

12325 Hymeadow Drive  
Suite 2-100  
Austin, Texas 78750



Phone: (512) 250-0411  
Fax: (512) 250-0749  
TexasMunicipalLawyers.com

[DATE]

[REQUESTOR]  
[ADDRESS]  
[CITY, STATE, ZIP]

**RE: Clarification of Public Information Act Request dated [DATE]  
Entity: [CITY], Texas (hereinafter, the "City")**

Dear [REQUESTOR],

On [DATE], the City received a public information request from you. It is the City's understanding that you are seeking:

[QUOTE REQUEST]

This letter is to clarify your request as allowed by section 552.222 of the Texas Government Code. The information responsive to your request includes body camera video governed by section 1701.661(a) of the Texas Occupations Code. The law states that this footage may only be released to an individual who provides: (1) the date and time of the footage; (2) the location of the footage; and (3) one or more names of individuals in the footage. Therefore, the City cannot release the requested information to you until all the required information has been provided. Please respond with this information, *in writing*, so that the City may continue to process this request.

Additionally, the law governing the release of body worn camera recordings states that "[a] law enforcement agency may not release any portion of a recording made in a private space, or of a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest, *without written authorization from the person who is the subject of that portion of the recording* or, if the person is deceased, from the person's authorized representative." Tex. Occ. Code § 1701.661(f) (emphasis added). The body camera video you requested was recorded in a private space or depicts conduct that constitutes a misdemeanor punishable by fine only and did not result in an arrest. Accordingly, the City will need written authorization of the person in the video before it can be released. An authorization form is attached to this correspondence for your convenience.

Finally, the videos you requested include information that is confidential by law and generally excepted from disclosure to the public, such as license plate numbers and driver's

license information. Please clarify whether you have a special right of access as described by Texas Government Code section 552.023 to this type of information depicted in the videos requested.

If you will provide the clarification information listed above, *in writing*, the City will be better able to determine what information is available to you without seeking an Attorney General's ruling, which will significantly expedite the document release process. However, depending on the content of the footage, the City may still need to request such a ruling. Should you choose not to respond to this request for a clarification **within sixty-one (61) days from the date of this correspondence** the City will consider your request withdrawn. See Tex. Gov't Code § 552.222(d).

Should you have any questions or concerns, please do not hesitate to contact me at [EMAIL].

**Written Authorization to Release Private Recordings  
Texas Occupations Code 1701.661(f)**

I, \_\_\_\_\_ am the subject of a body worn camera recording that  
[name of subject of recording]

was recorded at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_  
[specific location where the recording occurred] [date of recording]

at approximately \_\_\_\_\_. I understand that this recording was made in a private  
[time of the recording]

space, or is a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and did not result in arrest, and hereby authorize the West Lake Hills Police

Department to release this recording in its entirety to  
\_\_\_\_\_.  
[name of person requesting recording]

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
[Signature of Subject of the Recording]