

HAYNES BOONE



June 28, 2022

Mayor Don McLaughlin
101 E. Main Street
Uvalde, TX 78801

Dear Mayor McLaughlin:

We are a coalition of local and national media organizations that have sought to inform the public about the horrific tragedy at Robb Elementary School. We share your commitment to ensuring that all the facts about this incident come to light. We also share the concerns you recently expressed regarding the limited information that has emerged so far, and your desire to present the public with a more comprehensive portrait of the events on that day. In many ways, this is entirely within the City's control.

We write to make you aware of provisions in the law that allow you and other City of Uvalde officials to release additional information to the public. The Texas Public Information Act does not require City officials to await the conclusion of any state or federal investigation in order to make information public. And, as you know, the members of the Uvalde community are crying out to know what happened that day and to have complete transparency and accountability sooner rather than later. In the words of Berlinda Irene Arreola, the grandmother of 10-year-old victim Amerie Jo Garza: "We need to get down to the bottom of everything that has happened and find out the truth."

The sections of the TPIA invoked by the City (552.103, 552.108), and other provisions of the Public Information Act, simply *do not mandate* withholding of information about the events that transpired that fateful day at Robb Elementary. While some of these provisions may *allow* the City to temporarily withhold certain information from the public, the Act does not *require* the City to do so in direct contravention to the demands of the community.

Similarly, the Texas Occupations Code, which governs the release of law enforcement body camera footage, does not require an agency to withhold those recordings during the course of an investigation. Section 1701.660(b) of the Occupations Code specifically states that a law enforcement agency "may release to the public a [body camera] recording . . . if the law enforcement agency determines that the release furthers a law enforcement purpose." And, in fact, recognizing the rights and needs of the public to know, such disclosure has been made during investigations throughout the state. Recently, the Austin Police Department, the Houston Police Department, the La Marque Police Department and the Galveston County Sheriff's Office, among many others, have released body camera footage of critical incidents, even as those incidents were being investigated. In fact, law enforcement agencies across Texas routinely release body camera footage of officer-involved shootings and other critical incidents as a matter of policy – often within 10 days or 30 days – during ongoing investigations.

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Texas law clearly gives the City of Uvalde, the Uvalde Police Department, the Uvalde County Sheriff's Office, and the Uvalde County and District Attorneys the discretion to release broad swaths of information to the public now rather than waiting an indefinite amount of time for the closure of an investigation involving a shooter who is already dead. Many police and prosecutors across Texas routinely release such information.

We join you in calling for a full accounting of the tragic events at Robb Elementary. The victims and their families deserve an accurate and complete picture about what occurred that day. We hope that this letter assists you in evaluating the needs of your community during this difficult time and prompts immediate disclosure of information requested and needed for a community to heal.

Sincerely,

Laura Prather
On behalf of:

ABC News

KTRK – Houston

Associated Press

CBS News

CBS Stations Group of Texas

KTVT – Dallas

CNN

Cox Media Group

Dallas Morning News

Gannett

Austin American-Statesman

The Abilene Reporter-News

Corpus Christi Caller-Times

The El Paso Times

San Angelo Standard-Times

Times Record News – Wichita Falls

Amarillo Globe-News

Lubbock Avalanche-Journal

USA Today

Graham Media

KSAT – San Antonio

KPRC – Houston

Gray Television

KXII – Sherman

KGNS – Laredo

KFDA – Amarillo

KWTX – Waco

Hearst Newspapers

Houston Chronicle

San Antonio Express-News

NBC News

New York Times

ProPublica

Scripps

Sinclair Broadcast Group

KABB/WOAI – San Antonio

KVII – Amarillo

KDBC/KFOX – El Paso

KEYE – Austin

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KBTV/KFDM – Beaumont
KTXS – Abilene

TEGNA

WFAA – Dallas
KHOU – Houston
KENS – San Antonio
KVUE – Austin
KAGS – Bryan/College Station
KCEN – Waco
KYTX – Tyler
KIII – Corpus Christi
KWES – Midland/Odessa
KBMT – Beaumont
KIDY/KXVA – San Angelo

TelevisaUnivision

KUVN – Dallas
KXLN – Houston
KAKW – Austin
KWEX – San Antonio

Texas Tribune

Wall Street Journal