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CIV.O

19TH JUDICIAL DISTRICT COURT FOR PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

No. _____ **Division__**

WILLIAM ANDREW HAWKINS

versus

FRANK J. BESSON, IN HIS OFFICIAL CAPACITY AS DEPUTY SECRETARY AND CUSTODIAN OF RECORDS FOR THE LOUISIANA DEPARTMENT OF PUBLIC SAFETY SERVICES

VERIFIED PETITION FOR WRIT OF MANDAMUS

NOW INTO COURT, through undersigned counsel, comes William Andrew Hawkins, who brings this suit to enforce his rights under the Louisiana Public Records Law, *to wit*:

1.

Petitioner William Andrew Hawkins is a reporter for Public Radio Inc. d/b/a WRKF and Gulf States Newsroom, a collaboration among public radio stations in Louisiana, Alabama, Mississippi, and National Public Radio.

2.

Mr. Hawkins is a person of the age of majority and is domiciled in the parish of Orleans.

3.

Respondent Frank J. Besson is the Superintendent of the Louisiana State Police (hereinafter "LSP"), Deputy Secretary of the Department of Public Safety Services, and custodian of records for the Louisiana Department of Public Safety Services (hereinafter "DPS") pursuant to Louisiana Revised Statutes 44:1(A)(3).

4.

As a journalist, Mr. Hawkins reports on matters of public concern, including public health, economic development projects, and government spending.

5.

This court has jurisdiction to issue a writ of mandamus ordering the production of improperly withheld public records, and to award attorneys' fees and costs in connection therewith, under La. R.S. 44:35, and Article XII, Section 3 of the Louisiana Constitution.

6.

Venue is proper in this court, as the Department of Public Safety Services is located in Baton Rouge, Louisiana. La. R.S. 44:35(A).

Mr. Hawkins's Public Records Requests

7.

In December 2025, President Donald Trump named Governor Jeff Landry special envoy to Greenland.[1]

8.

In May 2026, Governor Landry traveled to Greenland; local and national news outlets, including public radio stations in Louisiana, reported on the trip.[2]

9.

On July 6, 2026, Mr. Hawkins submitted a public records request to LSP through DPS for a "financial summary of expenses made in 2026 in Greenland" through the agency's public records portal. A copy of the request is attached hereto as **Exhibit 1**.

10.

On July 7, 2026, the Records Management Division, through the public records portal, stated that the request appeared to be overly broad and asked Mr. Hawkins to narrow the scope of his records or add specificity to his request. *See* Exhibit 1, p. 3.

11.

In response, Mr. Hawkins narrowed the date range of his request to records between May 13, 2026 and May 23, 2026. *See* Exhibit 1, p. 2.

12.

On July 31, 2026, the Records Management Division denied the request, citing La. R.S. 40:1399, which relates to police protection for the governor, and La. R.S. 44:3(A)(3), which exempts, in pertinent part, records containing security procedures. *See* Exhibit 1, p. 1.

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[1] *See* Julie O'Donoghue, *Louisiana Gov. Jeff Landry Selected by Trump to be Special Envoy to Greenland*, LOUISIANA ILLUMINATOR, (Dec. 21, 2025) https://bit.ly/4dW6QSP.

[2] *See* Winston Reed, '*I Love it, it's Great': Gov. Landry Defends Controversial Visit to Greenland*, WWL LOUISIANA, (May 20, 2026) https://bit.ly/4z1izHZ; Bob Pavlovich & Alana Schreiber, *Louisiana Considered: Gov. Landry Goes to Greenland; Why Youth Sports has a Referee Shortage; How to Protect Photos from Storm Damage*, WWNO (May 21, 2026) https://perma.cc/W492-PU5H.

13.

DPS also provided three letters which, upon information and belief, purport to explain why the records are not subject to disclosure. The letters provided by DPS (hereinafter the "DPS Letters") are attached hereto as **Exhibit 2**.

14.

Mr. Hawkins, through undersigned counsel, sent a letter via email to the previous LSP Superintendent Colonel Robert Hodges and copied Lt. Colonel Robert A. Burns, explaining that the cited exemptions are inapplicable and asking the agency to produce the records. A copy of the letter sent to LSP is attached hereto as **Exhibit 3**.

15.

To date, undersigned has not received a response.

16.

The cited exemptions and the reasons given in the DPS letters do not justify withholding the requested records.

17.

DPS's refusal to provide the requested records violates the Louisiana Public Records Law, La. R.S. 44:1, *et seq*.

Applicable Law

18.

The Louisiana Constitution provides that "[n]o person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law." La. Const. art. 12, § 3.

19.

Further, "[p]roviding access to public records is a responsibility and duty of the appointive or elective office of a custodian and his employees." La. R.S. 44:31(A).

20.

The Louisiana Public Records Law provides that any person of the age of majority "may inspect, copy, or reproduce any public record" or "obtain a copy or reproduction of any public record." La. R.S. 44:31(B)(1)–(2).

21.

The constitutional right of access and Public Records Law must be construed liberally, and any doubt must be resolved in favor of the public's right to access records. *People for the Ethical Treatment of Animals v. Bd. of Supervisors of La. State Univ.*, 2023-01396, p. 5 (La. 6/28/24), 387 So. 3d 527, 534.

22.

Access to public records can be denied only when the Public Records Law or Louisiana Constitution specifically and unequivocally provides to the contrary. *Id*.

23.

Financial records of state agencies are subject to the Public Records Law because they are documents used, prepared, possessed, or retained for use in the performance of public business. La. R.S. 44:1(A)(2)(a).

24.

The custodian has the burden of proving that a public record is not subject to inspection, copying, or reproduction. La. R.S. 44:31(B)(3).

25.

If the custodian asserts that the requested records are exempt from the Public Records Law, the custodian must notify the requestor in writing within five days and provide the basis under the law that the custodian has determined exempts a record. La. R.S. 44:32(D).

26.

Here, Defendant waited three weeks from the time Mr. Hawkins narrowed his request to respond and deny access to records.

27.

Defendant has violated the Public Records Law by failing to timely respond in accordance with the Public Records Law.

28.

Further, Defendant claims that the requested records are exempt pursuant to Louisiana Revised Statutes 40:1399, which authorizes the office of state police to "provide and maintain the security for the governor, and the governor's immediately family, other persons authorized by the governor, and the governor's office and mansion, and the grounds thereof." La. R.S. 40:1399(A).

29.

Louisiana Revised Statutes 40:1399 requires security personnel to substantiate costs of meals and lodging incurred on trips with the governor outside of Baton Rouge, stating that "[p]er diem and subsistence allowance for security personnel traveling with the governor or his family away from Baton Rouge shall be computed by payment of a sum not exceeding the amounts permitted for meals, plus actual expenses for lodging, to be substantiated by paid bills thereof." La. R.S. 40:1399(D).

30.

Louisiana Revised Statutes 40:1399 does not create any exemptions from the Louisiana Public Records Law, or reference the Louisiana Public Records Law at all, nor does it require that any documents or information be treated as confidential.

31.

Specifically, Louisiana Revised Statutes 40:1399 does not create any exemptions for disclosure of records related to the statutorily required substantiation of security personnel's travel expenses on trips with the governor.

32.

Whether LSP is substantiating security personnel expenses, as required by Louisiana Revised Statutes 40:1399(D) and whether LSP expenses exceed the amount permitted by state law is a matter of public concern.

33.

Louisiana Revised Statutes 44:3(A)(3), the other provision cited by DPS to justify denying Mr. Hawkins' request, creates an exemption for:

> Records containing security procedures, investigative training information or aids, investigative techniques, investigative technical equipment or instructions on the use thereof, criminal intelligence information pertaining to terrorist-related activity, or threat or vulnerability assessments collected or obtained in the prevention of terrorist-related activity, including but not limited to physical security information, proprietary information, operational plans, and the analysis of such information, or internal security information[.]

La. R.S. 44:3(A)(3).

34.

This exemption is inapplicable to the records Mr. Hawkins requested. Mr. Hawkins's request is for financial records related to specific past trips to Greenland. The request does not seek records that would contain or otherwise reveal security procedures, investigative training information, investigative techniques, or criminal intelligence information pertaining to terrorist-related activity.

35.

Defendant violated the Public Records Law by refusing to provide responsive records.

36.

Public records lawsuits must be "tried by preference and in a summary manner." La. R.S. 44:35(C).

37.

Access to the requested financial records is critical to the public's understanding of how much LSP is spending on security personnel accompanying Governor Landry on trips to Greenland, where Governor Landry has been appointed the United States' special envoy. The cost to Louisiana citizens of the Governor's appointment as special envoy is a matter of public concern, and the public has a right to know how much the Governor's travels cost taxpayers.

WHEREFORE, in consideration of the above Petition for Writ of Mandamus pursuant to La. R.S. 44:1 *et seq*., Petitioner William Andrew Hawkins asks that this Honorable Court:

(a) Set an expedited hearing as required by La. R.S. 44:35(C);

(b) Issue a Writ of Mandamus directing Respondent Besson to provide copies of the requested public records, or show cause as to the contrary;

(c) Award Plaintiffs reasonable attorneys' fees and costs pursuant to La. R.S. 44:35(D); and

(d) Award Plaintiffs any other legal and equitable relief to which they are entitled.

Respectfully submitted,

/s/ *Virginia M. Hamrick*
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