



# Kerr County Sheriff's Office

400 Clearwater Paseo, Kerrville TX, 78028

830-896-1216 • (fax) 830-896-7380 • kerrcountysheriffrecords@co.kerr.tx.us



## Texas Public Information Act Information Request Form

For guidance regarding your rights as a requestor and the public information procedures adopted by this governmental body, you may review the governmental body's notice required under Section 552.205 of the Texas Government Code. You can find additional Public Information Act resources on the Office of the Attorney General's website at: <http://www.texasattorneygeneral.gov/open-government>.

### Requestor Contact Information

First Name:

Last Name:

Company/Organization:

Mailing Address:

City:

State:

Zip Code:

Email Address:

Phone Number:

Preferred Manner of Written Communication: Email:

US Mail:

### Description of the Information Requested (Note: Describe the information as precisely as you can.)

**Date Range (optional):** From: \_\_\_\_\_ to: \_\_\_\_\_

Under the Public Information Act, some categories of information do not have to be released. Exceptions to disclosure fall into two general categories: 1) mandatory exceptions that make information confidential and require a governmental body to withhold information, and, 2) discretionary exceptions that allow but do not require a governmental body to withhold information. You may find information about mandatory and discretionary exceptions [HERE](#).

In most instances, a governmental body is required to request a decision from the Attorney General in order to withhold information from a requestor. However, a requestor may permit a governmental body to redact information without requesting an Attorney General decision. You are not required to agree to the redaction of any information responsive to your request, but doing so may streamline the handling of your request. If you agree to redactions in this request, then you may request the redacted information in a future information request.

- Do you agree to the redaction of information that is subject to mandatory exceptions, provided such redactions are clearly labeled on the information you received? Yes:      No:
- Do you agree to the redaction of information that is subject to discretionary exceptions, provided such redactions are clearly labeled on the information you receive? Yes:      No:

### INFORMATION PREFERENCES:

- How would you like to have the information provided? Inspection:      Copies:
  - If available, do you wish to receive an electronic copy of the information? Yes:      No:
- Email Address: \_\_\_\_\_

**Please Note:** If the information requested is unclear or if a large amount of information is requested you may be contacted to discuss clarifying or narrowing your request. There may be charges associated with production of the requested information. You may find more information regarding the charges under the Public Information Act [HERE](#).

# The Public Information Act

Texas Government Code, Chapter 552, gives you the right to access government records; an officer for public information or the officer's agent may not ask why you want them. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies shall promptly release requested information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought.

## Rights of Requestors

*You Have the Right to:*

- Prompt access to information that is not confidential or otherwise protected;
- Receive treatment equal to all other requestors, 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 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 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

## 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 requestors of these procedures;
- Treat all requestors uniformly and shall give to the requestor all reasonable comfort and facility, including accommodation in accordance with ADA requirements;
- Be informed about open records laws and educate employees on the requirements of those laws;
- Inform requestors of estimated charges greater than \$40 and any changes in the estimates above 20 percent of the original estimate, and confirm that the requestor accepts the charges, has amended the request, or has sent a complain of overcharges to the Office of the Attorney General, in writing before finalizing the request;
- Inform the requestor 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 requestor;
- Segregate public information from information that may be withheld and provide that public information promptly;
- Make a good faith effort to inform third parties when their proprietary information is being requested from the governmental body;
- Respond in writing to all written communication 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.

## Procedures to Obtain Information

- **Submit a request by mail, fax, email or in person according to a governmental body's reasonable procedures.**
- **Include enough description and details about the information requested to enable the governmental body to accurately identify and locate the information being requested.**
- **Cooperate with the governmental body's reasonable efforts to clarify the type or amount of information requested.**

### A. Information to be Released:

- You may review it promptly, and if it cannot be produced within 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.

### Cost of Records:

- You must respond to any written estimate of charges within 10 business days of the date the governmental body sent it or the request is considered automatically withdrawn.
- If estimated costs exceed \$100 (or \$50 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, or obtain a security deposit, before processing additional requests from you.

### B. Information that may be withheld due to an exception

By the 10th business day after a governmental body receives your request, a governmental body must:

1. Request an Attorney General opinion and state which exception(s) apply
  2. Notify the requestor of the referral to the Attorney General; and,
  3. Notify third parties if the request involves their proprietary information.
- Failure to request an Attorney General opinion and notify the requestor within 10 business days will result in a presumption that the information is open unless there is a compelling reason to withhold it.
  - Requestors 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 requestor 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.

To request information from the Kerr County Sheriff's Office, please contact: By mail or in person:

**400 Clearwater Paseo  
Kerrville, Texas 78028**

By email: [kerrcountysheriffrecords@co.kerr.tx.us](mailto:kerrcountysheriffrecords@co.kerr.tx.us)

By fax: **830-896-7380**

Complaints regarding failure to release public information should be sent to the county or district attorney. Please ask and you will be provided with this information.

- You may also call the Office of the Attorney General Open Government Hotline at 512-478-6736 or, toll-free, at 1-877-673-6839.
- For complaints regarding overcharges, contact the Office of the Attorney General's Cost Rules Administrator at 512-475-2497.