

**PRACTICALLY SPEAKING –
PUBLIC INFORMATION ACT
2014 OLSON & OLSON SEMINAR
By Donna L. Johnson**

The Public Information Act is codified in § 552 of the Texas Government Code. In 2013, the Texas legislature made several amendments to the Act that impact its administration.

§ 552.1175

Section 552.1175 was amended by two different bills in this legislative session. Section 552.1175 applies to peace officers, county jailers, security officers, etc. who are not employed by the governmental body to whom the request is addressed. This statute excepts from public disclosure a home address, home telephone number, emergency contact information, social security number, family member information and now, dates of birth. Section 552.117 applies to personnel information a governmental body holds in its capacity as an employer. Section 552.1175 applies to persons listed in the statute whose records are maintained by any governmental body in any capacity. Please note, therefore, that if the governmental body withholds a birthdate for a current officer or employee, it must seek a ruling from the AG using § 552.102 because § 552.117 does not include an exception for dates of birth.

§ 552.1085 Confidentiality of Sensitive Crime Scene Images

This is a new exception relating to the confidentiality of certain crime scene photographs and video recordings. The statute provides as follows:

(a) In this section:

(1) “Deceased person's next of kin” means:

(A) the surviving spouse of the deceased person;

(B) if there is no surviving spouse of the deceased, an adult child of the deceased person; or

(C) if there is no surviving spouse or adult child of the deceased, a parent of the deceased person.

(2) “Defendant” means a person being prosecuted for the death of the

deceased person or a person convicted of an offense in relation to that death and appealing that conviction.

(3) "Expressive work" means:

(A) a fictional or nonfictional entertainment, dramatic, literary, or musical work that is a play, book, article, musical composition, audiovisual work, radio or television program, work of art, or work of political, educational, or newsworthy value;

(B) a work the primary function of which is the delivery of news, information, current events, or other matters of public interest or concern; or

(C) an advertisement or commercial announcement of a work described by Paragraph (A) or (B).

(4) "Local governmental entity" means a county, municipality, school district, charter school, junior college district, or other political subdivision of this state.

(5) "Public or private institution of higher education" means:

(A) an institution of higher education, as defined by Section 61.003, Education Code; or

(B) a private or independent institution of higher education, as defined by Section 61.003, Education Code.

(6) "Sensitive crime scene image" means a photograph or video recording taken at a crime scene, contained in or part of a closed criminal case, that depicts a deceased person in a state of dismemberment, decapitation, or similar mutilation or that depicts the deceased person's genitalia.

(7) "State agency" means a department, commission, board, office, or other agency that is a part of state government and that is created by the constitution or a statute of this state. The term includes an institution of higher education as defined by Section 61.003, Education Code.

- (b) For purposes of this section, an Internet website, the primary function of which is not the delivery of news, information, current events, or other matters of public interest or concern, is not an expressive work.
- (c) A sensitive crime scene image in the custody of a governmental body is confidential and excepted from the requirements of Section 552.021 and a governmental body may not permit a person to view or copy the image except as provided by this section. This section applies to any sensitive crime scene image regardless of the date that the image was taken or recorded.
- (d) Notwithstanding Subsection (c) and subject to Subsection (e), the following persons may view or copy information that constitutes a sensitive crime scene image from a governmental body:
- (1) the deceased person's next of kin;
 - (2) a person authorized in writing by the deceased person's next of kin;
 - (3) a defendant or the defendant's attorney;
 - (4) a person who establishes to the governmental body an interest in a sensitive crime scene image that is based on, connected with, or in support of the creation, in any medium, of an expressive work;

- (5) a person performing bona fide research sponsored by a public or private institution of higher education with approval of a supervisor of the research or a supervising faculty member;
 - (6) a state agency;
 - (7) an agency of the federal government; or
 - (8) a local governmental entity.
- (e) This section does not prohibit a governmental body from asserting an exception to disclosure of a sensitive crime scene image to a person identified in Subsection (d) on the grounds that the image is excepted from the requirements of Section 552.021 under another provision of this chapter or another law.
- (f) Not later than the 10th business day after the date a governmental body receives a request for a sensitive crime scene image from a person described by Subsection (d)(4) or (5), the governmental body shall notify the deceased person's next of kin of the request in writing. The notice must be sent to the next of kin's last known address.
- (g) A governmental body that receives a request for information that constitutes a sensitive crime scene image shall allow a person described in Subsection (d) to view or copy the image not later than the 10th business day after the date the governmental body receives the request unless the governmental body files a request for an attorney general decision under Subchapter G regarding whether an exception to public disclosure applies to the information.

Tex. Gov't Code § 552.1085. This exception to disclosure went into effect on September 1, 2013. If sensitive crime scene photographs or recordings are requested from an individual who is not authorized under subsection (d) to receive or view copies, the request must be submitted to the Attorney General for an opinion. If an opinion request is sent to the Attorney General, the governmental body must notify the deceased person's next of kin. An example of such a notice letter is attached to this paper. The statute specifies the notice letter must be sent not later than the 10th business day. Therefore, if the governmental body sends a submission to the Attorney General under § 552.301(e) not later than the 15th business day, the next of kin notice letter should still be sent not later than the 10th business day after receipt of the request. Currently, the 10th business day deadline is not expanded for § 552.1085 notification in the same manner as § 552.301(e).

§ 552.130 (Motor Vehicle Records).

Section 552.130 of the PIA is a mandatory exception that applies to motor vehicle records; however, the section does not apply to motor vehicle information contained in a CR-3 accident report form. Access to a CR-3 accident report form is governed specifically by the § 550.065 of the Transportation Code. Section 552.130 states:

- (a) Information is excepted from the requirements of Section 552.021 if the information relates to:
 - (1) a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country;
 - (2) a motor vehicle title or registration issued by an agency of this state or another state or country; or
 - (3) a personal identification document issued by an agency of this state or another state or country or a local agency authorized to issue an identification document.
- (b) Information described by subsection (a) may be released only if, and in the manner, authorized by Chapter 730, Transportation Code.
- (c) Subject to Chapter 730, Transportation Code, a governmental body may redact information described by Subsection (a) from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general under Subchapter G.
- (d) If, under Subsection (c), a governmental body redacts or withholds information without requesting a decision from the attorney general about whether the information may be redacted or withheld, the requestor is entitled to seek a decision from the attorney general about the matter. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to decide the matter and briefs from the requestor, the governmental body, and any other interested person. The attorney general shall promptly render a decision requested under this subsection, determining whether the redacted or withheld information was excepted from required disclosure to the requestor, not later than the 45th business day after the date the attorney general received the request for a decision under this subsection. The attorney general shall issue a written decision on the matter and provide a copy of the decision to the requestor, the governmental body, and any interested person who submitted necessary information or a brief to the attorney general about the matter. The requestor or the governmental body may appeal a decision of the attorney general under this subsection to a Travis County district court.
- (e) A governmental body that redacts or withholds information under Subsection (c) shall provide the following information to the requestor on a form prescribed by the attorney general:
 - (1) a description of the redacted or withheld information;

- (2) a citation to this section; and
- (3) instructions regarding how the requestor may seek a decision from the attorney general regarding whether the redacted or withheld information is excepted from required disclosure.

Tex. Gov't Code § 552.130. The legislative changes to the statute permit the records keeper to redact and withhold motor vehicle information without first requesting an opinion from the Attorney General's office. Section 552.130 amendments permitting a governmental body to withhold motor vehicle information without first requesting an opinion supercede Open Records Decision No. 684. For convenience, the following table shows how motor vehicle information should be handled:

Type of Motor Vehicle Information	Redact without AG Opinion?	Authority to redact
All driver's license numbers, class, restrictions, and expiration date	Yes	552.130(a)(1)
Texas license plate numbers	Yes	552.130(a)(2)
License plates from other states	Yes	552.130(a)(2)
All vehicle identification numbers	Yes	552.130(a)(2)
All personal identification documents	Yes	552.130(a)(3)

If the recordskeeper redacts information under this section of the Act without submitting it to the attorney general first, the governmental body must send a notice letter to the requestor with the redacted documents. Notice letters must be sent to the requestor with the redacted records when a governmental entity withholds information subject to §§ 552.024, 552.130, 552.136, 552.138 and 552.1175. **(Updated sample notice letters from the Attorney General's office pertaining to §§ 552.024, 552.130, 552.136, 552.138 and 552.1175 are attached to this paper.)**

Because of the noticed increase in requests for officers' files, this practical presentation provides a baseline to go by when faced with these requests.

Officer Suzy Lou Smith's personnel file has been requested:

The personnel file of Officer Smith should be compiled from the PD and HR, if those files are kept separately. In the packet attached, the first page of Officer's Smith's employment application contains multiple exceptions. On the first page of the Employment Application -- her social security number is excepted from public disclosure under § 552.147 and may be redacted without requesting an AG opinion. Her home address and home telephone number are excepted from public disclosure under § 552.117 and may be redacted without requesting an AG opinion pursuant to Open Records Decision No. 670 (2001). Officer Smith's private email address is excepted from public disclosure under § 552.137 and may be redacted without requesting an AG opinion. Pages 2 and 3 are public and contain no information to redact.

Page 4 of the Employment Application contains Officer Smith's employment history. Her employment information with the Johnsonville Police Dept. is subject to public disclosure, including salary. Most of the employment information in the private sector with Smith Tools is subject to public disclosure; however, § 552.101 makes certain information confidential. For example, the Attorney General has found that personal financial information not relating to a financial transaction between an individual and a governmental body is generally protected by common-law privacy. This personal financial information regarding her final salary in the private sector is confidential under § 552.101. A letter should be sent to the AG within ten business days of receipt of the request seeking an opinion from the AG to withhold this information. Additionally, Officer Smith's reason for leaving "Got Married" indicates that she has family members and is excepted from public disclosure under § 552.117. This statement

may be redacted without requesting an AG opinion pursuant to Open Records Decision No. 670 (2001).

Page 5 contains General Information that is subject to public disclosure, except for Officer Smith's driver's license number and relative. The driver's license number is excepted from public disclosure under § 552.130 and may be redacted without requesting an AG opinion. A notice letter must be sent to the requestor with the redacted documents. The fact that Officer Smith has a relative currently employed by the city and the nature of the relationship are both excepted from public disclosure under § 552.117. This information may be redacted without requesting an AG opinion pursuant to Open Records Decision No. 670 (2001).

Also on page 5 are some of Officer Smith's Personal References. She has listed three references who are peace officers. The addresses and phone numbers she has listed are their home addresses and telephone numbers. Capt. Doe's and Det. Wise's addresses and phone numbers are excepted from public disclosure under § 552.117 because the information is held in an employment capacity by the city and the information may be redacted without requesting an AG opinion pursuant to Open Records Decision No. 670 (2001).

She has also listed as a personal reference Retired Detective Chris P. Bacon. Section 552.1175 applies to peace officers, county jailers, security officers, etc. who are not employed by the governmental body to whom the request is addressed. This statute excepts from public disclosure a home address, home telephone number, emergency contact information, social security number, family member information and now, dates of birth. Section 552.1175 applies to persons listed in the statute (*i.e.* peace officers, etc.) whose records are maintained by any governmental body in any capacity. In this instance, Det. Bacon has maintained his peace officer certification, but is retired from his employment with the city. As such, his home address and

telephone number are excepted from public disclosure under § 552.1175 and may be redacted without requesting an AG opinion. A notice letter must be sent to the requestor with the redacted documents.

Pages 6, 7 and 8 contain no confidential information and must be released pursuant to the Act. Page 9 is an Application for Copy of Driving Record. Officer's Smith's driver's license number and issuing state are excepted from public disclosure under § 552.130 and may be redacted without requesting an AG opinion. A notice letter must be sent to the requestor with the redacted documents. Her social security number may be redacted without requesting an AG opinion pursuant to § 552.147. Officer Smith's date of birth is excepted from public disclosure under § 552.102. A letter should be sent to the AG within ten business days of receipt of the request seeking an opinion from the AG to withhold this information.

Page 10 contains no confidential information and must be released pursuant to the Act. Page 11 contains Officer Smith's personal financial information. As stated earlier, the Attorney General has found that personal financial information not relating to a financial transaction between an individual and a governmental body is generally protected by common-law privacy. This personal financial information regarding her personal bank is confidential under § 552.101. A letter should be sent to the AG within ten business days of receipt of the request seeking an opinion from the AG to withhold this information. The account number, savings account number and loan number are excepted from public disclosure under § 552.136 and may be redacted without requesting an AG opinion. A notice letter must be sent to the requestor with the redacted document.

Page 12 contains a picture of Officer Smith's social security card. As stated earlier, Officer Smith's social security number is excepted from public disclosure under § 552.147 and may be redacted without requesting an AG opinion.

Pages 13 and 14 give more examples of common exceptions to disclosure applicable to documents in an employee's personnel file.

The exceptions discussed above are not exhaustive by any means, but may provide enough information to tackle the next public information request.

§ 552.024 Public Access Option Form

**TEXAS GOVERNMENT CODE SECTION 552.024
PUBLIC ACCESS OPTION FORM**

[Note: This form should be completed and signed by the employee no later than the 14th day after the date the employee begins employment, the public official is elected or appointed, or a former employee or official ends employment or service.]

(Name)

The Public Information Act allows employees, public officials and former employees and officials to elect whether to keep certain information about them confidential. Unless you choose to keep it confidential, the following information about you may be subject to public release if requested under the Texas Public Information Act. Therefore, please indicate whether you wish to allow public release of the following information.

	PUBLIC ACCESS?	
	NO	YES
Home Address		
Home Telephone Number		
Social Security Number		
Emergency Contact Information		
Information that reveals whether you have family members		

(Signature)

(Date)

SAMPLE 552.024 NOTICE LETTER:

Date

Requestor name

Requestor address 1

Requestor address 2

Requestor city, state zip

Dear M:

We have received your public information request for [], dated [].

The information you requested contains the home address, home telephone number, emergency contact information, social security number, and/or family member information of a public employee or official. As allowed by section 552.024 of the Texas Government Code, this public employee or official has chosen to make this personal information confidential. Our office is prohibited by law from releasing this personal information to you, and therefore we have removed this information from the enclosed information we are providing to you.

Normally, we must request a ruling from the Texas Attorney General before we can withhold any of the information you requested. However, section 552.024 allows us to withhold this specific information without requesting a ruling from the attorney general.

You have the right to appeal our decision to withhold this information from you. Instructions for appeal are at the end of this letter. If you do not want to appeal, you do not need to do anything else. Please note that we are only withholding the specific categories of information that are confidential under section 552.024. We will process the rest of your request for information in accordance with the terms of the Public Information Act.

Sincerely,

GB name

GB address 1

GB address 2

GB city, state zip

GB phone/fax/email

How to appeal the withholding of information under Gov't Code section 552.024

If you wish to appeal the withholding of information discussed on the previous page, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail to the attorney general at:

Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.

SAMPLE 552.1085 NOTICE LETTER:

Date

Next of kin name

Next of kin address 1

Next of kin address 2

Next of kin city, state zip

Dear Next of kin:

The City of _____ received a public information request for documents concerning a specific incident surrounding the death of your {brother, father, mother, sister, etc.}. The Public Information Act provides that “sensitive crime scene images” may be withheld from public disclosure under § 552.1085. Additionally, section 552.1085(f) requires a governmental body who receives a request for sensitive crime scene images to notify a deceased person’s next of kin of the request in writing. I have enclosed a copy of the City’s request to the attorney general for a decision regarding whether an exception to public disclosure applies to the information. The attorney general will promptly render a decision determining whether the information is confidential.

Sincerely,

GB name

GB address 1

GB address 2

GB city, state zip

GB phone/fax/email

SAMPLE 552.130 NOTICE LETTER:

Date

Requestor name

Requestor address 1

Requestor address 2

Requestor city, state zip

Dear M:

We have received your public information request for [], dated [].

The information you requested contains information that relates to:

- a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country; or
- a motor vehicle title or registration issued by an agency of this state or another state or country; or
- a personal identification document issued by an agency of this state or another state or country or a local agency authorized to issue an identification document.

This information is confidential under section 552.130 of the Texas Government Code. Our office is prohibited by law from releasing this information to you, and therefore we have removed this information from the enclosed information we are providing to you.

Normally, we must request a ruling from the Texas Attorney General before we can withhold any of the information you requested. However, section 552.130 allows us to withhold this specific information without requesting a ruling from the attorney general.

You have the right to appeal our decision to withhold this information from you. Instructions for appeal are at the end of this letter. If you do not want to appeal, you do not need to do anything else. Please note that we are only withholding the specific categories of information that are confidential under section 552.130. We will process the rest of your request for information in accordance with the terms of the Public Information Act.

Sincerely,

GB name

GB address 1

GB address 2

GB city, state zip

GB phone/fax/email

How to appeal the withholding of information under Gov't Code section 552.130

If you wish to appeal the withholding of information discussed on the previous page, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail to the attorney general at:

Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.

SAMPLE 552.136 NOTICE LETTER:

Date

Requestor name

Requestor address 1

Requestor address 2

Requestor city, state zip

Dear M:

We have received your public information request for [], dated [].

The information you requested contains a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body. This information is confidential under section 552.136 of the Texas Government Code. Our office is prohibited by law from releasing this information to you, and therefore we have removed this information from the enclosed information we are providing to you.

Normally, we must request a ruling from the Texas Attorney General before we can withhold any of the information you requested. However, section 552.136 allows us to withhold this specific information without requesting a ruling from the attorney general.

You have the right to appeal our decision to withhold this information from you. Instructions for appeal are at the end of this letter. If you do not want to appeal, you do not need to do anything else. Please note that we are only withholding the specific categories of information that are confidential under section 552.136. We will process the rest of your request for information in accordance with the terms of the Public Information Act.

Sincerely,

GB name

GB address 1

GB address 2

GB city, state zip

GB phone/fax/email

How to appeal the withholding of information under Gov't Code section 552.136

If you wish to appeal the withholding of information discussed on the previous page, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail to the attorney general at:

Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.

SAMPLE 552.138 NOTICE LETTER:

Date

Requestor name

Requestor address 1

Requestor address 2

Requestor city, state zip

Dear M:

We have received your public information request for [], dated [].

The information you requested contains information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program that relates to:

- the home address, home telephone number, and/or social security number of an employee or a volunteer worker of the center or program; or
- the home address or home telephone number of a member of the board of trustees of the center or program.

This personal information is confidential under section 552.138 of the Texas Government Code. Our office is prohibited by law from releasing this personal information to you, and therefore we have removed this information from the enclosed information we are providing to you.

Normally, we must request a ruling from the Texas Attorney General before we can withhold any of the information you requested. However, section 552.138 allows us to withhold this specific information without requesting a ruling from the attorney general.

You have the right to appeal our decision to withhold this information from you. Instructions for appeal are at the end of this letter. If you do not want to appeal, you do not need to do anything else. Please note that we are only withholding the specific categories of information that are confidential under section 552.138. We will process the rest of your request for information in accordance with the terms of the Public Information Act.

Sincerely,

GB name

GB address 1

GB address 2

GB city, state zip

GB phone/fax/email

How to appeal the withholding of information under Gov't Code section 552.138

If you wish to appeal the withholding of information discussed on the previous page, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail to the attorney general at:

Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.

SAMPLE 552.1175 NOTICE LETTER:

Date

Requestor name

Requestor address 1

Requestor address 2

Requestor city, state zip

Dear M:

We have received your public information request for [], dated [].

The information you requested contains personal information that relates to:

- a peace officer;
- a county jailer;
- a current or former employee of the Texas Department of Criminal Justice;
- a commissioned security officer;
- an employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;
- an officer or employee of a community supervision and corrections department;
- a criminal investigator of the United States;
- a police officer or inspector of the United States Federal Protective Service;
- a current or former employee of the office of the attorney general who is or was assigned to a division with law enforcement duties; or
- a federal or state judge.

The requested information includes this public employee's home address, home telephone number, emergency contact information, date of birth, social security number, and/or family member information. As allowed by section 552.1175 of the Texas Government Code, this public employee has chosen to make this personal information confidential. Our office is prohibited by law from releasing this personal information to you, and therefore we have removed this information from the enclosed information we are providing to you.

Normally, we must request a ruling from the Texas Attorney General before we can withhold any of the information you requested. However, section 552.1175 allows us to withhold this specific information without requesting a ruling from the attorney general.

You have the right to appeal our decision to withhold this information from you. Instructions for appeal are at the end of this letter. If you do not want to appeal, you do not need to do anything else. Please note that we are only withholding the specific categories of information that are confidential under section 552.1175. We will process the rest of your request for information in accordance with the terms of the Public Information Act.

Sincerely,

GB name

GB address 1

GB address 2

GB city, state zip

GB phone/fax/email

How to appeal the withholding of information under Gov't Code section 552.1175

If you wish to appeal the withholding of information discussed on the previous pages, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail to the attorney general at:

Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.

COMMONLY-USED EXCEPTIONS:

	Exception/ Authority	Send to AG	Withhold w/o sending to AG	Notice Letter Required
CONFIDENTIAL INFORMATION, for example: sexual assault records; juvenile offenses; personal financial information; criminal history	552.101	X		
DIRECT DEPOSIT AUTHORIZATION FORM	Ord 684		X	
FORM I-9 and attachments	Ord 684		X	
FORMS: W-2 and W-4	Ord 684		X	
CERTIFIED AGENDA AND TAPE OF A CLOSED MEETING	Ord 684		X	
FINGERPRINT	Ord 684		X	
L-2 and L-3 DECLARATIONS	Ord 684		X	
BIRTH DATES	552.102 or 552.1175	If 552.102, send to AG	If 552.1175, may withhold without sending to AG	If 552.1175, notice letter required

	Exception/ Authority	Send to AG	Withhold w/o sending to AG	Notice Letter Required
PENDING LITIGATION	552.103	X		
Information related to COMPETITION or BIDDING	552.104	X		
Information related to LOCATION or PRICE OF PROPERTY	552.105	X		
Certain LEGISLATIVE DOCUMENTS	552.106	X		
Certain Legal Matters: ATTORNEY-CLIENT COMMUNICATIONS and WORK PRODUCT	552.107	X		
POLICE RECORDS: ongoing investigation or closed investigation that didn't result in conviction; certain department policies and records	552.108	X		
SENSITIVE CRIME SCENE IMAGES	552.1085	X		Notify Next of Kin
Certain PRIVATE COMMUNICATIONS OF AN ELECTED OFFICIAL	552.109	X		
TRADE SECRETS and certain COMMERCIAL or FINANCIAL INFORMATION	552.110	X		
AGENCY MEMORANDA: work product and drafts; deliberative process	552.111	X		

	Exception/ Authority	Send to AG	Withhold w/o sending to AG	Notice Letter Required
REGULATION OF CERTAIN FINANCIAL INSTITUTIONS OR SECURITIES	552.112	X		
GEOLOGICAL or GEOPHYSICAL INFORMATION	552.113	X		
STUDENT RECORDS	552.114	X		
PUBLIC OFFICIAL and EMPLOYEE INFORMATION: home address, home telephone number, emergency contact information, personal family information	552.117/ 552.024		X	X
INFORMATION OF PEACE OFFICERS NOT EMPLOYED BY THE CITY	552.1175		X	x
TEST ITEMS	552.122	X		
NEIGHBORHOOD CRIME WATCH PERSONAL INFO.	552.127	X		
INFORMATION SUBMITTED BY POTENTIAL VENDOR OR CONTRACTOR	552.128	X		
MOTOR VEHICLE INSPECTION INFORMATION	552.129	X		
MOTOR VEHICLE RECORDS: license plate; driver's license; VIN numbers	552.130		X	X
ECONOMIC DEVELOPMENT INFORMATION	552.131	X		

	Exception/ Authority	Send to AG	Withhold w/o sending to AG	Notice Letter Required
ACCESS DEVICE NUMBERS: credit card; debit card; account and policy numbers	552.136		X	X
EMAIL ADDRESSES – non-government	552.137		X	
FORM DD-214 or OTHER MILITARY DISCHARGE RECORD (post 9/1/2003)	552.140/ Ord 684		X	
SOCIAL SECURITY NUMBERS	552.147		X	
PUBLIC EMPLOYEE or OFFICER PERSONAL SAFETY INFORMATION	552.152	X		
PROPRIETARY RECORDS and TRADE SECRETS IN CERTAIN PARTNERSHIPS	552.153	X		

OLSONVILLE



Employment Application

We are an equal opportunity employer. Discrimination against or preference for any person in recruitment, hiring, discharge, pay, fringe benefits, membership, training, examination, appointment, promotion, retention, discipline or any other aspect of employment because of race, color, sex, age, religion, national origin, marital status, physical disability or non-merit factor is prohibited.

You may attach a resume, but you must complete all questions and items on this application. Please print or type.

Referral Source

How did you learn about this employment opportunity?

- Advertisement;
 Friend/Relative;
 Walk-in;
 Employment Agency;
- Referred by current employee (If so, provide name of employee) _____
- Other _____

Personal Information

Position			Social Security Number
Smith	Suzy	Lou	[111-11-1111] 552.147
Last Name	First Name	Middle Name	Home Phone
[123 Oak Lane]			552.117(a)(a) [555-123-4567]
Address			Alternate Phone
[Olsonville]	TX	[12345]	—
City	State	ZIP Code	E-Mail
			[suzylou@gmail.com] 552.137

Do you have the legal right to reside and work in the United States?
Proof of citizenship or immigration status will be required upon employment

Yes No

Have you ever been dismissed and/or allowed to resign in lieu of discharge?

Yes No

Have you ever been convicted of a violation or any criminal stature whether felony or misdemeanor (excluding parking violations)?

Yes No

Are you able to meet the schedule and attendance requirements of the position?

Yes No

Are you available to work? Full-time Part-time Shift work Temporary



Applicant Data Record

Applications are considered for all positions and employees are treated during employment without regard to race, color, creed, gender, national origin, age, disability, marital or veteran status, or any other legally protected status.

Government agencies require periodic reports on the sex, ethnicity, physically challenged and veterans status of applicants. As an employer, we comply with state and federal government regulations and affirmative action responsibilities.

Solely to assist us in complying with state and federal record keeping, reporting, and other legal requirements, please complete this form.

Upon receipt, this form will be separated from your employment application and will be kept confidential. Information provided in this form will not be used for any subsequent hiring decision. Your cooperation in providing this information is voluntary. Inclusion or exclusion of any data on this page will no affect any employment decision.

Please Print

Position Applied for Dispatcher

Name Suzy Lou Smith Date 1/7/14

Affirmative Action Survey

Please check appropriate box:

Gender: Male Female

Race/Ethnicity: American Indian Black White Hispanic
 Asian American Other

Veteran: Yes Active Duty Reserve/Guard No
Date of discharge _____

Disabled: Yes No

For purposes of racial statistical tabulation, the following categories are used: **American Indian** — includes persons who identify themselves or are known as such by virtue of tribal association; **Black** — includes persons of African descent as well as those identified as Jamaican, Trinidadian, and West Indian; **White** — includes persons of Indo-European descent, including Pakistani and East Indians; **Asian American** — includes persons of Japanese, Chinese, Korean, or Filipino descent; **Hispanic** — includes persons of Mexican, Puerto Rican, Cuban, Latin American or Spanish descent; **Other** — includes Eskimos, Malaysians, Thais, Vietnamese and others not covered above.

Education				
	Name and Address of School	Course of Study	Years/Hours Completed	Diploma/Degree
High School	Shermer High School Olsonville, TX	General	4	✓
College	Oklahoma State University Stillwater, OK	General	1	
Graduate/Professional	—			
Other	—			

Training/Job Skills/Certifications and Other Qualifications

List any training programs or courses you have completed (including military training) and experience or skills which you believe qualify you for this position:

Reserve training

List any certifications you currently possess:

Please check those job skills that you bring to this position:

- Word Processing
 Spreadsheet
 Page Processing
 Database Management
 Calculator
 Key Station Terminal (CRT)
 Typewriter
 Construction Tools
 Tractors/Mowers
 Dump Trucks
 Backhoes/Frontloaders
 Bulldozers
 Other _____

Indicate foreign languages you can speak, read, and/or write:

- _____ Fluent Good Fair
_____ Fluent Good Fair

Employment History

Provide your employment history covering the past 10 years beginning with your present or most recent employer. If more space is needed, attach a separate sheet.

Name of Employer Johnsonville Police Dept.		Supervisor's Name and Title Chief Olson
Employer's Address/City/State 1234 First St., Johnsonville		Employer's Telephone Number (999)678-9012
Your Title Admin. Asst.	Final Salary 20,000.00	Dates of Employment (month/year) 1/1/13 - present

Briefly Describe the Nature and Duties of Your Position

Typing, filing, scheduling training

Reason for Leaving **Better pay**

Name of Employer Smith Tools		Supervisor's Name and Title Bob Jones
Employer's Address/City/State 12 Second Street, Olsonville, TX		Employer's Telephone Number 555-987-6543
Your Title Clerk	Final Salary 10,000.00	Dates of Employment (month/year) 2/10 - 12/12

Briefly Describe the Nature and Duties of Your Position **552.101**

Clerk stuff

Reason for Leaving **[Got Married] 552.117(a)(2)**

Name of Employer		Supervisor's Name and Title
Employer's Address/City/State		Employer's Telephone Number
Your Title	Final Salary	Dates of Employment (month/year)

Briefly Describe the Nature and Duties of Your Position

Reason for Leaving

General Information

Has a copy of the job description been provided to you for review? Yes No

Have you read the job description and do you understand the essential functions of the job? Yes No

Are you capable of performing in a reasonable manner, with or without a reasonable accommodation, the activities involved in the job for which you have applied as outlined in the job description? Yes No

Do you have any questions concerning the requirements of the job? Yes No
If yes, have these questions been discussed with a representative of the City? Yes No

If the position requires a driver's license, do you currently have a valid Texas Driver's License? Yes No
If yes, provide number and class of license 00012345 552.130

Do you have a relative currently employed by the City? Yes No
If yes, what is the nature of the relationship? Brother Jim 552.117(a)(2)

Personal References

List three persons not related to you by blood or marriage who have not been listed in the Employment History section that can provide personal or professional references.

- | Name and address | Daytime Telephone |
|---|-------------------|
| 1. Capt. John Doe, 143 Homestead, Olsonville, TX | 555-743-1122 |
| 2. Det. Alice Wise, 721 Myhome Ave., Olsonville, TX | 555-444-4444 |
| 3. Chris P. Bacon, Ret'd. Det., 111 Easy Street, Johnsonville, TX | 999-573-1111 |

Acknowledgement

Read carefully before signing. By my signature below, I certify, authorize or acknowledge:

- That I have read and understand this application form, the job description, eligibility requirements, and that the information provided is true and complete to the best of my knowledge. In the event of employment, I understand that false or misleading information provided in my application or interview(s) may result in my separation or not being hired. I further understand that the City is a Drug Free Workplace and I will submit to a pre-employment substance abuse screen and any other applicable job related testing or screening that is required as a condition of employment.
- That all my current and former employers may furnish the City all documents and information relating to my current and former employment or reasons for leaving employment, past or present, and I release my current and former employers and all their officers, agents, and representatives from all claims, liability and causes of action I may have now or in the future relating to in anyway to the furnishing of such documents or information.
- That this application is property of the City and will not be returned to me and that I am required to abide by all rules, regulations, policies, and procedures of the City and that this application for employment is not to be construed as an employment agreement or contract.
- That if reasonable accommodation is required due to a disability, I must inform the Personnel Specialist and I will also state, to the best of my knowledge, specific accommodation(s) I will require.

Sunny L Smith
Applicant Signature

1/7/14
Date

CITY OF OLSONVILLE
AT-WILL EMPLOYMENT
APPLICANT NOTIFICATION

Employment at the City _____ is at-will for an indefinite period of time, until terminated by either the City or the employee, with or without cause. That means either party may end the relationship.

No written or oral representation by the City _____ personnel, will create a contract of employment. No employment practice of the City is intended to create a contract of employment. No changes in the City's employment-at-will policy will be effective unless executed in writing and signed by the City Manager, the authorized representative of this City.

This City's employment guidelines are intended only as an explanation of its employment practices, policies, benefits and general guide to working for this City. They do not represent contractual terms of employment. Despite anything that the applicant may read into any City material, employment at this City is strictly at-will.

The City is entitled to modify, revoke, or replace any policies and procedures at any time. None of the City's policies are meant to serve as an employment contract.

Employees are expected to behave in a manner consistent with existing policies and codes of conduct.

ACKNOWLEDGEMENT:

I have read this at-will employment policy. I understand the employment with the City _____ is terminable by either party with or without cause at any time and that employment is for an indefinite period, unless terminated by either party. My signature below acknowledges my reading and understanding of this City's at-will employment policy.

1/7/14
Date

Suzanne L. Smith
Applicant's Signature

APPLICANT INFORMATION FORM

NOTICE: ALL APPLICANTS MUST BE PREPARED TO PRESENT PROPER DOCUMENTATION

After an offer of employment is made, and within 72 hours of the beginning of employment, candidates will be asked to present one of the following documents:

1. U.S. Passport (can be expired)
2. Alien Registration Receipt Card with photograph (INS Form I-551)
3. Unexpired Temporary Resident Card (INS Form I-688)
4. Unexpired Employment Authorization Card (INS Form I-688A)
5. Unexpired Reentry Permit (INS Form I-327)
6. Unexpired Refugee Travel Document (INS Form I-571)
7. Unexpired Employment Authorization Document issued by the INS which contains a photograph (INS Form I-688B)
8. Native American Tribal Document

If none of the above is available, successful applicants must present one of the following:

- a. U.S. Social Security Card
- b. Native American Tribal Document
- c. U.S. Citizen ID Card (INS Form I-197)
- d. ID Card for use of Resident Citizen in the United States (INS Form I-179)
- e. Unexpired employment authorization document issued by the INS (other than those listed above)

Along with one of the following identification cards:

- f. Valid U.S. driver's license or ID card containing photograph
- g. School ID card with photograph
- h. Voter's registration card
- i. U.S. Military card or draft record
- j. Military dependent's ID card
- k. U.S. Coast Guard Merchant Mariner card
- l. Driver's license issued by a Canadian Government authority

APPLICANT CONSENT FORM

An offer of employment from the City _____ is contingent upon satisfactory completion of a post-offer Human Performance Evaluation, which includes substance abuse testing for the presence of drugs, adulterants and/or alcohol. All applicants are required to complete this test. If an applicant does not complete this test they will not be considered for employment. Further, any job applicant whose test results are verified positive or adulterated by the Medical Review Officer will not be eligible for employment at this time. I agree to take the required test at the collection facility designated by the City **WITHIN 24 HOURS OF BEING NOTIFIED BY A CITY**

REPRESENTATIVE. In addition, I authorize the Collection Facility, the Laboratory, the City, and the Medical Review Officer to conduct such testing and share the results of any other relevant information with each other.

Date: 1/7/14

Applicant: Suzanne Smith

Date: 1/7/14

Witness: [Signature]

I have read and understand this document and hereby refuse to take the required test. I understand that **my refusal** means that I will not complete my post-offer employment Human Performance Evaluation and/or drug screen and therefore **I will not be eligible for employment with the City _____ at this time.**

Date: 1/7/14

Applicant: Suzanne Smith

Date: 1/7/14

Witness: [Signature]

APPLICATION FOR COPY OF DRIVING RECORD

I, Suzy Lou Smith, hereby certify that I grant access to my Driver's License/ID Card record, inclusive of the personal information (name, address, driver identification number, etc.), to the City _____ or any third party agency that the City may choose to perform the background check.

<u>Smith</u>	<u>SUZY</u>	<u>Lou</u>
Last Name	First	Middle/Maiden
<u>00012345/TX</u>	<u>552.130</u>	<u>111-11-1111</u> <u>552.147</u>
Driver's License Number/State		Social Security Number
<u>7/17/83</u> <u>552.102</u>		
Date of Birth		
<u>Suzy L Smith</u>		<u>1/7/14</u>
Signature of License/ID Card Holder or Parent/Legal Guardian		Date

State and Federal law requires all requestors to agree to the following:

1. In requesting and using this information, I acknowledge that this disclosure is subject to the Federal Driver's Privacy Protection Act and Texas law. As such, civil and criminal action can be taken for a false statement or representation to the D.P.S. to obtain personal information pertaining to any individual from the D.P.S. driver records (Section 730 of the Texas Transportation Code punishes false representation and false statements to obtain personal information as a Class A Misdemeanor). Further, I understand that if I receive personal information as a result of this request, I may only resell or re-disclose the information pursuant to Chapters 730 of the Texas Transportation Code and the federal Driver's Privacy Protection Act.
2. Section 730 of the Texas Transportation Code prohibits a state agency from releasing personal information unless the requestor receiving the information is the individual to whom the information applies or that individual's agent for the requestor agrees in writing with the agency that the requestor will not disseminate or publish the information on the Internet or permit another to disseminate or publish the information on the Internet. Violation of this agreement is also a Class A Misdemeanor (Section 730, Texas Transportation Code).

**EMPLOYEE'S REQUEST AND AUTHORIZATION
TO FURNISH EMPLOYMENT INFORMATION
TO
THE CITY**

I, the undersigned, hereby request and authorize all my current and former employers, including their officers, agents and representatives, to furnish to the City all documents and information relating to the following:

- (1) My current and/or former employment or
- (2) Reason(s) for leaving employment, past or present.

I HEREBY RELEASE MY CURRENT AND FORMER EMPLOYERS AND ALL OF THEIR OFFICERS, AGENTS AND REPRESENTATIVES FROM ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION I MAY HAVE – NOW OR IN THE FUTURE – RELATING IN ANY WAY TO THE FURNISHING OF SUCH DOCUMENTS OR INFORMATION.

Applicant's Signature: Suzy L. Smith Date: 11/7/14

Printed Name: Suzy L. Smith

**PRE-EMPLOYMENT REQUEST AND AUTHORIZATION TO
RELEASE FINANCIAL INFORMATION**

**TO
THE CITY
POLICE DEPARTMENT**

552.101 +
Common-law privacy

I, the undersigned, hereby request and authorize

Olsonville Bank
Name of bank

545454 6767-67 936639-1 552.136
Account number Savings account number Loan number

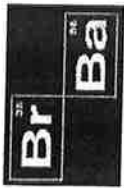
To release my financial records to the Police Department as a
condition of a pre-employment background investigation.

Printed Name: Suzy Lou Smith

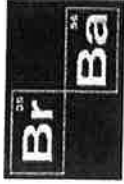
Applicant's Signature: Suzy L Smith

Date: 1/7/14





ALBUQUERQUE POLICE DEPARTMENT INSURANCE ENROLLMENT FORM



Enrollee Information

EMPLOYEE NAME: Hank Schrader
SOCIAL SECURITY NUMBER: 000-12-3456
ADDRESS: 1234 Purple Lane, Albuquerque, TX 78701
HOME TELEPHONE: (512) 555-6543

552.117(a)(2)

Optional Health Insurance Elections

Do you wish to be enrolled in Dental Coverage?

Do you wish to be enrolled in Short Term Disability Coverage?

Do you wish to be enrolled in Long Term Disability Coverage?

Note: APD Long Term Disability Coverage monthly fee is 5% of your gross earnings.

Yes
No

552.101

+ common-law privacy

Life Insurance Elections

Do you wish to apply for Life Insurance Benefits?

Do you wish to apply for supplemental Mutual Life Insurance Benefits?

Note: APD Mutual Life Insurance Benefits monthly fee is 6% of your gross earnings.

Yes
No

Beneficiary Designation

Name of Beneficiary: Marie Schrader Address: 1234 Purple Lane, TX 78701
Relationship: Wife
Phone Number: (512) 555-6543

552.101 + common-law privacy

Signature: Hank Schrader

Date: 9/10/11

{ 5896 Justice Lane
Salamanca, Texas 77721 } **552.117(a)(2)**
Phone: (713) 555-9999 }
Email: { gomie@gmail.com } **552.137**

July 21, 2011

Albuquerque Police Department
Administrative Division
333 12th Street
Albuquerque, Texas 78701

To Whom it May Concern:

I highly recommend Hank Schrader for a position as an officer with the Albuquerque Police Department. I have known Hank since he was in college and even had the pleasure of working with him at the Salamanca Police Department. (I was working my last years as a captain...I retired last year!) Hank excelled at his work and quickly proved to be a smart and capable deputy. Hank has displayed strong will, bravery, and perseverance since the beginning and has become an outstanding police officer. He is hopelessly devoted to his wife, Marie, and their children as well as the community. I know he would make an excellent addition to your department. The Albuquerque Police Department, along with the citizens of Albuquerque, would be lucky to have him.

552.117(a)(2)

Sincerely,

Steven Gomez