# Free & Open Data Context

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# Free & Open Data: Context

***At Issue:***

**#1 - Demonstrate the Benefits Of Making Data Freely Available;**

**#2 - Understanding the Legal Framework Governing Data Availability;**

**#3 - Covering the Issues of Liability;**

**#4 - Potential for Change to Existing Policies;**

# Free & Open Data: Context

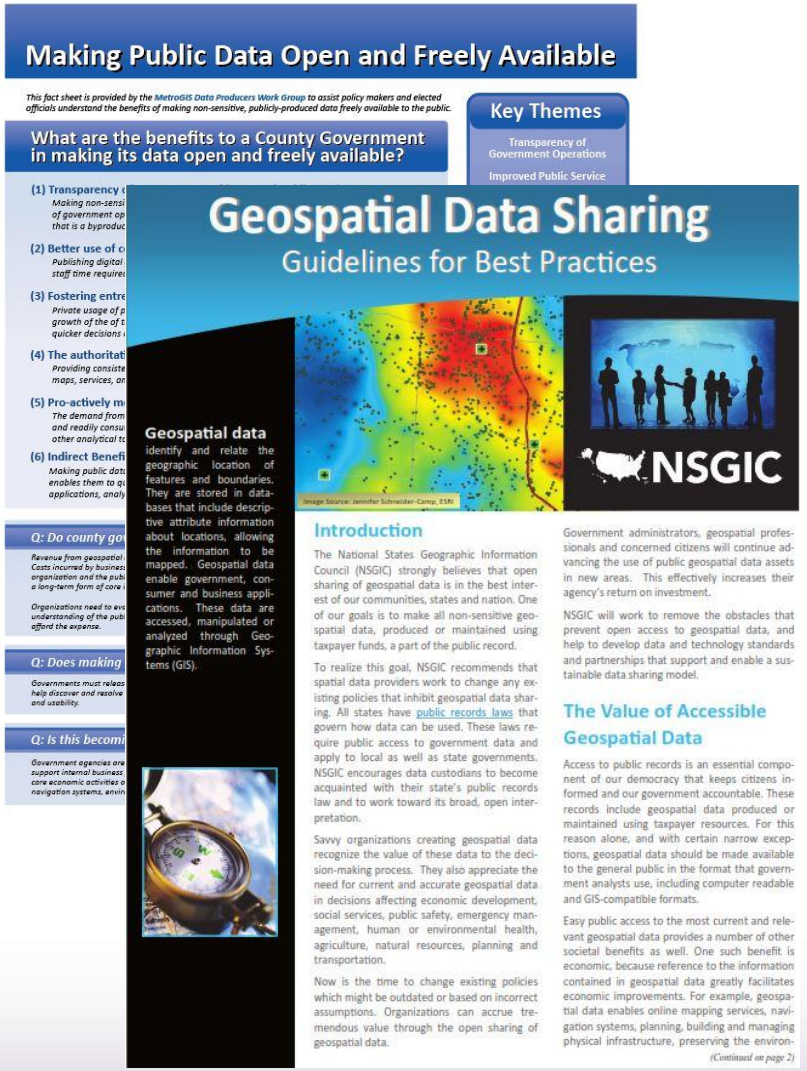
## #1 - Demonstrate the Benefits Of Making Data Freely Available;

***'White Paper'***

***'Blue Single Sheet'***

***'Existing Practice Interviews'***

***Other articles and research…***



Making Public Data Open and Freely Available

This fact sheet is provided by the MetroGIS Data Producers Work Group to assist policy makers and elected officials understand the benefits of making non-sensitive, publicly-produced data freely available to the public.

What are the benefits to a County Government in making its data open and freely available?

Key Themes

Transparency of Government Operations

Improved Public Service

Geospatial Data Sharing

Guidelines for Best Practices

Geospatial data identify and relate the geographic location of features and boundaries. They are stored in databases that include descriptive attribute information about locations, allowing the information to be mapped. Geospatial data enable government, consumer and business applications. These data are accessed, manipulated or analyzed through Geographic Information Systems (GIS).

NSGIC

Introduction

The National States Geographic Information Council (NSGIC) strongly believes that open sharing of geospatial data is in the best interest of our communities, states and nation. One of our goals is to make all non-sensitive geospatial data, produced or maintained using taxpayer funds, a part of the public record.

To realize this goal, NSGIC recommends that spatial data providers work to change any existing policies that inhibit geospatial data sharing. All states have public records laws that govern how data can be used. These laws require public access to government data and apply to local as well as state governments. NSGIC encourages data custodians to become acquainted with their state's public records law and to work toward its broad, open interpretation.

Savvy organizations creating geospatial data recognize the value of these data to the decision-making process. They also appreciate the need for current and accurate geospatial data in decisions affecting economic development, social services, public safety, emergency management, human or environmental health, agriculture, natural resources, planning and transportation.

Now is the time to change existing policies which might be outdated or based on incorrect assumptions. Organizations can accrue tremendous value through the open sharing of geospatial data.

Government administrators, geospatial professionals and concerned citizens will continue advancing the use of public geospatial data assets in new areas. This effectively increases their agency's return on investment.

NSGIC will work to remove the obstacles that prevent open access to geospatial data, and help to develop data and technology standards and partnerships that support and enable a sustainable data sharing model.

The Value of Accessible Geospatial Data

Access to public records is an essential component of our democracy that keeps citizens informed and our government accountable. These records include geospatial data produced or maintained using taxpayer resources. For this reason alone, and with certain narrow exceptions, geospatial data should be made available to the general public in the format that government analysts use, including computer readable and GIS-compatible formats.

Easy public access to the most current and relevant geospatial data provides a number of other societal benefits as well. One such benefit is economic, because reference to the information contained in geospatial data greatly facilitates economic improvements. For example, geospatial data enables online mapping services, navigation systems, planning, building and managing physical infrastructure, preserving the environ-

(Continued on page 2)

# Free & Open Data: Context

## #2 - Understanding the Legal Framework Governing Data Availability;

***Case law examples;***

*Lack of applicable case law examples in Minnesota;*
*Are there useful lessons for Minnesota from other states?*

***Existing statute language governing data access:***

*Chapter 13 (Data Practices Act);*
*Chapter 16E, Section 30, Subd. 11 (Gov-To-Gov);*

***Trying to avoid…***

*Numerous different (possibly conflicting) interpretations of state statues to apply locally; wide variation in practices and data availability;*

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## #3 - Covering the Issues of Liability to Data Producers;


***Clarity for Data Producers***

***Ensure that data producers are covered from liability;***

***Responding to requests, voluntary publishing of the data, etc.;***

***Specific Exemption for GIS data in statute:***

***Chapter 466, Section 3, Subd. 21(a)***

*Exempts a municipality from claims to the alleged or actual inaccuracies in its data;*

***Chapter 466, Section 3, Subd. 21(b)***

*GIS data is subject to the presumption of Chapter 13, Section 1, Subd. 3 Government data are public data;*

# Free & Open Data: Context

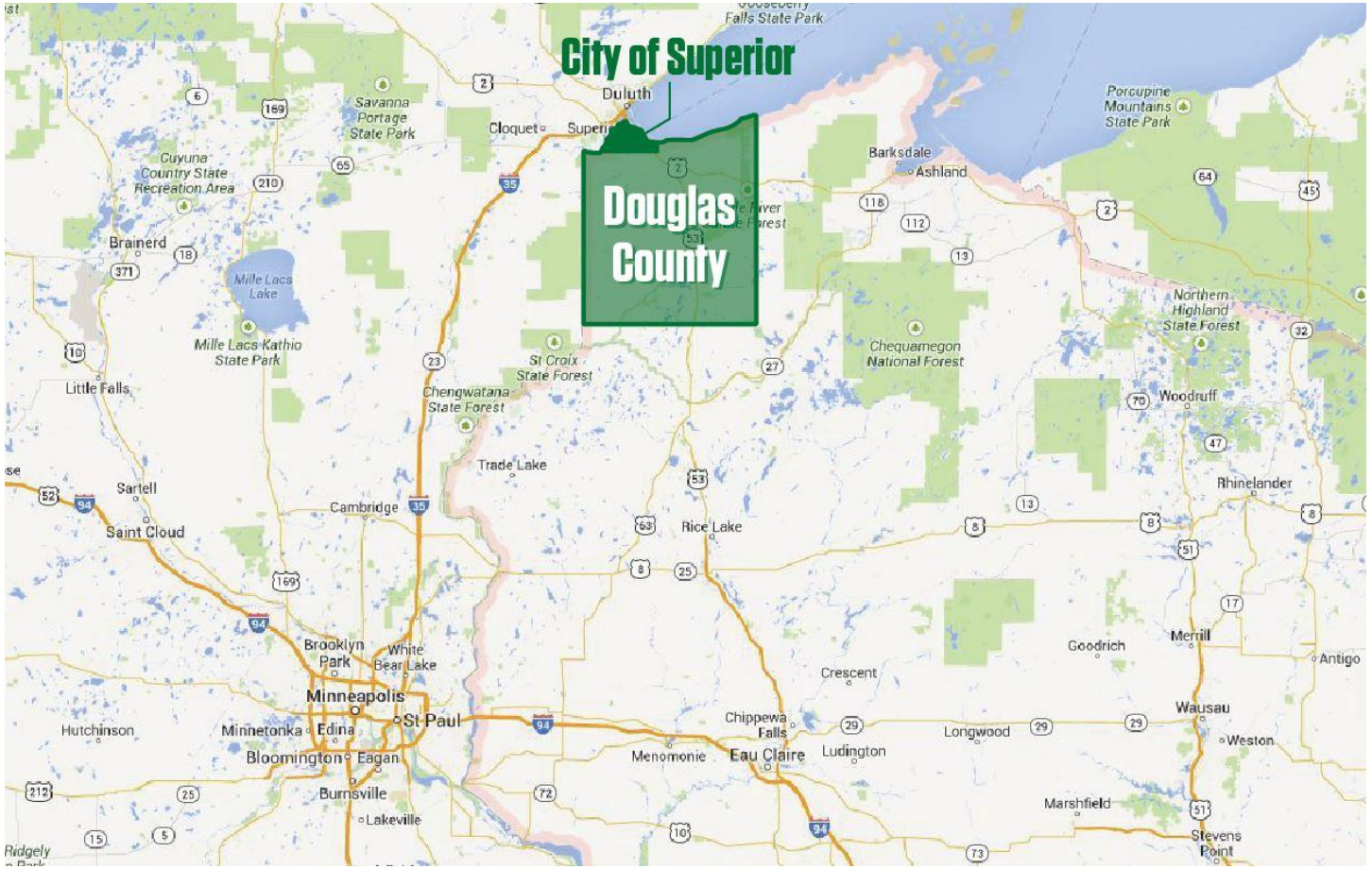
## #4 - Potential Change to Existing Policies;

***If a county or municipality wishes to pro-actively and voluntarily make its data freely available…***

***What legal authority does it have to do so?***

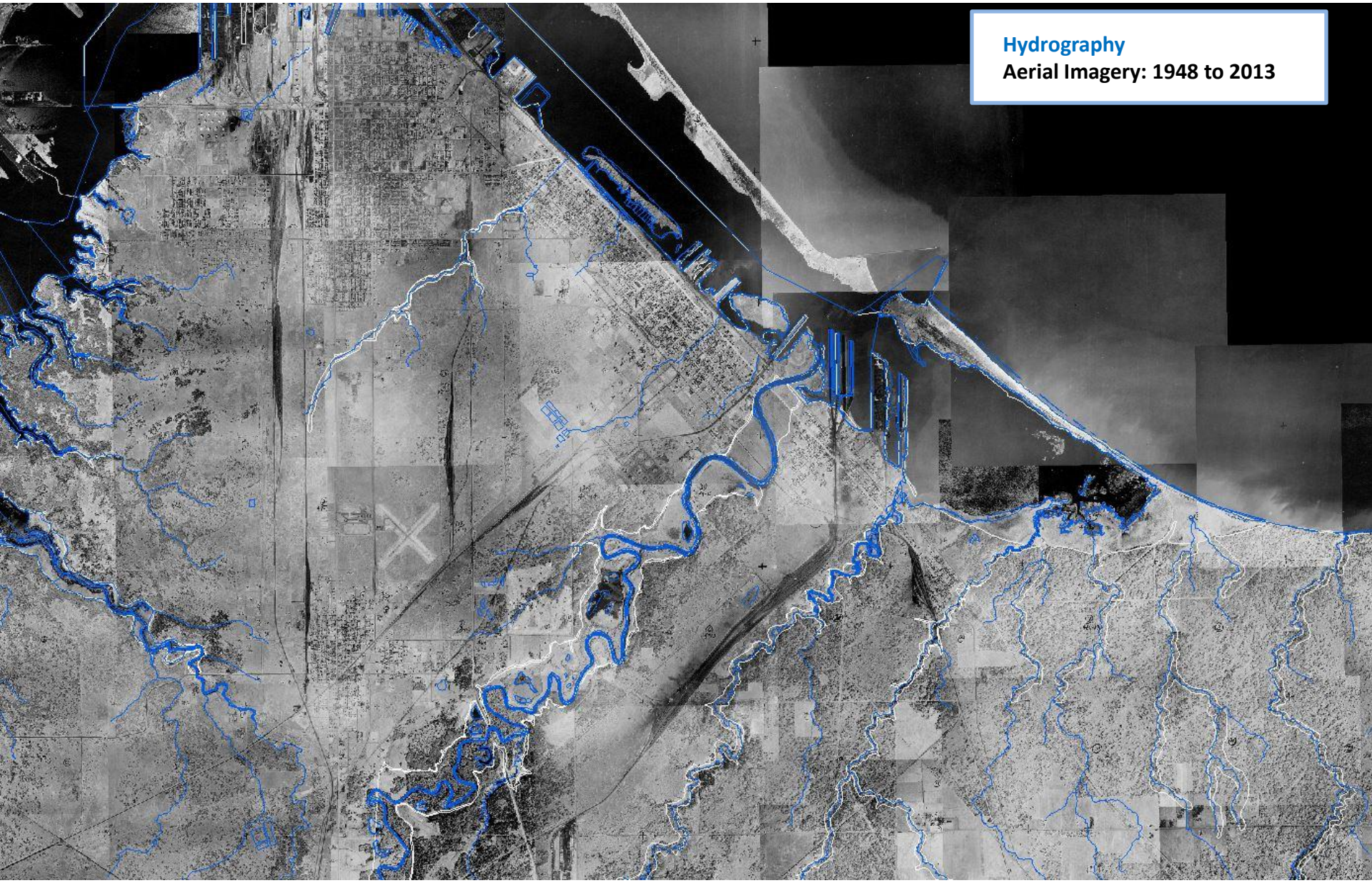
| | |
|---|---|
| ***Start here:*** | |
| ***Chapter 13, Section 1, Subd. 3;*** | *'Gov data are public and accessible…'* |
| ***Chapter 13, Section 3, Subd 1;*** | *'All data shall be public…'* |
| ***Chapter 13, Section 3, Subd 2(a);*** | *'Establish procedures…'* |
| ***Chapter 16E, Section 30, Subd 11*** | *'Government to government…'* |
| ***Chapter 466, Section 3, Subd. 21(a)*** | *'GIS data exempt from tort liability…'* |
| ***Chapter 466, Section 3, Subd. 21(b)*** | *'GIS data subject to '13.01.Subd 3'…* |

# So what does 'Free & Open Data' look like?




*Case Example:*

## City of Superior/Douglas County, Wisconsin

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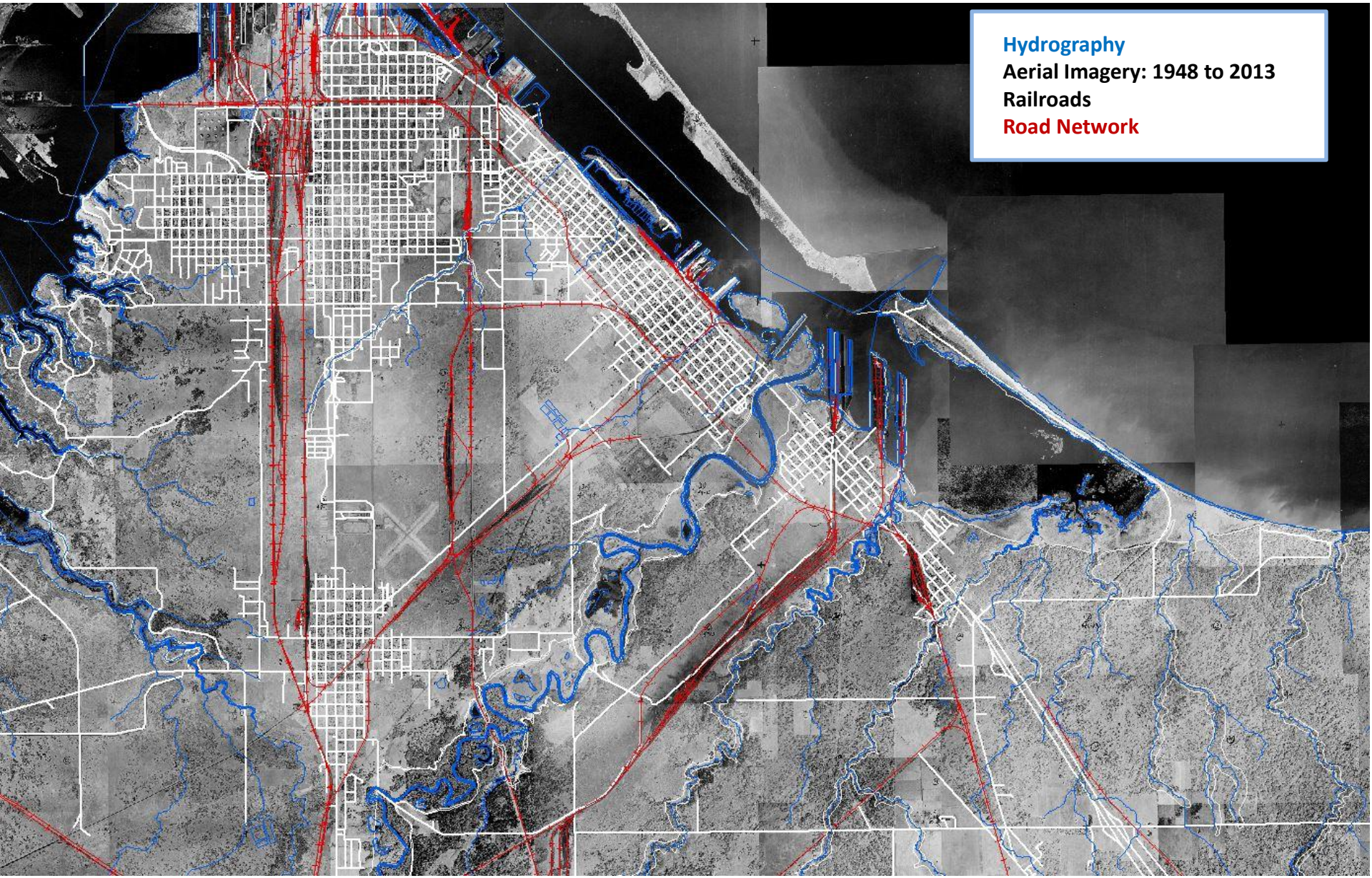


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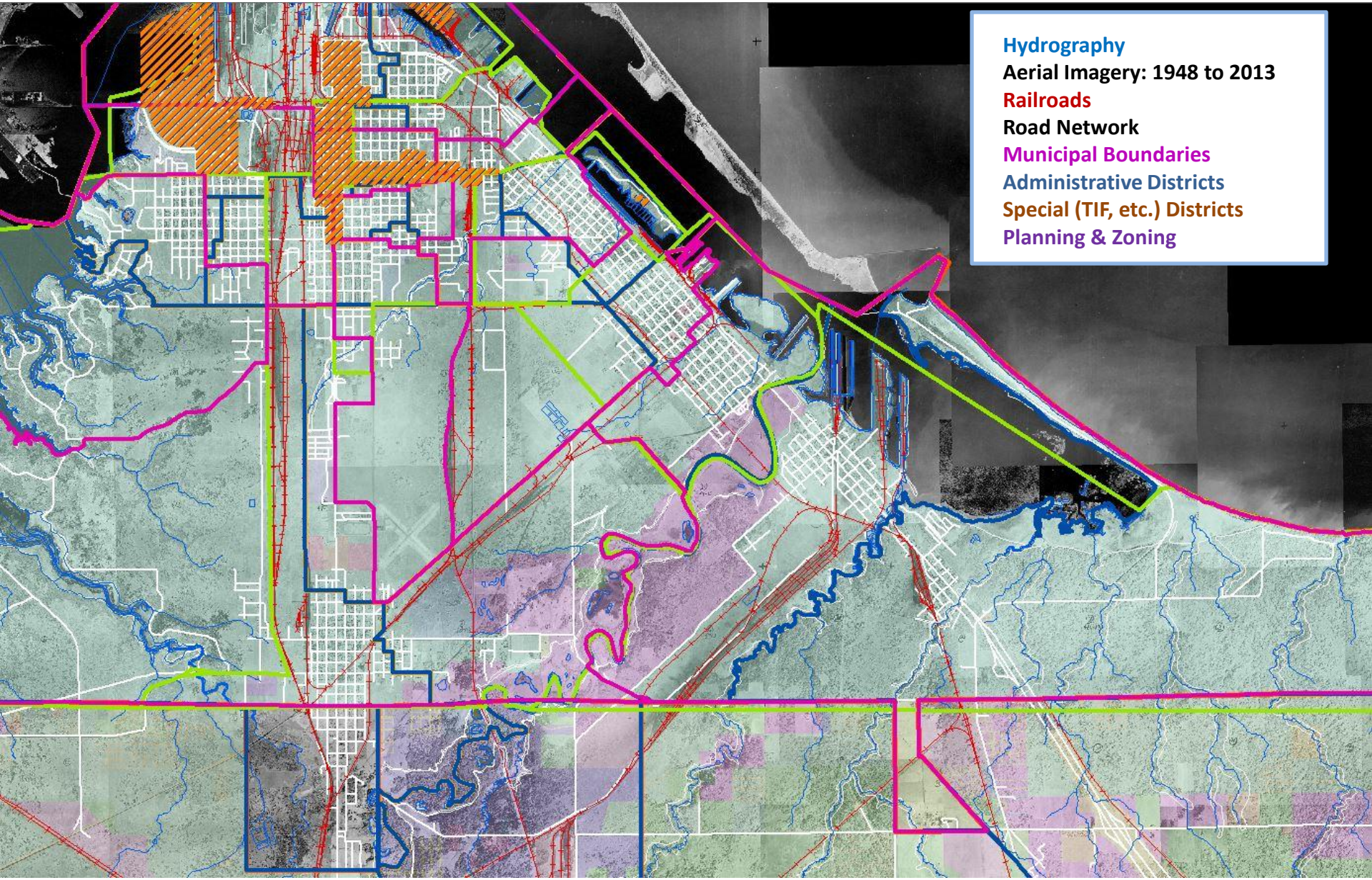


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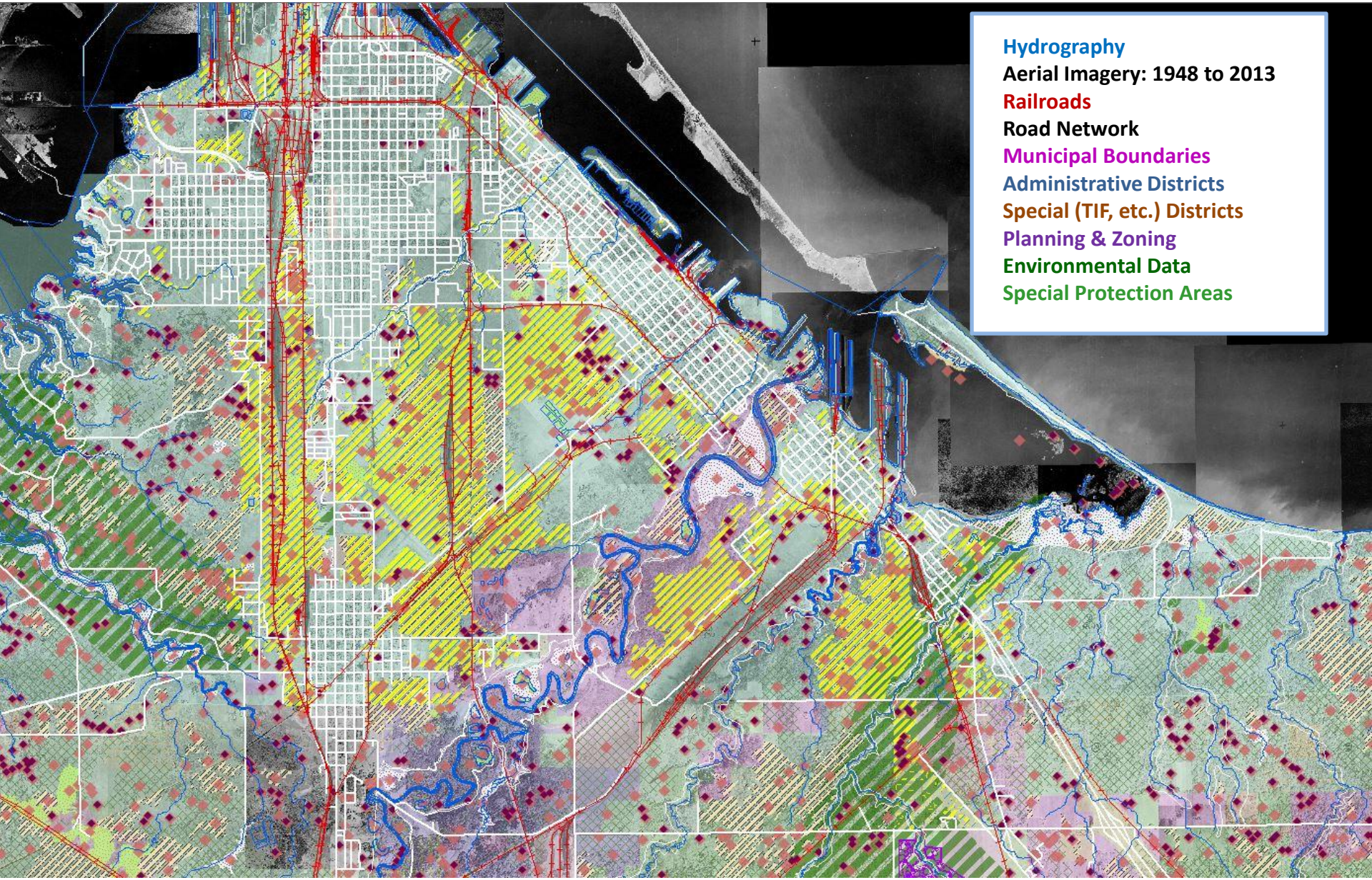


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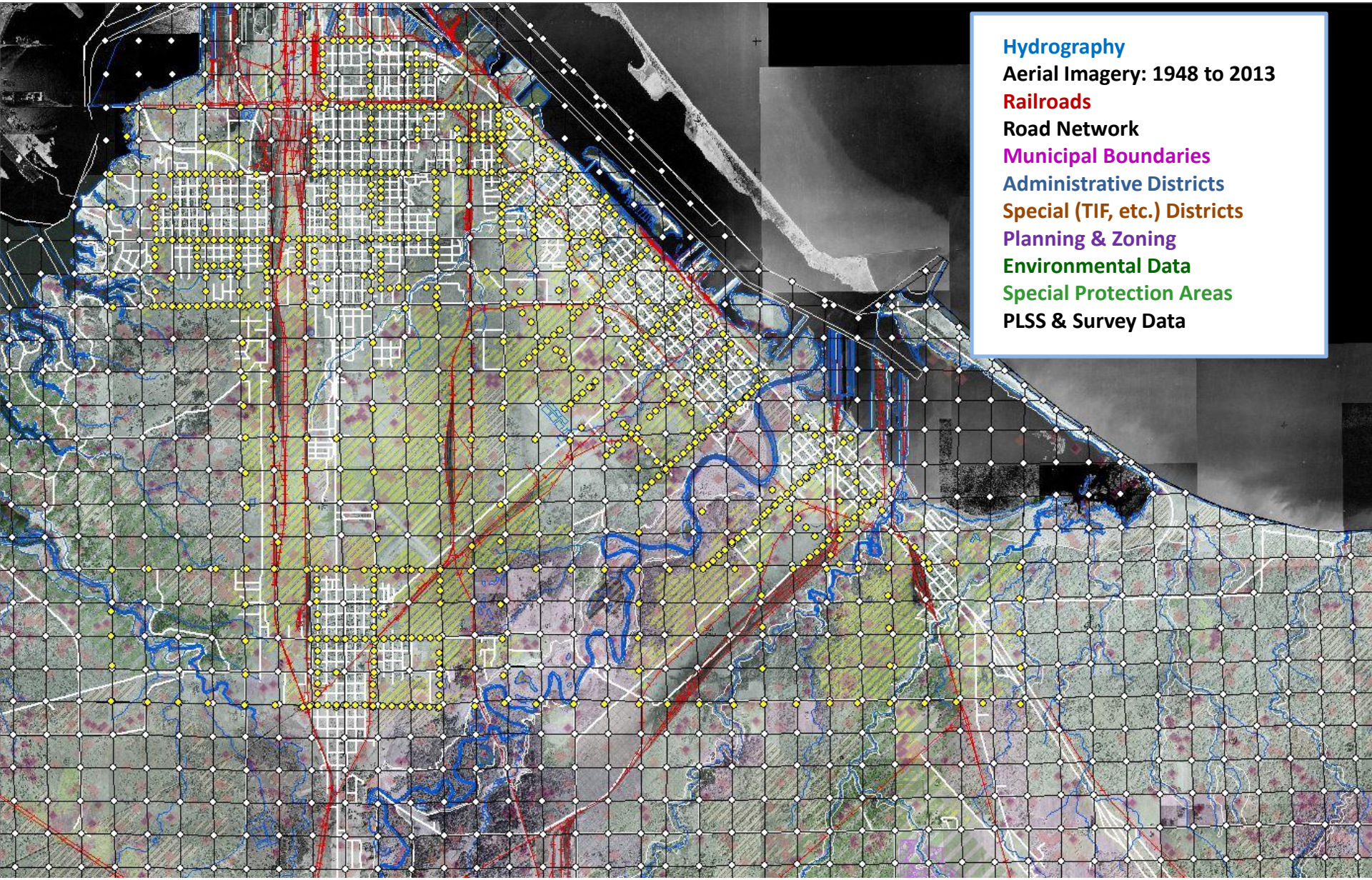


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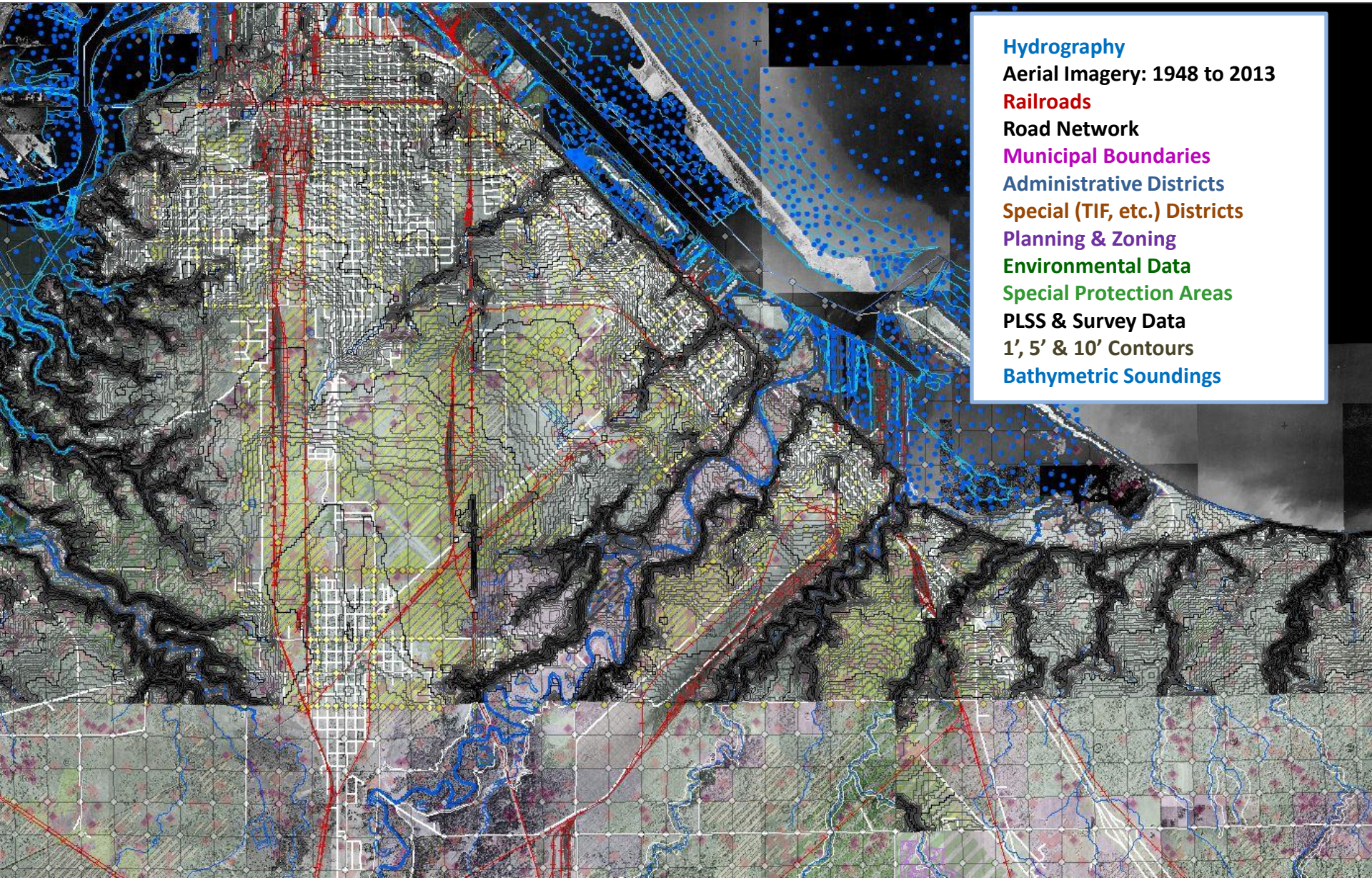


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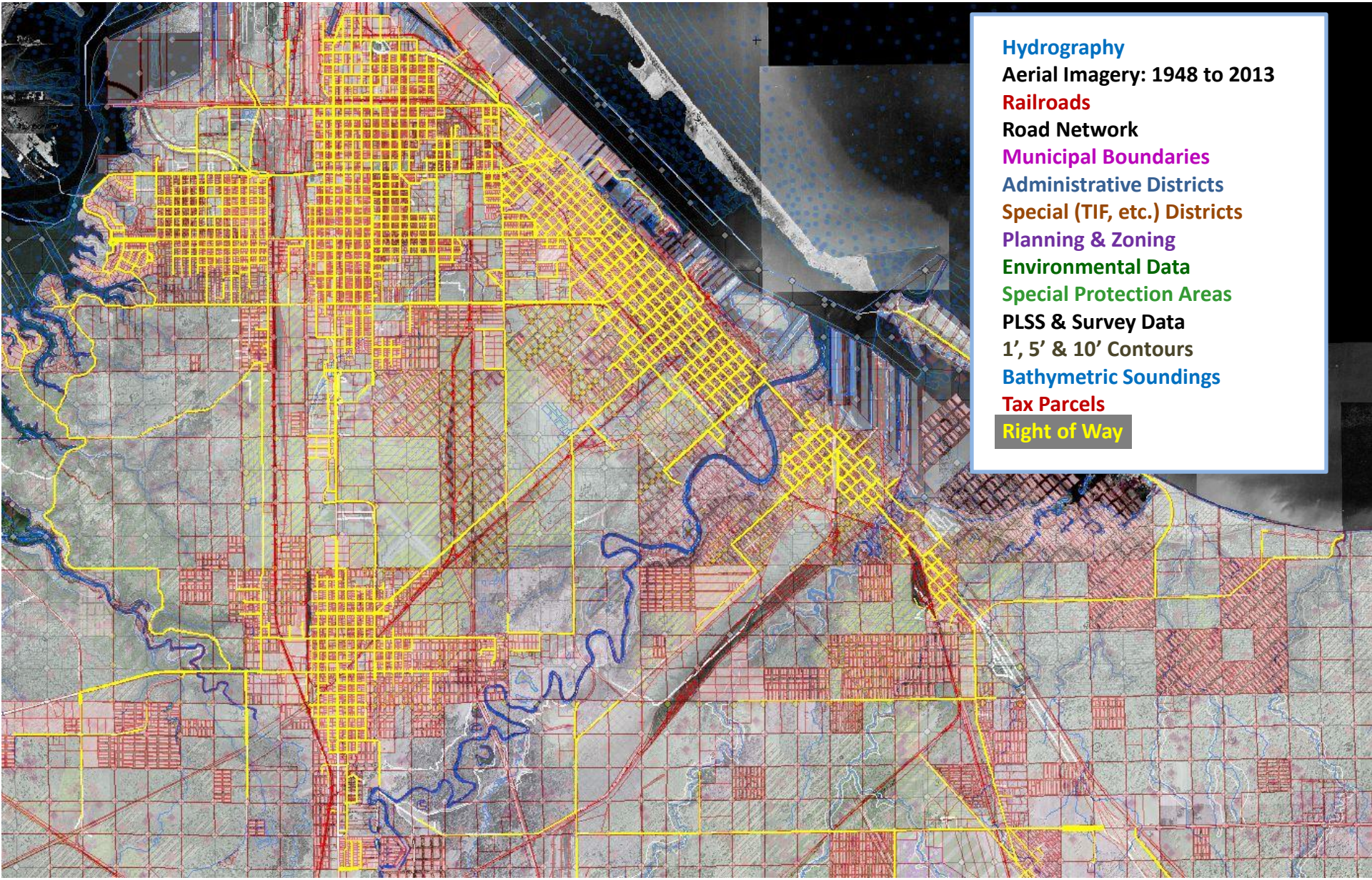


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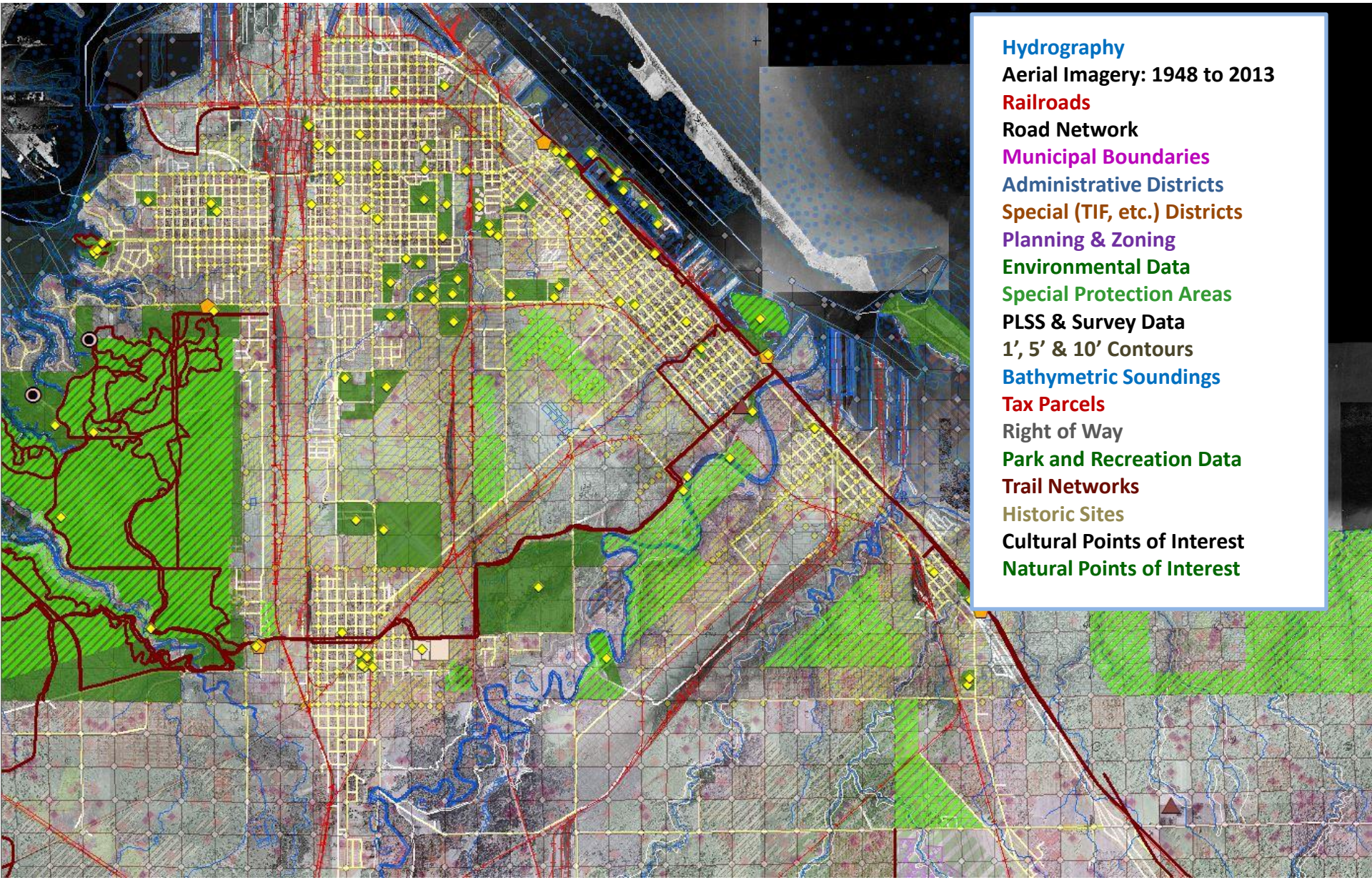


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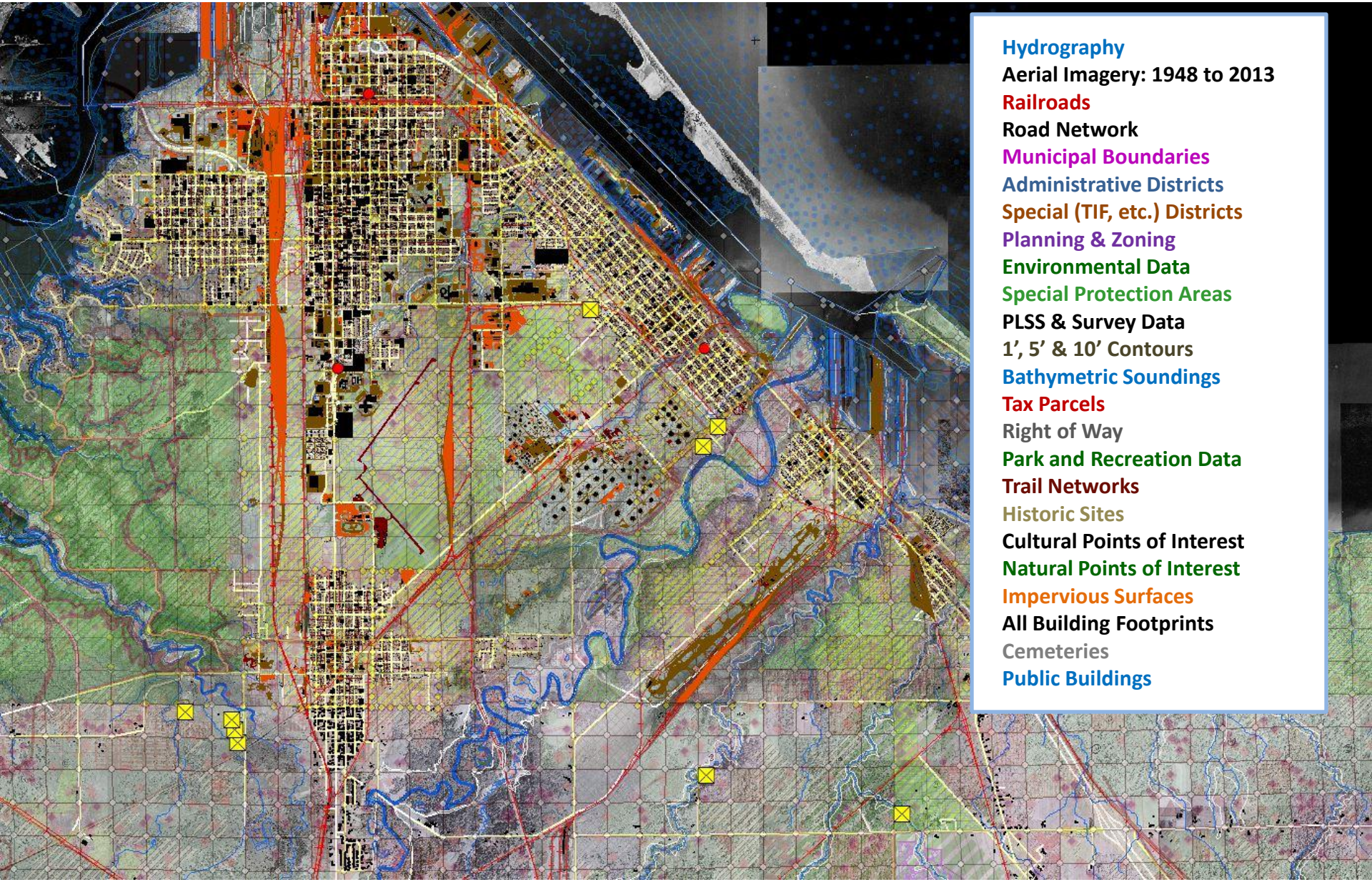


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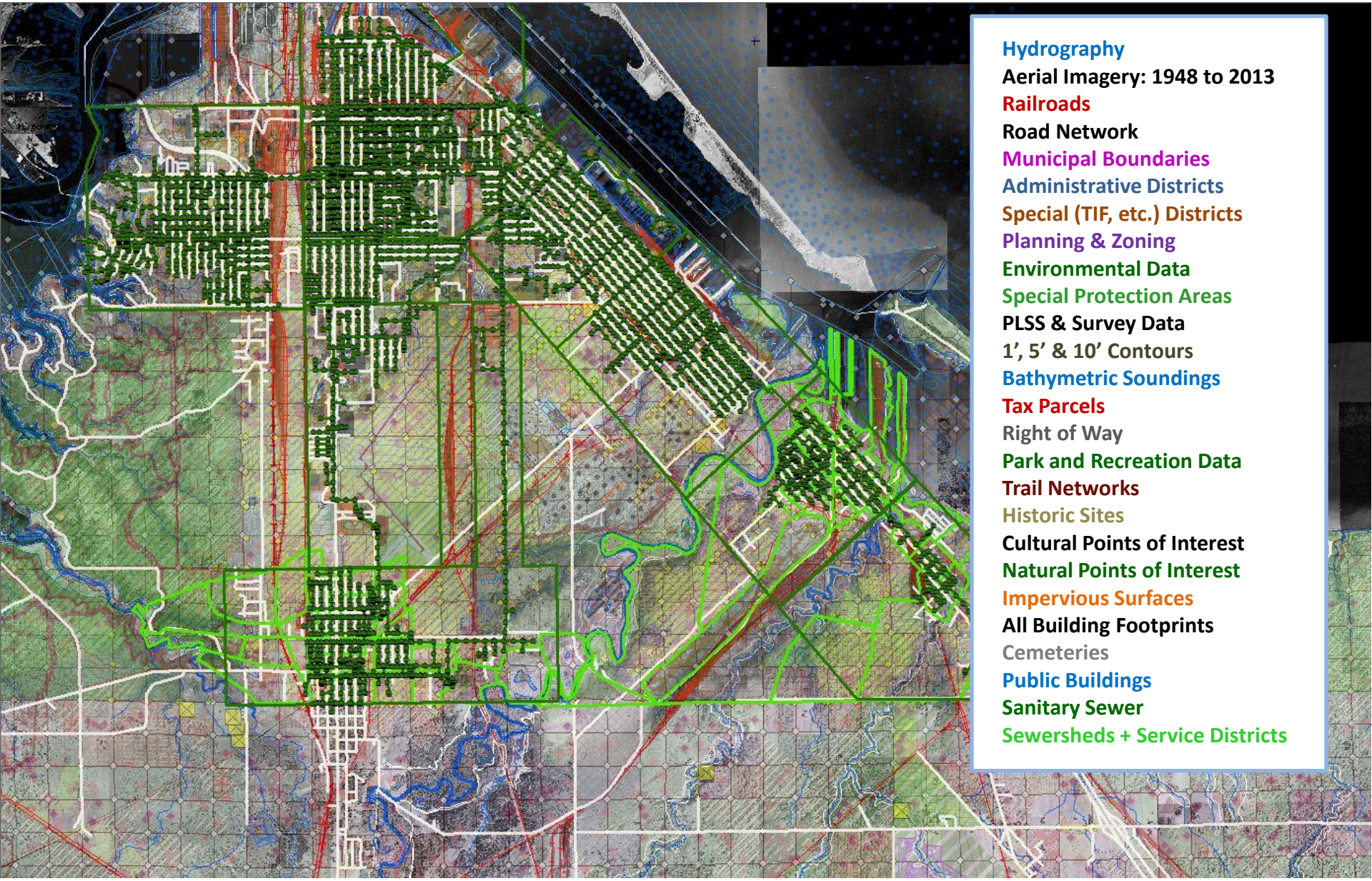


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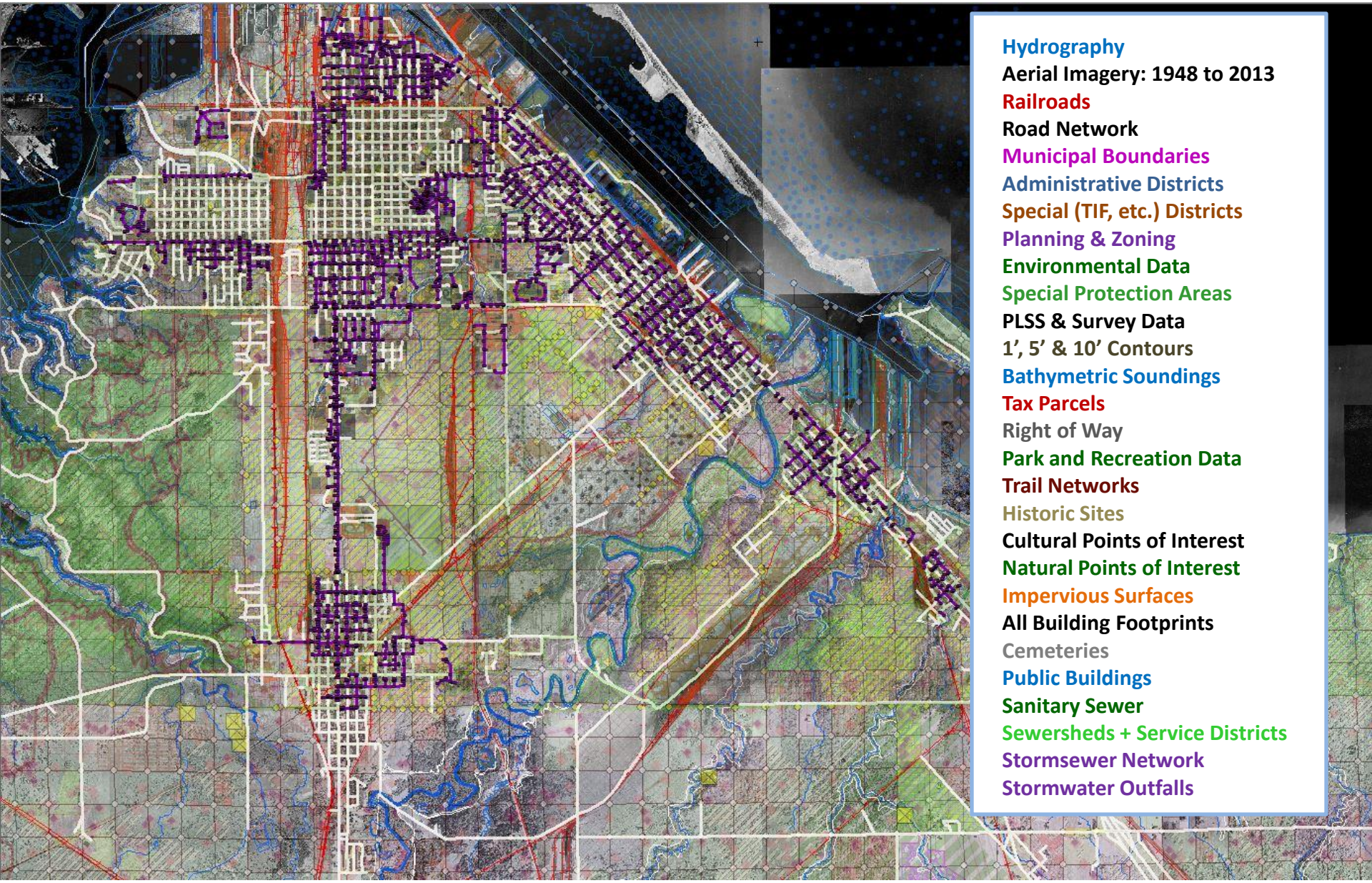


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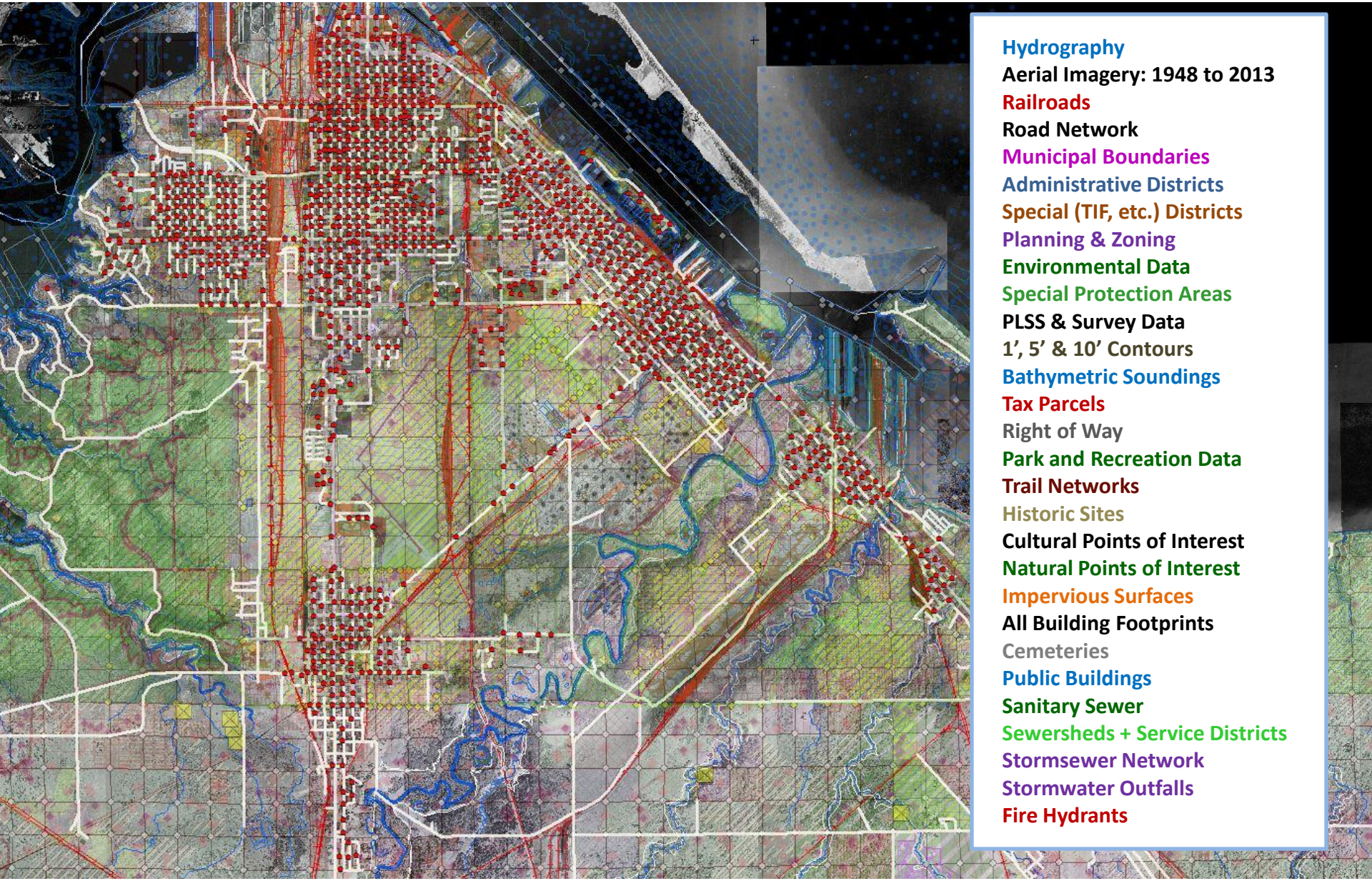


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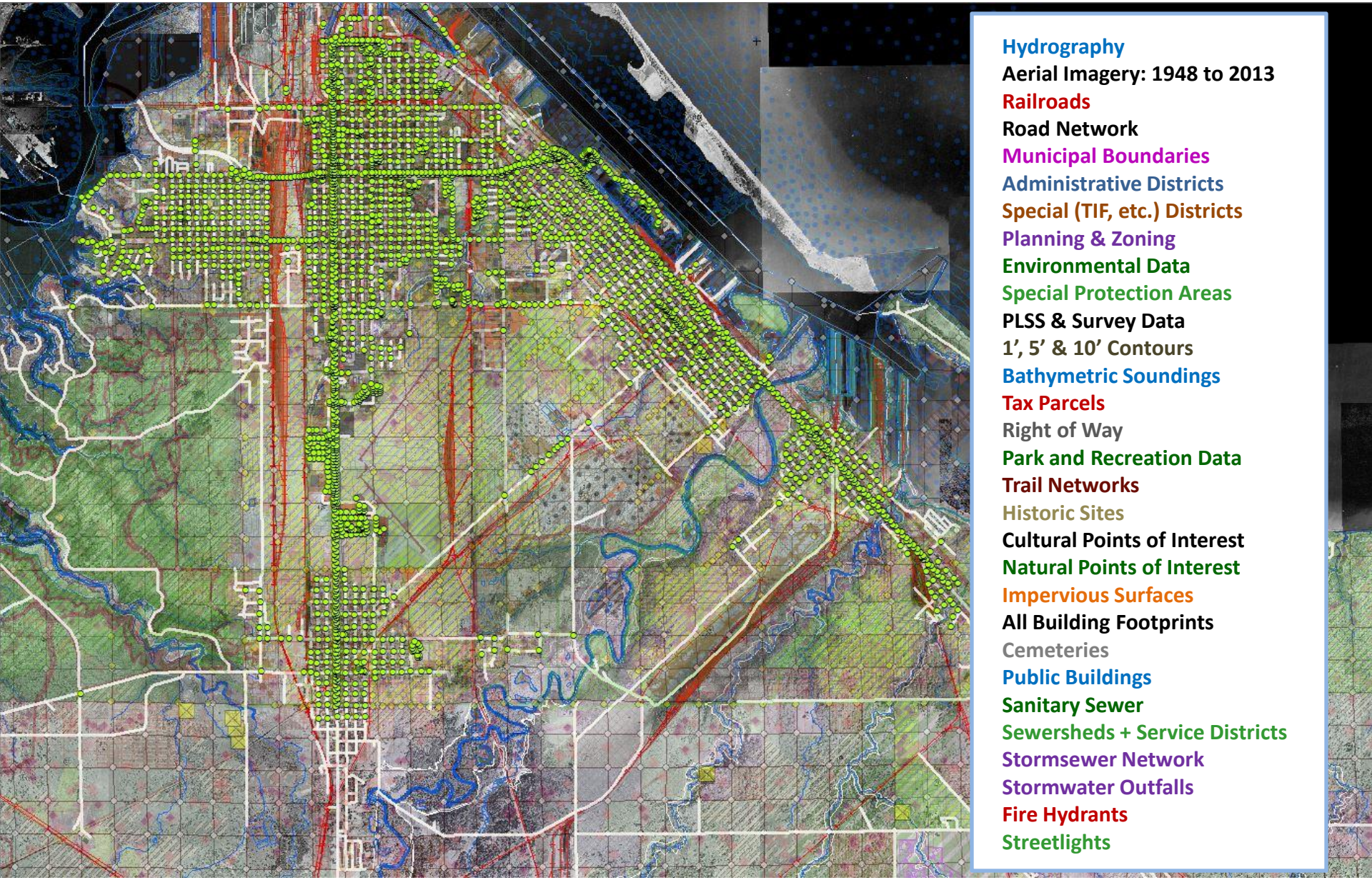



City of Superior & Northern Douglas County, Wisconsin

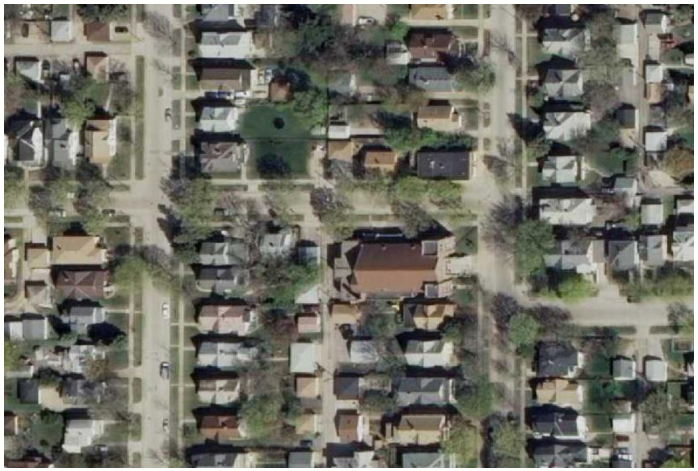
**Free & Open Data** *practices* ***encouraged and supported by the legal counsel*** *of both the* **City of Superior** *and* **Douglas County, Wisconsin**

***Significant benefits to a wide consumer base:***

- ***Railroads***
- ***Telecommunications/Cellular Tower businesses***
- ***Major Pipelines***
- ***Real Estate***
- ***Electric and Gas Utilities***
- ***Insurance Agencies***
- ***Duluth Seaway Port Authority & Port of Superior***
- ***U. S. Army Corps of Engineers (Vessel Yard)***
- ***U. S. Coast Guard (Duluth Marine Safety Unit)***
- ***Regional Historical Societies***
- ***Colleges & Universities of the region***
- ***Commercial & Industrial Forest businesses***

# “Data Is Infrastructure”

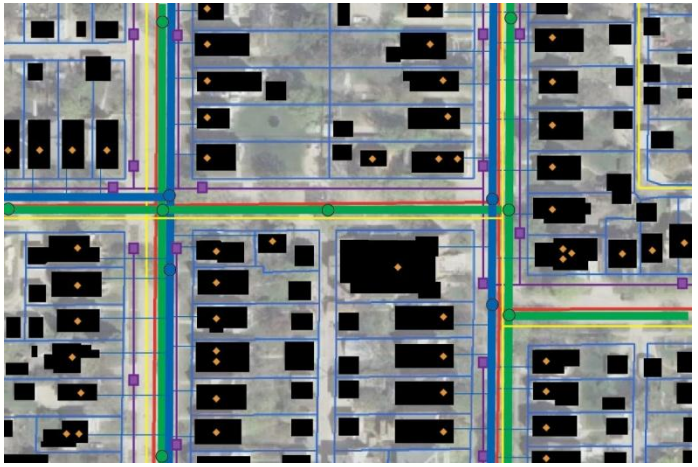
## Real World Features



*Roads, pipes, buildings, parcels, manholes, sidewalks, hydrants, etc.*

*All the physical assets of a the city, county, agency or jurisdiction;*

## Virtual Representations



*The virtual representations (and the data that accompanies them) **are a form of infrastructure themselves** used for tracking, mapping, modeling, applications development, routing, analysis, mapping, etc.*

# Creating a “data rich” environment…

## Benefits to government:

- *Transparency of operations;*
- *Increased level of public service;*
- *Pro-actively (vs. reactive) meeting the demand for data;*
- *The authoritative data is the norm;*
- *Less staff time handling licenses, fees, data transfer, etc.;*

## Benefits to businesses:

- *Facilitates the **‘information economy’/’app economy’***
- ***Data consuming industries can operate more efficiently and cost-effectively** (insurance, real estate, telecom, utilities, pipelines, etc.)*
- ***Enables our region and our state to be more competitive economically;***