

April 4, 2023

Texas Department of Public Safety
Office of General Counsel - Open Records
Box 4087
Austin, TX 78773-0140

[SENT VIA ELECTRONIC MAIL TO OGC.Webmaster@dps.texas.gov.](mailto:OGC.Webmaster@dps.texas.gov)

Re: Texas Public Information Act Request

Dear Public Information Officer:

On March 27, 2023, Governor Greg Abbott announced in a press release that the Texas Department of Public Safety (DPS) will “support APD by providing a data-driven violent crime suppression task force composed of troopers, special agents, and intelligence-level policing.”¹ We write to seek information related to this “support.”

The ACLU of Texas (ACLU-TX) and the Austin Justice Coalition (AJC) submit this Public Information Act requesting the following information² generated or maintained by the Department of Public Safety and its employees and agents between January 1, 2023 and the present:

1. Any and all emails, text messages, or other communications regarding Austin Police Department between DPS and any of the following: the Office of the Governor (including Greg Abbott), the Austin Police Department (including Chief Joseph Chacon), the Office of the Lieutenant Governor (including Dan Patrick) the Office of the Mayor of Austin (including Kirk Watson), the Office of the Austin City Manager.
2. Any records or communication (including but not limited to emails, text messages, and chat logs) related or referring directly or indirectly to:

¹ Press Release, Office of the Texas Governor, Governor Abbott Directs DPS to Assist Austin Police Department (March 27, 20223)
[https://gov.texas.gov/news/post/governor-abbott-directs-dps-to-assist-austin-police-department.](https://gov.texas.gov/news/post/governor-abbott-directs-dps-to-assist-austin-police-department)

² The term “information” as used in this request includes all records or communications in written or electronic form, including but not limited to correspondence, circulars, directives, documents, data, videotapes, audio tapes, photographs, emails, faxes, telephone messages, logs, files, guidance, guidelines, evaluations, instructions, analyses, memoranda, agreements, notes, drawings, orders, policies, procedures, protocols, maps, reports, rules, training manuals, other manuals, or studies.

- a. agreements, MOUs, or other terms or contracts proposed, considered, or agreed to between the City of Austin or the Austin Police Department and the Department of Public Safety (DPS) or the Office of the Governor;
- b. the number of DPS troopers that may, could be, or will be deployed in Austin in 2023;
- c. any agreement between the City of Austin or its staff and the Department of Public Safety considered or executed in 2022 or 2023;
- d. the actual or projected locations or sectors for DPS trooper deployment in Austin;
- e. the length of time DPS troopers will be deployed;
- f. the scope of DPS troopers' responsibilities during the "partnership" between DPS and APD;
- g. Any rules DPS troopers will be asked, required, or expected to follow while deployed under this "partnership," including but not limited to policies relating to:
 - i. body-worn cameras
 - ii. citation release in lieu of arrest
 - iii. consent search policy
 - iv. use of force
 - v. motor vehicle chases
- h. Austin Police Department trainings or meetings DPS troopers will be asked, required, or expected to participate in
- i. state expenditures on this "support"
- j. task forces operating in the City of Austin.

In the interest of open government, please be mindful of your duty to make a good-faith effort to relate these requests to any information that you hold. The Texas Public Information Act mandates that if you are unable to produce the requested information within 10 business days of this request, you certify that fact in writing and set a date within a reasonable time when the information will be available. Should you elect to withhold any information, please justify your decision by referencing specific exemptions under the Act. Under the provisions of the Texas Public Information Act, we reserve the right to appeal should you determine to withhold any information sought in this request.

This request is made for public and non-commercial purposes by the American Civil Liberties Union of Texas and the Austin Justice Coalition.³ Because we request this information for the benefit of the general public, please waive the fees for this request pursuant to Tex. Gov't

³ The ACLU of Texas, a 501(c)(3) organization, is dedicated to protecting and defending the individual rights and liberties guaranteed by the Constitution and laws. The ACLU of Texas monitors government conduct, provides free legal representation in civil rights and civil liberties cases, educates the public about their rights and liberties and abuses of power, and provides analyses to the public of government activities and their civil rights implications. Austin Justice Coalition is also a 501(c)(3) organization.

Code § 552.267. To the extent possible, we request that this information be provided electronically to skumar@aclutx.org and charris@austinjustice.org. Please do not hesitate to contact us by email if you need any clarification or have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,

/s/

Savannah Kumar
Attorney
ACLU of Texas
P.O. Box 8306
Houston, TX 77288

Chris Harris
Policy Director
Austin Justice Coalition