITIES”*
(Both public and private places)

- Data are private or nonpublic (Lines 4.17-4.19)
- Data must be destroyed within 24 hours (Line 4.19)

RECORDINGS OF “CORE ACTIVITIES”**
(Public places)

- Data are public (Lines 4.21)
- Public data may be converted to “not public” data for duration of criminal investigation (Line 5.4)

RECORDINGS OF “CORE ACTIVITIES”**
(Private places)

- Data are private, except are public when they document police activity resulting in bodily harm (Lines 4.25-4.32)
- Public data may be converted to “not public” data for duration of criminal investigation (Line 5.4)

*Not investigations, incidents, responses to emergencies, or requests for service

**Investigations, incidents, responses to emergencies, requests for service.