

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Office of the Commissioner

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January 3, 2014

Alcohol
and Gambling
Enforcement

Bureau of Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

Matt Ehling
Public Record Media
2375 University Avenue West, Suite 200
Saint Paul, MN 55114

Via Electronic Mail and
U.S. Mail

Re: Data Request

Dear Mr. Ehling:

Thank you for your letter of December 30, 2013. In It you properly assert that you had previously sent the data request on November 8, 2013. As the Data Practice Compliance Official, I have been asked to respond. As an initial matter, I did receive your November 8, 2013 request. However, due to a communication problem, your request was not forwarded to the BCA. I apologize for the oversight.

You request:

- 1) Any and all memoranda of understanding (MOUs), contracts, and/or agreements made between your agency and/or its component the Minnesota Bureau of Criminal Apprehension (BCA), and the United States Department of Homeland Security and/or its component the United States Customs and Border Patrol, related to the use of unmanned aerial vehicles (UAVs) by your agency and/or its BCA component;
- 2) Any and all policies that govern the use of UAVs by your agency and/or its BCA component;
- 3) Any and all memoranda that describe the legal basis and/or legal threshold for the use of UAVs by your agency and/or its BCA component;
- 4) Any and all data that describe the surveillance capabilities of UAVs used by your agency and/or its BCA component, including specifications related to visual and audio surveillance, and/or cell phone signal interception.

Please be advised that the BCA does not own or operate any UAV's. The BCA has utilized UAV's in a handful of cases through the US Department of Homeland Security. In those instances the BCA requests the assistance of the US Department of Homeland Security to assist by providing aerial surveillance. If it falls within their criteria the Department of Homeland Security will provide that assistance. In these cases the requests have come to the BCA through other agencies working with the BCA. The cases have involved searching for marijuana grows on public lands. To date, the BCA has only used UAVs over public lands.

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Because the BCA neither owns or operates such equipment there are no MOUs, contracts, or agreements with the Department of Homeland Security or the United States Customs and Border Patrol. Also, because the BCA does not own or operate such equipment there are no policies or legal basis documents. Consequently, there are no data responsive to your request.

Should you care to discuss this matter further, please contact me directly at [REDACTED] Again, thank you for your request and I apologize for the response time.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Joseph Newton". The signature is written in a cursive, slightly slanted style.

E. Joseph Newton
General Counsel