City of Austin
Office of the City Auditor

Audit Report

Public Information Responses:
The City needs to adopt a more proactive and consistent approach to providing public information

August 2023

Overall, the City needs to take a more proactive and consistent approach to public information requests (PIR). Doing this should ensure members of the public are treated the same and can easily access their information.

People have a right to stay informed about their government through access to public information. The City of Austin does not take proactive measures to make it easy to access that information. Also, there are differences in how City departments process PIRs. This results in different experiences for requestors and reinforces a perception the City is not transparent.

While state law requires access to public information, it also requires that some information be protected from release. Not all City departments have the tools needed to do this. Also, City staff have varying levels of training and oversight to identify what needs to be protected. This can result in the City releasing information that is protected by law.

Contents

Cover: Photo by Giulia May on Unsplash.

Objective

The objective of this audit was to determine if the City follows open records laws and provides requested information in a timely and efficient manner.

Background

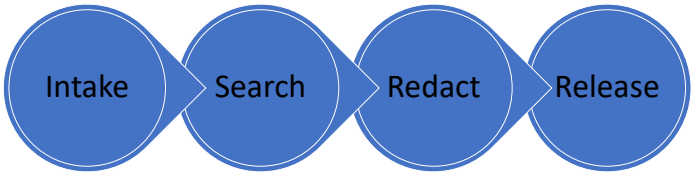
Texas has one primary open records law, the Texas Public Information Act (TPIA). The TPIA gives the public the right to request access to public information. The TPIA defines public information as information that is produced or maintained by or for a governmental body.

Members of the public can request public information from the City via mail, email, hand delivery, or a website using GovQA.

The City of Austin takes public information requests (PIR) submitted by members of the public. The City uses GovQA, an online public information request system, to house and distribute PIRs throughout the City. The City splits the management of PIRs by those intended for the Austin Police Department (APD) and all others (referred to by staff as Cityside). A PIR team in the Law department manages Cityside PIRs. Likewise, a team in APD manages their PIRs. Both teams are responsible for coordinating requests and communicating with requestors. They also process the PIRs in GovQA and send the requests to relevant department contacts. These department single points of contact (SPOCs) receive the requests through GovQA. They also collect, redact, and release relevant information to the public through GovQA.

Each department has one or more people, called SPOCs, that help manage information requests for their department.

Exhibit 1: The City's public information request process has four main tasks



Source: OCA analysis of the City of Austin's public information request process, May 2023

There are both criminal and civil penalties for not complying with the TPIA. Violators can face a maximum of 6 months in county jail, a maximum fine of $4,000, or a combination of both. The individual employee that violates a TPIA provision would face legal penalties. To follow the principles outlined in the TPIA, governmental bodies must:

- treat all requestors equally
- complete an open records training
- inform requestors of cost estimates and charges
- provide all non-confidential information to, and protect all confidential information from, public consumption
- provide relevant information to requestors "promptly"

As shown in Exhibit 2, the City has made efforts to follow these principles, but can do more in each area.

Exhibit 2: 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 Found

Summary

Overall, the City needs to take a more proactive and consistent approach to public information requests (PIR). Doing this should ensure members of the public are treated the same and can easily access their information.

People have a right to stay informed about their government through access to public information. The City of Austin does not take proactive measures to make it easy to access that information. Also, there are differences in how City departments process PIRs. This results in different experiences for requestors and reinforces a perception the City is not transparent.

While state law requires access to public information, it also requires that some information be protected from release. Not all City departments have the tools needed to do this. Also, City staff have varying levels of training and oversight to identify what needs to be protected. This can result in the City releasing information that is protected by law.

Finding 1

The City does not take proactive measures to improve a requestor's experience accessing public information. Proactive measures could help improve how the City responds as the public's perception about the transparency and accessibility of public information.

The federal Freedom of Information Act Guidance and Suggested Best Practices for Improving Transparency notes government employees should increase the amount of information they post online.

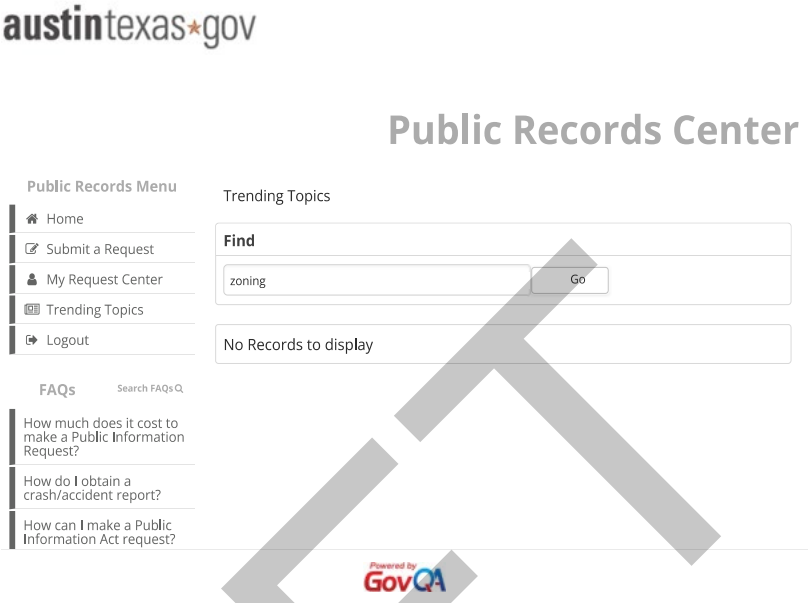
The City does not proactively post fulfilled public information requests, frequently requested public information requests, or information related to incidents of public interest online.

Proactively posting public information online increases the public's ability to access information without having to go through a formal public information request (PIR) process. The City does not proactively post fulfilled or frequently requested PIRs online. We reviewed the PIR websites of 10 major Texas cities and 60% post PIR-related information online.[1] Austin's PIR management tool, GovQA, has a section for frequently asked questions. However, the City only posts high-level information about the Texas Public Information Act (TPIA). That section does not contain detailed information about frequently requested information.

The City's GovQA website also has a trending topics page that could capture frequently requested PIR information or information related to topics of public interest. As of June 2023, the City does not appear to regularly use this page. We searched for several topics of interest including "Council", "police," "transportation," "Zilker," and "zoning" and received no results. We noted a single instance of information posted in this section, but only when we were logged into the GovQA system. For staff that were logged in, the information was not visable. Also, Law PIR Team staff told us they are not using this page to post items of interest.

[1] We reviewed public information websites for Austin and the following nine Texas cities: Arlington, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Irving, Plano, and San Antonio.

Exhibit 3: Austin does not post trending topics on the City's GovQA website



Source: OCA analysis of the City's Public Records Center website, June 2023

All 10 Texas cities we reviewed, including Austin, has some form of an open data portal that aims to proactively post information of public interest online. The City of Austin's Open Data Portal, however, does not appear to be helpful to requestors of public information. We conducted a survey of previous requestors' perceptions of the PIR process. Only 40% expressed satisfaction with the amount of information available on the City's Open Data Portal. Requestors noted the City's open data information is often not what they are looking for or is outdated.[2]

Related to PIR information, we did not see anyone in the City identifying frequent or seasonal PIR requests or other items of interest to post on GovQA. Staff noted they are interested in better monitoring requested information. However, staff also said they cannot monitor requested information because of the high volume of PIRs they are already handling.

The public has no option but to file a PIR if public information is not otherwise available. Between 2018 and 2022, the City received a total of 121,412 PIRs. Proactively identifying and posting information that may be of interest to the public may help reduce the number of PIRs submitted and handled. For example, Dallas found that putting frequently requested information under their trending topics page in GovQA helped reduce the number of PIRs they were receiving.

The City has limited engagement with the public through its PIR website.

A fundamental way the City can engage with residents is to provide information in a language they understand. Online information about PIRs is only available in English. In Austin, 31% of residents speak a language

[2] Our office conducted a recent audit of data reliability in the City focused on Austin's Open Data Portal.

other than English at home. Over 11% speak English less than very well. The City limits engagement and accessibility to public information by not providing information about the PIR process in other languages.

In addition, while there is general information about the PIR process online, the City does not show the public how to write clear and detailed requests on their website. To submit a PIR, a member of the public must submit their request in writing. However, how a request is written can impact the information the requestor receives.

We anonymously submitted three requests for City information related to street takeover incidents that began on February 18, 2023.

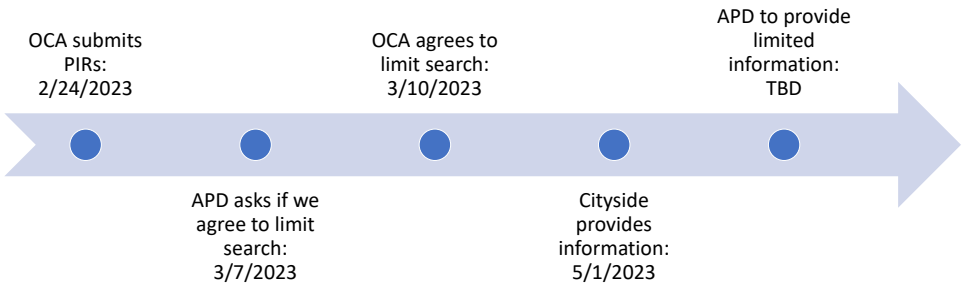
For example, we submitted three separate PIRs for the same information. Each request was written a different way. One of our requests used generic language with minimal details. The two others included more specific language. One was more detailed and included specific dates, departments, staff, and several keywords. The other was narrower and asked for a specific type of information. Our requests included information that could be found from Cityside departments and APD. As a reminder, Cityside refers to all City of Austin departments except APD.

We received information for all three requests from the Cityside. Generally, the more details we included, the more information we received. For example, the City provided 261 pages of information for our detailed request and 112 pages for our generic request. Also, we experienced more difficulty getting information from APD. In fact, we received information from only one of the three requests even though we were informed there was responsive information for two of the three.

APD provided 11 pages of text messages for our narrow request.

For our generic request, APD told us they could not provide any files without the specific names of the officers in question. APD closed that request. For our detailed request, we were told 911 calls were related to an open investigation and could not be provided. We were given the option to only receive information that was non-confidential. We chose this option but have not received any information as of June 2023. The request has been open over 80 business days.

Exhibit 4: APD has not provided information for our detailed request in over three months



Source: OCA analysis of timelines related to public information requests, June 2023

In our requests, we asked for "electronic correspondence" with the expectation that text messages would be included. In our narrow request, we specifically asked for text messages. While the City provided text messages in response to our requests, the amount of information varied. On the Cityside, we received 7 pages of texts for our generic and narrow requests and 6 pages for our detailed request. Also, the number of non-duplicate text messages varied. We received 19 for our generic request, 16 for our narrow request, and 13 for our detailed request.

Overall, the documents we received from both APD and Cityside PIR teams appeared to be relevant to our requests. However, based on the differences noted above, we are not sure we received all responsive information. This example demonstrates that the way requests are written can affect how much and what types of information the City provides. According to previous requestors, some said they do not know how to craft their PIRs in a way that allows City SPOCs to identify responsive information. Requestors felt like they must know the right, but unknown, set of words to get the information they want. Otherwise, they may get information they do not want or is not helpful.

We noted this type of experience can erode requestors' confidence in the City's transparency, especially when there is little guidance on how to submit a request. In our survey of previous requestors, 56% gave the City a failing grade on transparency.[3] According to written responses, some requestors thought the City was actively trying to prevent the release of public information. One way the City can increase its commitment to transparency is by engaging with requestors and helping them write better PIRs.

When asked to rate the City's PIR transparency on a scale of 1 to 10, most previous requestors responded with a 5 or lower.

Exhibit 5: Surveyed requestors do not think the City's public information process is transparent

56% of requestors gave the City a failing grade on transparency

"Typically, the City is reluctant to openly provide sensitive or embarrassing information."

"Prioritize transparency in providing and improving Open Data and responding to PIRs."

"They don't want citizens learning about what their government is up to and spending its money on."

"Sometimes the people being PIR'd are selective in what they include in the information they provide, meaning they don't provide everything."

Source: OCA analysis of surveyed requestors who used Austin's public information process between 2018-2022, May 2023

[3] We sent a survey to 2,500 requestors that submitted a public information request to the City of Austin between 2018 and 2022. We received 244 responses with a final response rate of nearly 10%.

Finding 2

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

There are approximately 120 department SPOCs to process Cityside PIRs.

We got the number of pounds by dividing both Cityside and APD PIRs by 100.

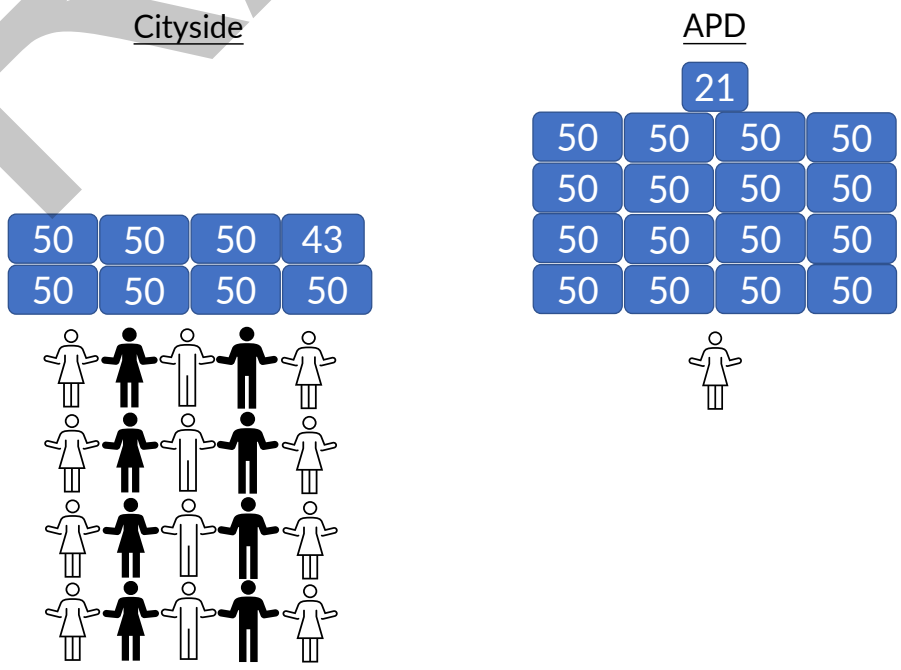
The City does not have a single department in charge of the PIR process and staffing levels are not aligned with the number of requests received.

The City of Austin splits management of PIRs by those intended for APD and all others, referred to as Cityside. For Cityside requests, six staff serve as the Law department PIR Team. This team administers GovQA and acts as the liaison between public requestors and the 100+ department SPOCs assigned to search and redact requested information. The Law PIR Team also provides training materials and progress reports for the Cityside SPOCs.

For APD requests, six staff perform both administrator and SPOC functions for all APD requests. The Law and APD PIR teams are only responsible for their part of the PIR process. The City does not have a single department in charge of all PIRs.

Also, staffing is not aligned with the number of PIRs the City receives. Between 2018 and 2022, the City received 39,278 Cityside PIRs and 82,134 APD PIRs.[4] Based on current staffing, the Cityside allocates about 20 times more staff to process about half the requests as compared to APD. One way to illustrate this is to think of PIRs as weight that must be supported. Converting a proportional number of PIRs to pounds leaves about 393 pounds for 20 staff on the Cityside to support. On the APD side, this would mean one staff member is tasked with supporting a crushing weight of 821 pounds as shown in Exhibit 6.

Exhibit 6: APD staff are responsible for nearly 2 times the number of PIRs with about 20 times fewer staff as compared to the Cityside



Source: OCA analysis of current City public information request staffing and the number of public information requests submitted to the City between 2018-2022, May 2023

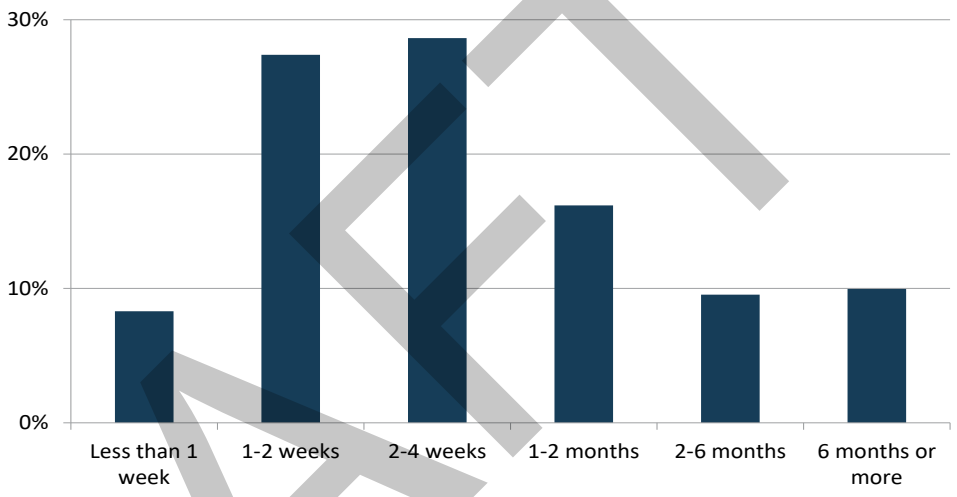
[4] APD public information requests began being tracked in GovQA in January 2019.

The City delivers most PIRs in a reasonable time, but waiting times for the remaining PIRs can be lengthy, especially for APD, and contribute to public dissatisfaction with the City's process.

The TPIA requires governments to provide relevant information to requestors "promptly," but the statute does not define this in terms of a specific number of days or weeks.

The City responds to most PIRs relatively quickly.[5] Department contacts can close a request after providing the requested information or if the requestor does not respond within 61 days. Between 2018 and 2022, the City closed about 75% of PIRs in about a month – approximately 21 days for Cityside requests and 34 days for APD requests.[6]

Exhibit 7: Surveyed requestors reported the City fulfilled the vast majority of their requests within one to two months



Source: OCA analysis of surveyed requestors who used Austin's public information process between 2018-2022, May 2023

Some requestors, however, are experiencing slower PIR processing times, especially if they request information from APD. Between 2018 and 2022, wait times for about 25% of PIRs were, on average, 88 days for Cityside requests and 460 days for APD requests.[7] City staff noted APD does not have enough people to adequately process their current requests and growing backlog. APD staff reported they have requested, but not received a new position to help fill requests in at least three years. During this audit, APD had a backlog of over 20,000 PIRs.[8] We also noted 41% of surveyed requestors thought the City takes too long to fulfill PIRs. Several requestors specifically cited the long wait times for APD information.

[5] The metric used to analyze the number of days a request was open includes wait times for clarifications and Texas Attorney General's Office (AG) rulings. Requestors have 60 days to respond to a clarification before the request is closed. Requests referred to the AG can take between 45-60 days to return to the City. Based on the City's data, 1.7% of all Cityside requests and about 0.3% of all APD requests were sent to the AG.

[6] The results from our previous requestor survey on the average time taken for the City to complete a public information request mirrored the results from our analysis of the data in GovQA.

[7] For this group of requests that take the longest to close, Attorney General referrals account for about 14% of Cityside requests and 1.3% of APD requests.

[8] APD staff reported their request backlog increases daily. As of April 2023, the backlog was split between 17,000 requests from two data analytics companies and 3,000 from other requestors.

A recent open records audit in Dallas identified a need for an official PIR policy and procedures manual to facilitate structure and consistency between their city and police PIR operations.

We spoke with PIR staff in the City of Dallas who noted having similar issues, including a split management structure and delays with police PIRs. Staff indicated Dallas is moving to a more unified model for managing their requests. Existing PIR staff and police PIR staff will all report to a single PIR manager to help improve consistency and flexibility with the expectation this will also improve response times.

The City does not follow consistent procedures in both search and redaction processes to respond to PIRs.

As noted, the City splits management of PIRs and does not have a single department responsible to help ensure the City's many departments apply consistent procedures. Department SPOCs conduct searches and redactions to fulfill information requests. Inconsistent procedures can lead to requestors receiving information of varying quality and quantity depending on which department is involved. Also, results from our surveyed department SPOCs identified several areas where additional training was needed.[9] Without uniform guidance, the City cannot ensure PIRs are handled the same way for requestors.

The TPIA requires governments to treat all requestors the same.

Searches

According to the TPIA, government information is presumed to be available to the public and the City is required to release information not protected by law.

For electronic searches, the three main variables are what keywords are searched, which tools are used to find results, and who does the search. When a department SPOC receives a request, say for emails, they must determine what keywords to use to identify responsive information. The City does not provide consistent guidance on what those keywords should be. Also, our survey indicated department SPOCs do not consistently use the same approach to select keywords for their searches.

For example, 67% of SPOCs reported only using the terms listed in the PIR when conducting an electronic search. A little over 17% reported using both the terms listed as well as synonyms in their search. Almost 16% reported they were either unsure how searches are conducted, said another department conducts their searches, or noted asking requestors for clarification, when needed. A requestor is likely to get different results from a department that expands their search using synonyms than from a department that limits their search to only requested terms.

Once a department SPOC determines what keywords to use, the remaining variables are what tools are used and who does the search. Again, the City does not have consistent guidance on this. Also, not all searches are done by a department SPOC. For about two-thirds of City departments, including APD, someone in the department is responsible for conducting electronic searches.

According to our SPOC survey, 43% reported that a non-SPOC in their department sometimes conducts electronic searches.

[9] We sent a survey to 181 City of Austin staff listed as their department's primary or backup single point of contact for public information requests. We received 64 responses with a final response rate of nearly 35%.

For the remaining departments, staff from the City's Information Security Office (ISO) conducts electronic searches.[10] Staff indicated ISO first took over searches for a few departments that got frequent or high-profile requests. Over the last several years, more departments have been added. ISO currently conducts electronic searches for 15 departments and other groups.

Also, while department SPOCs, including APD, use standard tools to conduct their searches, ISO staff use advanced search tools. Staff reported these tools are complex and require extensive training to use. Staff said ISO uses advanced tools because they allow for more City information to be searched for responsive items. The City's standard tools search most, but not all, City files. Using the standard search tools creates the possibility that some requested information may be missed. Also, 56% of SPOCs reported needing additional training related to the search process.

According to our SPOC survey, 60% reported not being aware of limitations using standard search tools.

Differences in search tools and who uses them can affect the PIR results a requestor receives. Also, we did not see clear guidelines for how a department gets added to the ISO search list or why ISO does not conduct all electronic PIR searches. Staff indicated that option had been discussed in the past, but it was not done.

Redactions

Some City information is required to be withheld from public release. Generally, department SPOCs are responsible for identifying what information can and cannot be released. Texas law identifies categories of information that can be withheld from a PIR. However, before doing so, SPOCs may need to work with the Law department to request an exception from the Texas Attorney General's Office. According to our SPOC survey, 66% reported needing additional training to identify when this type of PIR exception may apply.

According to the TPIA, the City is required to not release certain information protected by law.

For most PIRs, SPOCs must identify when items protected by law are included in information that can otherwise be released. SPOCs then work to redact those items so the requested information can be provided to the requestor. We noted SPOC expertise varies by department. Also, 58% of SPOCs reported needing additional training to understand what information should be redacted. We spoke with several SPOCs who said this process can be very time consuming. They also noted there is little to no review of their redactions before the information is released.

Additionally, we noted staff are generally using a standard redaction tool to complete their work. APD staff reported they do not have specialized tools needed to redact information from audio files. Since APD receives so many PIRs, staff reported releasing some unredacted information to

Members of the Law PIR Team said they recently got approval for a new redaction tool for Cityside SPOCs.

[10] Information Security Office staff reported conducting public information request electronic searches for the following departments and other groups: Assistant City Manager offices, Austin Public Health, Austin Transportation (now part of Transportation and Public Works), Boards and Commissions, City Manager, Communications and Technology Management, Development Services, Economic Development, Equity Office, Housing and Planning (now two separate departments), Mayor and Council offices, Office of Police Oversight, Parks and Recreation, Project Connect Office, and Watershed Protection.

requestors. This was done to provide a quicker response. As part of that, staff reported releasing full 911 calls which may include information that, by law, should be redacted. APD also reported having limited resources to redact other information such as video files. Staff said these take a lot of time to complete and extends the wait for the requestor. APD appears to be the only department with specialized equipment challenges for applying redactions to audio and video requests. Without adequate training, oversight, and equipment, the City cannot ensure redactions are being done consistently across all PIRs or that information that should be withheld is protected.

Training

The TPIA requires officials to attend, at a minimum, a one-hour approved educational course on the Public Information Act.

Most PIR SPOCs cited training needs for their main procedural tasks, as detailed above. The City provides training and resources to SPOCs, but it is mostly intended to meet TPIA requirements. For the Cityside, the Law PIR Team provides training once a week to on-board new department SPOCs. They also provide an annual SPOC training. However, not every department receives training from this team which can create knowledge gaps. For example, APD SPOCs have their own training and mostly learn on-the-job. A little over half of surveyed SPOCs also reported getting additional guidance, including on-the-job training, from their department. We noted a few departments have an internal training manual, but most do not.

In addition, the Law PIR Team provides all SPOCs with access to a SharePoint site for self-study and weekly updates. PIR Team staff said SPOCs are encouraged to reach out with any questions. Some SPOCs reported these resources and assistance are helpful. Overall, 53% of SPOCs felt their training adequately prepared them to conduct their PIR responsibilities. The remaining 47% expressed at least some need for additional training.[11]

[11] According to our survey of department contacts, 31% felt their training was moderately adequate, 8% felt it was adequate, and 8% felt it was not adequate at all.

Recommendations and Management Response

As noted in this report, the City has several opportunities to improve the management, timeliness, and consistency of its PIR process. All these issues, taken together, can reinforce a belief that the City is protective of information and not transparent. Indeed, according to our survey, previous requestors believe the City is not transparent due to inconsistent treatment and timeliness issues. Requestors also cited the top three areas where the City should focus improvements: timeliness, user experience, and transparency. The following recommendations are intended to address these improvement areas.

1 The City Manager should centralize management of all City public information requests to improve the consistency of the City's approach.

Management Response: Agree

Proposed Implementation Plan: Going forward, leaders from the APD and Cityside PIR Teams will provide joint management oversite of the City's PIR process. The Joint Leadership Team will provide a single set of operational protocols, guidance, and training.

Proposed Implementation Date: October 2023

2 The City Manager should ensure the City devotes adequate resources, including staff and tools, to fulfill public information requests promptly and in accordance with applicable laws.

Management Response: Agree

Proposed Implementation Plan: The Joint Leadership Team will study APD PIR processes to determine staffing and resource needs, including alternate methods of staffing the APD PIR function and securing specialized redaction tools. The Joint Leadership Team will present recommendations to APD management for review.

The City has secured a text redaction tool that all PIR SPOCS will use for redacting PIR responses. The tool has been tested by the Cityside PIR Team and department SPOC power users. The training manual has been drafted and will be incorporated into the PIR process SOPs. The new tool will be launched in September 2023.

Proposed Implementation Date: New redaction tool launch: September 2023. Review of APD PIR processes completed: January 2024.

3

To address internal process issues noted in this report, the group managing public information requests should:

- Create a standard operating procedure (SOP) to document consistent procedures for how the City will process public information requests, including timing and cost estimates, as well as information searches, redactions, and releases.
- Train City staff involved in the public information process on the SOP.
- Create a communication loop to engage with City staff involved in the public information process to monitor department performance with the SOP and gather feedback about any issues or training needs.
- Develop a plan to eliminate and manage the APD backlog of public information requests.
- Post the SOP publicly to inform users about the process and establish expectations.

Management Response: Agree

Proposed Implementation Plan: The Joint Leadership Team will imbed members of the Cityside PIR Team into APD to study existing processes and train APD staff on the PIR SOPs. Effective immediately, the APD PIR staff will have access to all training resources. Based on the information gathered during the review process, the Joint Leadership Team will develop a plan to reduce and manage the APD backlog of public information requests.

The Joint Leadership Team will survey all department SPOCs to determine areas where additional training is needed and make the training available, especially in the area of conducting effective searches and providing timely and accurate cost estimates to the public.

One way to provide consistency in email searches for all employees is to have the Information Security Office (ISO) conduct the searches. More than a decade ago the ISO began conducting electronic searches for Council offices and the City Manager's Office. Gradually, ISO began conducting searches for other City departments on an ad hoc basis – especially for large or complicated searches. Over time, ISO has defaulted to conducting most searches for several departments, but certainly not all of them. ISO indicates that it is now at capacity and cannot do searches for additional departments. ISO is open to conducting a needs assessment to determine the resources that would be necessary for ISO to conduct searches for additional departments.

To help users know what to expect once a PIR request is submitted, the Joint Leadership Team will include documentation on the website that describes the process that the City goes through once a PIR request is received. This will occur as part of the website update that will begin in November 2023.

Proposed Implementation Date: Imbed Cityside PIR Team members: October 2023. Develop plan for reducing the APD backlog: February 2024. Survey department SPOCs: November 2023. Website update: June 2024.

4 **To address user experience issues noted in this report, the group managing public information requests should:**

- Create a communication loop to regularly engage with members of the public to provide education about the City's public information process and gather feedback about user issues or needs.
- Develop a process to catalog and consider user feedback and make improvements, as needed.
- Identify ways to use the functionality of the City's public information system, including sections related to frequently asked questions and trending topics.
- Provide information about the public information process in languages other than English.

Management Response: Agree

Proposed Implementation Plan: The Joint Team will work with CTM and the vendor for the PIR software platform to improve the City PIR website for a better user experience. The existing language regarding the PIR process will be upgraded with information on the Public Information Act, including tips on how to write a request and a FAQ page. The website will also include a tool to translate information about the PIR process into multiple languages.

The Joint Team will investigate the use of a chatbot and links to open data portal data sets, including social media information. In addition, the Joint Team will establish guidelines for identifying and posting frequently requested PIR responses and responses related to trending topics.

Proposed Implementation Date: June 2024

Scope

The scope of this audit included the City of Austin's practices related to public information requests between fiscal years 2018 and 2022.

Methodology

To complete this audit, we performed the following steps:

- Reviewed requirements in the Texas Public Information Act (TPIA)
- Reviewed City training material for single points of contact (SPOC) including the Initial SPOC Training, Annual SPOC Training Presentation, and documentation provided on the public information request (PIR) SharePoint site
- Reviewed best practices provided in the County Open Records Handbook, Freedom of Information Guidance and Suggested Best Practices for Improving Transparency, and GovQA Best Practices documents
- Interviewed media stakeholders from outlets including the Austin-American-Statesman, Austin Monitor, CBS Austin, KUT, KVUE, and KXAN
- Interviewed individuals who have made frequent public information requests from the City of Austin
- Interviewed relevant staff from several City departments including Austin Energy, Austin Police, Austin Water, Information Security Office, Law, and the Office of the City Clerk
- Analyzed City of Austin GovQA PIR data from 2018 to 2022
- Tested a total of 40 PIRs for compliance with TPIA cost and timeliness provisions. The sample was selected from closed PIR requests between 2018 and 2022 that had a cost estimate. We randomly selected 30 Cityside PIRs from a population of 7,113. We randomly selected 10 APD PIRs from a population of 17,152. The results of our testing apply to the selected samples and cannot be projected to the total PIR population.
- Anonymously submitted three PIRs with varying levels of detail to determine the consistency of information received
- Reviewed the Language Access Plan for the City's Law PIR Team
- Surveyed a random sample of requestors who submitted a PIR to the City of Austin between 2018 and 2022. We designed the sample to be statistically significant based on an assumed response rate of 20%. To achieve the needed responses, we sent the survey to 2,500 requestors. We received 244 responses for a response rate of nearly 10%. Therefore, the results of our testing apply to the responses received and cannot be projected to the total requestor population.
- Surveyed current department PIR SPOCs and interviewed SPOCs from selected departments. We sent the survey to 181 City of Austin staff listed as their department's primary or backup SPOC for PIRs. We received 64 responses for a response rate of nearly 35%. The results of our testing apply to the responses received and cannot be projected to the total SPOC population.
- Reviewed selected Texas cities for PIR practices and interviewed staff from the City of Dallas' Open Data Portal and Open Records teams
- Evaluated internal controls related to the operation of the City's PIR process
- Evaluated the risk of fraud, waste, and abuse for the operation of the City's PIR process

Audit Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The Office of the City Auditor was created by the Austin City Charter as an independent office reporting to City Council to help establish accountability and improve City services. We conduct performance audits to review aspects of a City service or program and provide recommendations for improvement.

Audit Team
Patrick Johnson, Audit Manager
Jasmine Triplett, Auditor-in-Charge
Kendall Byers
Ashley Diaz
Tameen Imran
Jacob Perry
Sam Socolow
UT Student Team

City Auditor
Corrie Stokes

Deputy City Auditor
Jason Hadavi

Office of the City Auditor
phone: (512) 974-2805
email: AustinAuditor@austintexas.gov
website: http://www.austintexas.gov/auditor

AustinAuditor
@AustinAuditor

Copies of our audit reports are available at
http://www.austintexas.gov/page/audit-reports

Alternate formats available upon request