

Public Information Responses



Objective

Does the City follow open records laws and provide the requested information in a timely and efficient manner?

Background

Texas has one primary open records law, the Texas Public Information Act (TPIA), that gives the public the right to request access to public information.

The City splits the management of public information requests (PIR) by those intended for the Austin Police Department (APD) and all others (referred to by staff as Cityside). Both teams are responsible for coordinating requests and communicating with requestors. Also, other City departments have one or more points of contact (SPOC) that help collect, redact, and release relevant information in response to requests.

To follow the principles outlined in the TPIA, governmental bodies must treat all requestors equally, complete training, provide cost estimates, protect confidential information, and provide non-confidential information to requestors “promptly” (see Exhibit 1 for more detail).

Finding 1: The City does not take proactive measures to improve a requestor’s experience accessing public information.



The City engages with the public in English only



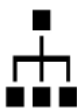
The City does not proactively post topics of interest or frequently requested information online



The City does not engage with the public to help them write clear and detailed requests

Proactive measures could help improve how the City responds as well as the public’s perception about the transparency and accessibility of public information. Federal guidance notes government employees should increase the amount of information they post online.

Finding 2: The City does not follow consistent procedures to respond to public information requests which can result in varying experiences among requestors.



The City does not have a single department in charge of the PIR process, staffing levels are not aligned with the number of requests received, and there are longer wait times for APD information (see Exhibit 1)



The City does not follow consistent search or redaction procedures which can affect what information is found and provided to requestor



While the City’s training meets state requirements, it is not consistent across all departments which can create knowledge gaps about critical aspects of public information

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What We Found, Continued

The City has several opportunities to improve the management, timeliness, and consistency of its PIR process. Indeed, many previous requestors reported believing the City is protective of information and not transparent. Requestors cited the top three areas where the City should focus improvements: timeliness, user experience, and transparency.

Exhibit 1: The City has made efforts to comply with the Texas Public Information Act but could make improvements in several areas

TPIA Requirements:	City Efforts:
Treat all requestors equally	The City splits its process between APD and the Cityside to address PIRs. However, the City does not manage all requests the same.
Complete an open records training (1-2 hours)	The Law PIR Team provides training to Cityside staff and the APD team provides training to APD staff. However, department SPOCs reported the need for more training.
Inform requestors of cost estimates and charges and charge requestors in line with TPIA guidance	We selected a random sample of 40 PIRs to test for compliance. Staff provided a cost estimate for all the tested PIRs and all but one estimate was fully accurate.
Provide all non-confidential information to, and protect all confidential information from, public requestors	Department SPOCs work to find and release information, but not all search and redaction procedures are the same. APD does not have tools needed to redact some call information and has released protected information.
Provide relevant information to requestors “promptly”	The City appears to release information for about 75% of requests within a month. The remaining 25% of requests take, on average, 88 days for Cityside requests and 460 days for APD requests.

Source: OCA analysis of the City’s compliance with Texas Public Information Act requirements, May 2023

What We Recommend

The City Manager should:

- Centralize management of all City PIRs to improve the consistency of the City’s approach
- Ensure the City devotes adequate resources, including staff and tools, to fulfill PIRs promptly and in accordance with applicable laws

The group managing PIRs should address internal and external issues to improve the PIR process, including:

- Creating a standard operating procedure (SOP) for PIRs
- Providing training as needed
- Ensuring there is clear and consistent communication about the PIR process
- Resolving the APD PIR backlog
- Increasing engagement with the public
- Finding ways to better use the City’s PIR system to highlight frequent questions or topics of interest
- Providing information about the public information process in languages other than English