Law Enforcement Data Workshop Scenarios

# Afternoon Adult Scenarios

1. The mother of a deceased 18-year-old requested a copy of a closed suicide investigation case file. The mother lost her parental rights several years ago, and the 18-year-old lived with the father (who had sole custody). The mother lives in Illinois. The case file contains written descriptions of the manner of death, photos of the deceased in the bedroom where the death occurred, and a copy of a video chat recording between the deceased and a 16-year-old. The 18-year-old and the 16-year-old were video chatting when the 18-year-old died by suicide.

Can the mother have access to the closed suicide investigation file?

1. Following a traffic accident, a LEA completes a state accident report and keeps a copy as the only record of the accident. A reporter asks for a copy of all public data about the accident, including the full DPS report.

What does the reporter get?

1. Bob requests copies of all property complaints made about 123 Main Street, his neighbor’s house. There are two reports, one made by Bob and another made by Ray Holt, which says: “There has been a big pile of trash in my neighbor’s front yard for two weeks, and I have to see it every day when I look out my front window!”

Can Bob have a copy of the complaint he made about his neighbor’s property? Yes/No

Can Bob have a copy of the complaint Ray made about his neighbor’s property? Yes/No

If yes to either, must any data be redacted?

1. An officer at your agency, Officer Vang, conducted a welfare check and found Jane Peralta on the floor, badly injured. One of the paramedics who took Peralta to Hennepin Healthcare informed Officer Vang that Peralta said she fainted because she forgot to take her diabetes medication. Officer Vang included the paramedic’s comments in the incident report’s factual summary and concluded no further investigation was needed.

A week later, Peralta’s ex-husband requested a copy of the incident report and is given a copy that includes the medic’s comments. The next day, Peralta’s attorney calls you and says he plans to sue your police department for violating HIPAA, the Minnesota Health Records Act, and the Minnesota Data Practices Act by releasing medical information on his client.

1. Did the LEA violate HIPAA by releasing information on Peralta’s medical condition/medication?
2. Did the LEA violate the Minnesota Health Record’s Act?
3. Did the Lea violate Chapter 13 by releasing private medical data?