

 <p>RICHARDSON, TX POLICE DEPARTMENT</p>	<p style="text-align: center;">GENERAL ORDER <u>4.02.02-01</u> Open Records Requests</p> <p style="text-align: center;">Previous Revision: September 1, 2017</p>	<p>Issued by:</p> <p style="text-align: center;"><i>Gary L. Tittle</i> Gary L. Tittle Chief of Police Richardson Police Department</p> <hr/> <p>Effective: November 30, 2001 Revised: February 18, 2022</p>
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I. PURPOSE:

The purpose of this Order is to establish written guidelines relating to the documentation and processing of open records requests.

II. POLICY:

It is the policy of the Richardson Police Department to ensure all open records requests received by any employee of the Richardson Police Department are handled within the guidelines of the Texas Public Information Act.

III. PROCEDURE:

A. Definition

1. Texas Public Information Act –The Texas Public Information Act is a series of legislative acts that have been incorporated into the Texas Government Code in Title 5, Subchapter A Chapter 552. The Act is intended to guarantee public access to governmental information in the interest of providing transparency in government.
2. Open Records Request – under the Texas Public Information Act, any written request for information is considered an open records request.

B. Open Records Requests

1. All open record requests must be submitted in writing, or by electronic means. If a request is made via e-mail or facsimile transmission, it must be addressed to an Open Records Specialist.
2. Under the Texas Public Information Act, any employee of the Richardson Police Department may receive an open records request. The employee will promptly forward the request to an Open Records Specialist and shall notify the requestor they have done so.
3. When an individual makes an open records request, the employee shall provide the individual with a request form or direct them to the Richardson Police Department website to submit an electronic request. Use of a specific request form is not required by the Texas Public Information Act.
4. An Open Records Specialist will process both handwritten and electronic requests accordingly.

C. Receipt of an Open Records Request

1. Employees receiving an open records request shall:

- a. date and initial the request when it is received in the upper right hand corner of the front page of the first sheet of the request,
- b. notify an Open Records Specialist by e-mail at PD-ORR a request has been received, and
- c. deliver the original request to an Open Records Specialist on the same day the request is received.

D. Required Response to Open Record Requests

1. All open records requests must be promptly responded to by:
 - a. providing copies of the requested information or an opportunity for the requestor to examine the requested information, or
 - b. written notification to the requestor indicating the Department deems the information to be exempt from public disclosure and a written opinion will be sent within 10 business days after the date received to the Texas Attorney General's Office requesting a decision as to whether the requested information is excepted from public disclosure.
2. If the requested information cannot be provided within the 10 business days, the requestor must be advised in writing of the date the information will be made available.
3. Costs associated with complying a request shall be in accordance with the schedule set forth by the Texas Attorney General's Office.

E. Responsibilities and Processing of Open Records Requests

1. An Open Records Specialist shall:
 - a. process all open records requests,
 - b. contact a commanding officer of the Criminal Investigations Division to determine whether or not the open records request pertains to an ongoing investigation,
 - c. consult with the City Attorney for all open records requests prior to the 10th business day after receipt of the request for direction as to the proper disposition of all open records requests,
 - d. ensure all time constraints for an open records request are properly satisfied,
 - e. redact information deemed confidential by law from any information that is to be released to the public,
 - f. ensure all open records requests received from all sources are accurately logged,
 - g. review written open records requests, secure and compile all required documents, and

- h. any request relating to the employment files of an employee for the Department will be logged and then immediately emailed to PD-ORR and City Attorney. The Records Supervisor will notify the Captain of Administrative Division of the request, who will cause the affected employee to be notified of the request through the chain of command.
 2. The City Attorney shall provide direction on the proper disposition of all open records requests and, when deemed appropriate, may take action to contact the Texas Attorney General's Office and respond to the requestor directly.
- F. Disposition of Open Records Requests
1. An Open Records Specialist shall ensure the response to open records requests are mailed and postmarked to the requestor within 10 business days after receipt of the request.
 2. Requests for information the Department deems confidential and should not be released to the public require a written request to the Texas Attorney General's Office for a decision to determine whether such information is exempted from public disclosure.
 - a. The written request for a decision shall state, with specificity, the exceptions under the statute to public disclosure and any legal argument.
 - b. The request for a decision shall be mailed and postmarked within 10 business days after receipt of the request.
 - c. An Open Records Specialist shall prepare such correspondence addressed to the requestor and the Texas Attorney General's Office as directed by the City Attorney, or designee.
 - d. Open Records Specialists shall notify the City Attorney of any communications or correspondence received from the Texas Attorney General's Office regarding any open records requests or complaints on the date of receipt of the same.