



Leslie Turk <leslie@thecurrentla.com>

Re: Response: Public Records Request (Leslie Turk - The Current 8-30-2022) May 2013 letter to Josh Guillory with listed key words

1 message

Leslie Turk <leslie@thecurrentla.com>
To: Helen Usher <helen.usher@louisiana.edu>
Cc: Christiaan Mader <christiaan@thecurrentla.com>

Tue, Sep 13, 2022 at 3:07 PM

Helen, how do these laws you cite apply to my request?

RS 44:1(A)(2)(a) All books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of this state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of this state, are "public records", **except as otherwise provided in this Chapter or the Constitution of Louisiana.**

LSA-Const. Art. 1, Sec. 5 - Right to Privacy - Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation, and particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise its illegality in the appropriate court.

Leslie Turk
Managing Editor, The Current
Lafayette, LA
Cell (337) 207-4312

On Tue, Sep 13, 2022 at 2:52 PM Helen Usher <helen.usher@louisiana.edu> wrote:
Good afternoon, Leslie;

In response to the August 30, 2022 request, personnel documents, including but not limited to evaluations, reprimands, apologies, disciplinary actions, etc. are exempt from the Louisiana Public Records Act pursuant to LA Rev Stat 44:1(A)(2)(a) and LSA-Const. Art. 1, Sec. 5.

Thank you,
Helen

Helen Usher, M.S.
Notary Public
Public Records Specialist
Office of Communications & Marketing
University of Louisiana at Lafayette

Martin Hall Room 319
Phone (337) 482-1625
Fax (337) 482-5908
helen@louisiana.edu

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From: Leslie Turk <leslie@thecurrentla.com>
Sent: Friday, September 9, 2022 2:36 PM
To: Helen Usher <helen.usher@louisiana.edu>
Cc: Christiaan Mader <christiaan@thecurrentla.com>
Subject: Re: Response: Public Records Request (Leslie Turk - The Current 8-30-2022) May 2013 letter to Josh Guillory with listed key words

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Hey, Helen, sorry it took a while to get back to you.

Just to be clear, I will take this latest response, "no documents exist that are responsive to that request," as applicable to both my first request for the letter and also my subsequent request for a letter with the specific keywords. Is that your position?

I'm not sure if you are aware, but The Current was recently successful in its public records lawsuit seeking documents related to the termination of interim Lafayette Police Chief Wayne Griffin. Among the records the judge ordered to be released was a redacted version of the termination letter, which is what I am seeking here.

LCG, as you did in your response, also cited *Trahan*, which pertains to employee evaluations, so I don't see its applicability. The *East Bank* case appears to relate to personnel files, which is not what I am requesting, though any termination letter would certainly be part of that file. Courts have held: "Whenever there is doubt as to whether the public has the right of access to certain records, the doubt must be resolved in favor of the public's right to see. To allow otherwise would be an improper and arbitrary restriction on the public's constitutional rights." Given that, I can certainly imagine a judge determining that a disciplinary letter or termination letter related to an embattled mayor-president would be a public record. To be clear, we are not planning to pursue any legal action on this matter.

I just thought a response, belated as it is, was due.

Thanks for your attention to this request.

Leslie Turk

Managing Editor, The Current
Lafayette, LA
Cell (337) 207-4312

On Wed, Aug 31, 2022 at 10:07 AM Helen Usher <helen.usher@louisiana.edu> wrote:

Good morning, Leslie;

The initial request on August 15, 2022, sought a “2013 letter to Josh Guillory notifying him that he was being dismissed/terminated as an adjunct professor” and “any letters written by a dean or department head recommending the termination.” No documents exist that are responsive to that request.

Furthermore, personnel documents, including but not limited to evaluations, reprimands, apologies, disciplinary actions, etc. are exempt from the Louisiana Public Records Act pursuant to LSA 44:1(A)(2)(a) and LSA-Const. Art. 1, Sec. 5. See also, *Trahan v. Larivee* and *East Bank Consolidated Special Service Fire Protection District v. Crossen*.

Thank you,
Helen

Helen Usher, M.S.

Notary Public

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From: Helen Usher <helen.usher@louisiana.edu>
Sent: Tuesday, August 30, 2022 10:49 AM
To: Leslie Turk <leslie@thecurrentla.com>
Cc: Helen Usher <helen.usher@louisiana.edu>
Subject: Public Records Request (Leslie Turk - The Current 8-30-2022) May 2013 letter to Josh Guillory with listed key words

Good morning, Leslie;

The Office of Communications and Marketing received your public records request below.

Specifically, you requested:

- *A May 2013 letter to Josh Guillory with the key words "student incident," "investigation," "reprimanded," "secretary," and "departmental procedures."*

We are reviewing you request and will keep you updated on the progress.

Please be advised that the cost of a copy of the public record will be \$0.25 per page for an electronic file to be emailed to you. This cost is based on the Louisiana Administrative Code, Title 4, §401, Department of State Non-Statutory Fee Schedule.

Thank you,
Helen

Helen Usher, M.S.

Notary Public

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From: Leslie Turk <leslie@thecurrentla.com>

Sent: Tuesday, August 30, 2022 9:34 AM

To: Helen Usher <helen.usher@louisiana.edu>

Subject: Re: Response: Public Records Request (Leslie Turk - The Current 8-15-2022) Josh Guillory termination letters/PAF

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Helen, in its most recent response to my PRR, the university turned over some employment records dating back to 2011, so it seems records this old are retained. Yet I have been told there are no records responsive to the May 2013 letter from UL to Josh Guillory that I have been seeking.

I will try again, in case it is the university's opinion that I asked for the incorrect record.

On behalf of The Current, I am seeking a May 2013 letter to Josh Guillory with the key words "student incident," "investigation," "reprimanded," "secretary," and "departmental procedures."

Leslie Turk
Managing Editor, The Current
Lafayette, LA
Cell (337) 207-4312

On Thu, Aug 18, 2022 at 11:52 AM Helen Usher <helen.usher@louisiana.edu> wrote:

Good morning, Leslie;

In response to your public records request, please be advised that there are no responsive records.

Thank you,
Helen

Helen Usher, M.S.
Notary Public
Public Records Specialist
Office of Communications and Marketing
University of Louisiana at Lafayette
Martin Hall, Room 319
Phone (337) 482-1625
helen@louisiana.edu

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From: Helen Usher <helen.usher@louisiana.edu>
Sent: Monday, August 15, 2022 10:24 AM
To: Leslie Turk <leslie@thecurrentla.com>
Cc: Helen Usher <helen.usher@louisiana.edu>
Subject: Public Records Request (Leslie Turk - The Current 8-15-2022) Josh Guillory termination letters/PAF

Good morning, Leslie;

The Office of Communications and Marketing received your public records request dated August 15, 2022.

Specifically, you requested the following records:

- Seeking the (approximately) 2013 letter to Josh Guillory notifying him that he was being dismissed/terminated as an adjunct professor.
- Any letters written by a dean or department head recommending the termination.

I am working on your request and will keep you updated on the progress.

Please be advised that the cost of a copy of the public record will be \$0.25 per page for an electronic file to be emailed to you. This cost is based on the Louisiana Administrative Code, Title 4, §401, Department of State Non-Statutory Fee Schedule.

You may view the documents in person at no cost.

Kindly acknowledge receipt of this email so I can be sure it reached you.

Thank you,
Helen

Helen Usher, M.S.

Notary Public

Public Records Specialist

Office of Communications & Marketing

University of Louisiana at Lafayette

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From: Leslie Turk <leslie@thecurrentla.com>
Sent: Monday, August 15, 2022 8:38 AM
To: Eric B Maron <eric.maron@louisiana.edu>
Subject: PRR - Josh Guillory termination letter

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On behalf of The Current, I am seeking the (approximately) 2013 letter to Josh Guillory notifying him that he was being dismissed/terminated as an adjunct professor.

I am also seeking any letters written by a dean or department head recommending the termination.

If you have any questions about this request, please let me know asap at the number below.

thanks

Leslie Turk
Managing Editor, The Current
Lafayette, LA
Cell (337) 207-4312

10/7/22, 4:27 PM

The Current Mail - Re: Response: Public Records Request (Leslie Turk - The Current 8-30-2022) May 2013 letter to Josh Guillory with listed ke...

