

DETERMINATION OF CLASSIFICATION OF DATA AT THE MINNESOTA FUSION CENTER AND AUTHORIZATION FOR THE SHARING OF THAT DATA

The Minnesota Department of Public Safety's Bureau of Criminal Apprehension houses the Minnesota Fusion Center that coordinates the sharing of data, information and analytical products among federal, United States territorial, state, local, tribal and international law enforcement agencies as well as other public safety agencies, the military, homeland security agencies, and organizations that provide critical infrastructure/key resources.

The Minnesota Fusion Center is part of a network of state and regional fusion centers recognized by the United States Department of Homeland Security (USDHS). The fusion centers collaborate with each other and USDHS to share data, information and analytical products to improve the ability to mitigate and fight all hazards, criminal or terroristic activities locally, regionally, nationally and internationally.

As part of the collaboration, the Minnesota Fusion Center receives data from:

- fusion centers;
- government agencies in Minnesota;
- government agencies in other states;
- organizations that provide critical infrastructure/key resources;
- the USDHS; and
- international government sources.

These collaborating agencies share the data, information and analytical products to mitigate and fight all hazards, criminal or terroristic activities with an expectation that the data will not be accessible to the public at the Minnesota Fusion Center. If these data, information or analytical products were disclosed, they would substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass or physical injury by making them available to those who would harm others through all hazards, criminal or terroristic activities.

The Department of Public Safety also operates a program called the Crime Alert Network. See Minnesota Statutes, section 299A.61. The Crime Alert Network provides a mechanism for law enforcement agencies in Minnesota to communicate crime prevention information. The Minnesota Fusion Center receives the alerts and utilizes the data as part of its mission to fight crime. Specifically, the Minnesota Fusion Center takes data elements from the alerts and places them in a tool to help law enforcement agencies see patterns and trends that may be presented by the data.

In addition, the Minnesota Fusion Center receives other types of data from government agencies and organizations that provide critical infrastructure/key resources places them in the tool to see patterns and trends that may be presented by the data and used to prevent crime or assist with criminal investigations. If the pattern and trend data were shared, particularly in the aggregated format, those committing crimes would be able to see where law enforcement would be deploying resources and choose other targets. This criminal conduct would result in substantial jeopardy to possessions, individuals or property.

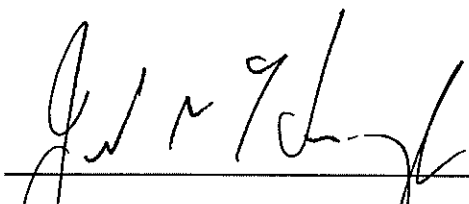
As the Department of Public Safety's responsible authority under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, I have determined that the following government data are "security information" as defined in Minnesota Statutes, section 13.37, subdivision 1(a):

1. Data from government agencies in other states and countries and from organizations that provide critical infrastructure/key resources identifying individuals or describing circumstances that indicate all hazards, criminal or terrorist activities are being planned, are being executed or have been executed.
2. Data from government agencies and organizations that provide critical infrastructure/key resources in Minnesota identifying individuals or describing circumstances that indicate all hazards, criminal or terrorist activities are being planned, are being executed or have been executed.
3. Data from USDHS and the Federal Bureau of Investigation identifying individuals or describing circumstances that indicate all hazards, criminal or terrorist activities are being planned, are being executed or have been executed.

4. Data in bulletins, assessments and briefs from the Minnesota Fusion Center and other fusion centers that identify individuals or describing circumstances that indicate all hazards, criminal or terrorist activities are being planned, are being executed or have been executed.
5. Data in bulletins, assessments and briefs from federal law enforcement agencies and law enforcement in other countries and at Interpol that identify individuals or describing circumstances that indicate all hazards, criminal or terrorist activities are being planned, are being executed or have been executed.
6. Data from the Crime Alert Network and from criminal justice agencies requesting pattern and trend analysis.
7. Data from local, state, federal, United States territorial, tribal, and international law enforcement agencies, the military, and homeland security agencies that indicate that all hazards, criminal or terroristic activities are being planned, are being executed or have been executed.

In addition, there is a need for the Minnesota Fusion Center to share the data classified as security information with other agencies, both inside and outside Minnesota.

As required by Minnesota Statutes, section 13.37, subdivision 3(b), I have consulted with the Superintendent of the Bureau of Criminal Apprehension who is the chief law enforcement officer. We have decided that the data classified as security information by this determination may be shared with Minnesota and non-Minnesota law enforcement agencies including tribal agencies, other fusion centers, USDHS, the United States Department of Justice, the military, homeland security agencies in other states and countries, providers of critical infrastructure/key resources, first responders, and other Minnesota government entities because the sharing will protect critical infrastructure, promote public safety and assist law enforcement.



John M. Harrington, Commissioner
Minnesota Department of Public Safety

1-16-19
Date