**Classification of Dates of Birth (DOB) at Law Enforcement Agencies**

Generally, DOB data are presumptively public in police reports. However, in classifying age-related data in two circumstances, the Legislature used different terms. Under Minnesota Statutes, section 13.82, the Legislature specified that “age” of an arrestee (subdivision 2(j)), and “date of birth” of parties to a traffic accident (subdivision 6(k)), are explicitly public when there is an active investigation (and therefore, may not be protected under subdivision 7). The following guidance can assist law enforcement agencies (LEA) in responding to requests for age-related data in police reports.

**Arrestees (adult and juvenile)**

Active or inactive investigation:

* LEAs may provide either the full DOB or just the year, as the age of an arrestee (Advisory Opinion 17-002)

**Parties involved in a traffic accident**

Active or inactive investigation:

* Adult: full date of birth is public
* Juvenile: full date of birth is public, unless classified as private under Minnesota Statutes, section 260B.171, subdivision 5(d)

**Witnesses/victims (adult and juvenile)**

* Active investigation under subdivision 7: all date of birth data are confidential
* Inactive investigation under subdivision 7: all date of birth data are public, unless the identity is private as protected under subdivision 17