



OFFICE OF THE
OMBUDS FOR CORRECTIONS

HF 916 – Data Practices Modifications

Mark Haase, Ombuds for Corrections

February 16, 2021

Role

The Office of the Ombuds for Corrections (OBFC) is a neutral and independent investigator of complaints regarding Minnesota corrections agency actions and policies. It is a separate agency that acts independently from the Department of Corrections and reports directly to the Governor.

U.S. Ombudsman Association Governmental Ombudsman Standards

The Ombudsman should have the privilege and **discretion to keep confidential or release any information** related to a complaint or investigation.

U.S. Ombudsman Association Governmental Ombudsman Standards

This standard **balances the need to protect sensitive information** so that a complainant can come forward, and witnesses and subjects can speak openly, **with the need to disclose information as a part of an investigation or public report.**

March 2019

To maintain confidential any matter related to complaints and investigations, including the identities of the complainants and witnesses, except as the Ombudsman deems necessary to discharge the Ombudsman's duties.

Minnesota Statutes 2020, section 241.93

Neither the ombudsperson nor any member of the ombudsperson's staff shall be compelled to testify or to produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of the ombudsperson's official duties except as may be necessary to enforce the provisions of sections [241.90](#) to [241.95](#)

Minnesota Statutes 2020, section 13.856

Problem:

- Classifies “client” name, location, and inmate ID number as public data
- Does not allow for data sharing to perform duties or prevent imminent harm
- Uses the term “client” without definition and uses other outdated terms

Solution:

- Makes complainant's identifying information private data
- Allows the ombudsperson to share private data to perform the duties of the office and to address immediate danger to any person
- Removes undefined and outdated terms

Contact

Mark.Haase@state.mn.us

mn.gov/obfc

651-539-4520