

Rich Neumeister's comments to Legislative Commission on Data Practices

October 26, 2023

Members of the Legislative Commission on Data Practices:

It will be 10 years in 2024 since the Commission or similar venue was created by the Legislature. Thank you to the legislators of the past and now who have supported and been a part of this group.

The goal and vision of the Commission since its inception has been to ascertain the gnarled issues of information policy, technology, right to know, and privacy. Then to untwist them for policymakers, and, and ultimately, the public.

Issues and alternatives of public policy discussed in a forum such as this, can be shared with legislators, to educate and inform on such complex concerns/issues.

My observation that the toughest question the Commission confronts and continues to face is how you implement that goal and vision.

For several years, the Commission reviewed and explored policy issues such as technology used by law enforcement, as an example, among other concerns. It delved into a subject, and brought information to light, which then the Legislature, which is now informed, generally, on the topic can make better decisions. Subjects discussed ranged from body cameras, cellular exploitative devices, license plate readers to dissemination of and access to electronic data.

The last couple of years the Commission has gotten into the nuts and bolts of actual legislation. Reviewing specific bills, acting at times like a legislative policy committee. Then voting to recommend an actual bill.

I do not think that focusing on specific bills is the best approach for the Commission. Valuable time and discussion is done on matters that will revisited again through the legislative process.

Unravel those issues of information policy, technology, right to know, and privacy that generally nobody wishes to touch. Present them in a way that your fellow lawmakers and the public can understand and learn from. Ideas for solving issues and addressing concerns will flow from there.

The following are some suggestions for the Commission which may wish to address:

State and local government's use and monitoring of social media. Statistics on government use and costs of social media monitoring. How does the government use social media data? The implementation, mechanics, and rules which guide it.

Assess the Data Practices Office. It's formal and informal structure of how parties are helped and served, government and the public. Caseload, what is it, and what is the composition, i.e. Impartiality of the office. Independence of the office.

Records retention. Issues surrounding social media, electronic document and email retention. Review current process of how record retention is done and role of Records Retention panel. Possible changes.

Enforcement of the Minnesota Government Data Practices Act. This is a topic and concern for the public who make requests of data to government. There has not been a thorough review and discussion in a number of years of the appropriate sections.

There are of course, other points of interest which can and should be discussed. But these are suggested areas of interest that should have focus and attention based on my experience and observations.

Thank you for your time and attention.