



## UNIVERSITY OF ST. THOMAS

### I. **Overview:**

Senate Bill 308- **Effective September 1, 2015:** Private College and Universities police department will make all records: **related solely to law enforcement** available to the public pursuant to the Public Information Act.

### II. **Rights of Requester(s):**

*You have the right to:*

- Prompt access to information that is not confidential or otherwise protected;
- Receive treatment **equal** to all other requester(s), including accommodation in accordance with the Americans with Disabilities Act (ADA) requirements;
- Receive certain kinds of **information without exceptions**, like the voting record of public officials, and other information;
- Receive a **written itemized statement of estimated charges**, when charges will exceed \$40, in advance of work being started and opportunity to modify the request in response to the itemized statement;
- Choose whether to inspect the requested information (most often at no charge), receive copies of the information or both;
- A **waiver** or reduction of charges if the governmental body determines that access to the information primarily benefits the general public;
- Receive a copy of the communication from the governmental body asking the Office of the Attorney General for a ruling on whether the information can be withheld under one of the accepted exceptions, or if the communication discloses the requested information, a redacted copy;
- Lodge a written complaint about overcharges for public information with the Cost Rules Administration, Office of the Attorney General. Complaints of other possible violations may be filed with the county or district attorney of the county where the governmental body, other than a state agency, is located. If the complaint is against the county or district attorney, the complaint must be filed with the Office of the Attorney General

### III. **Responsibilities of Governmental Bodies:**

All governmental bodies responding to information requests have the responsibility to:

- Establish **reasonable procedures** for inspecting or copying public information and inform requester(s) of these procedures;
- Treat **all** requests uniformly and shall give to the requester all reasonable comfort and facility, including accommodation in accordance with ADA requirements;



## UNIVERSITY OF ST. THOMAS

- Be informed about open records laws and educate employees on the requirements of those laws;
- Inform requester(s) of the estimated charges greater than \$40 and any changes in the estimates above 20 percent of the original estimate, and **confirm that the requester** accepts the charges, or has amended the request, in writing before finalizing the request;
- Inform the requester(s) if the information cannot be provided promptly and set a **date and time to provide it** within a reasonable time;
- Request a **ruling from the Office of the Attorney General** regarding any information the governmental body wishes to withhold, and send a copy of the request for ruling, or a redacted copy, to the requester(s);
- **Segregate** public information from information that may be withheld and provide that public information **promptly**;
- Make a good faith attempt to **inform third parties** when their proprietary information is being requested from the governmental body;
- Respond in writing to all written communications from the Office of the Attorney General regarding charges for the information. Respond to the Office of the Attorney General regarding complaints about violations of the Act.

#### IV. Procedures to Obtain Information:

1. Submit a request by mail, fax, email, or in person.
2. Include enough description and detail about the information requested to enable the governmental body to accurately identify and locate the information requested.
3. Cooperate with the governmental body's reasonable efforts to clarify the type or amount of information requested.
  - i. **Information to be released**
    - You may review it promptly, and if it cannot be produced within ten (10) working days the public information officer will notify you in writing of the reasonable date and time when it will be available.
    - Keep all appointments to inspect records and to pick up copies. Failure to keep appointments may result in losing the opportunity to inspect the information at the time requested.
  - ii. **Cost of Records**
    - **You must respond to any written estimate of charges within ten (10) days of the date the governmental body sent it or the request is considered automatically withdrawn.**



## UNIVERSITY OF ST. THOMAS

- If estimated cost exceed \$100.00 (or \$50.00 if a governmental body has fewer than 16 full time employees) the governmental body may require a bond, prepayment or deposit.
  - You may ask the governmental body to determine whether providing the information primarily benefits the general public, resulting in a waiver or reduction of charges.
  - Make a timely payment for all mutually agreed charges. A governmental body can demand payment of overdue balances exceeding \$100 before processing additional requests from you.
- iii. Information that may be withheld due to an exception**
- If a governmental body determines the requested information is not subject to a previous determination or a statute that allows the information to be withheld without requesting a ruling, by the 10<sup>th</sup> business day after a governmental body receives your written request, a governmental body must:
    - i. request an Attorney General Letter Decision and state which exceptions apply;
    - ii. notify the requester(s) of the referral to the Attorney General; and
    - iii. notify third parties if the request involves their proprietary information.
  - Failure to request an Attorney General Letter Decision and notify the requester within 10 business days will result in a presumption that the information is open unless there is a compelling reason to withhold it.
  - Requester(s) may send a letter to the Attorney General arguing for release, and may review arguments made by the governmental body. If the arguments disclose the requested information, the requester(s) may obtain a redacted copy.
  - The Attorney General must issue a decision no later than the 45th working day from the day after the attorney general received the request for a decision. The attorney general may request an additional 10 working day extension.
  - Governmental bodies may not ask the Attorney General to "reconsider" an opinion.

**V. Make a Request:**

A request for public information from University of St. Thomas Police Department should be directed to:



UNIVERSITY OF  
ST. THOMAS

<b>Public Information Officer</b>	Chief of Police H.E. Jenkins
<b>Office Hours</b>	Monday-Friday 8:00am-5:00pm
<b>Email</b>	<a href="mailto:police@stthom.edu">police@stthom.edu</a>
<b>Fax</b>	713-942-5966
<b>Mailing Address</b>	University of St. Thomas Police Department ATTN: Chief of Police H.E. Jenkins 3800 Montrose Bl. Houston, TX 77006
<b>In Person</b>	University of St. Thomas Police Department 3807 Graustark Houston, TX 77006 Our office is located on the first floor of Moran Center Parking Garage
<b>For your convenience here is a form to fill out:</b>	Link to Form

**VI. Complaints:**

For complaints regarding failure to release public information, please contact your local County and District Attorney. Please ask and you will be provided with this information:

- You may also contact the Office of Attorney General, Open Government Hotline, at 512-478-6736 or toll-free at 1-877-673-6839
- For complaints regarding overcharges, please contact the Office of the Attorney General, Cost Hotline at 512-475-2497 or toll-free at 1-888-672-6787

If you need special accommodation pursuant to the Americans With Disabilities Act (ADA), please contact our ADA coordinator:

Employees	Associate VP of Human Recourses Randy Graham	<a href="mailto:grahamra@stthom.edu">grahamra@stthom.edu</a>	713-525-3813
Students	Associate VP of Student Affairs and Dean of Students David Hao	<a href="mailto:Haodg@stthom.edu">Haodg@stthom.edu</a>	713-525-3575