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## Office of the Commissioner

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February 25, 2016

Mike Kaszuba, Editor  
Public Record Media  
2375 University Ave. W.  
Suite 200  
St. Paul, MN 55114

Dear Mr. Kaszuba:

Thank you for your letter regarding my response to your initial data request to review "all correspondence, including emails and text messages, between the governor/governor's office and the Bureau of Criminal Apprehension regarding the governor's viewing of an ambulance video related to the shooting of Jamar Clark," and "a listing of the Bureau of Criminal Apprehension policies that were current at the time, and that govern who gets to view evidence in ongoing criminal investigations."

I had indicated the Bureau of Criminal Apprehension had no data responsive to your request and specifically mentioned texts. To be clear there are no correspondence, emails, texts or other data between the Bureau of Criminal Apprehension and the governor/governor's office discussing or explaining Governor Dayton viewing the video. I apologize for not being more specific in the first instance. However, I note in your subsequent correspondence you now seek such data as it relates to data Department-wide. As to your updated request, the Department has responsive data, however it is part of an ongoing criminal investigation and is not public data at this time pursuant to Minn. Stat. §13.82.

Also, I was not understanding your initial request to contain Procedures for Ensuring the Security of Not Public Data and the Data Classifications and Inventory Policy. I had understood your request to mean specific investigations and not the broader policies. Be that as it may, please find those policies and procedures enclosed.

Thank you again for your letter and if you would like to discuss your request further please contact me.

Sincerely,

A handwritten signature in blue ink that reads "E. Joseph Newton".

E. Joseph Newton  
General Counsel