

19TH JUDICIAL DISTRICT COURT FOR PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

No. C-785392

Division O

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

PLAINTIFF’S MEMORANDUM IN SUPPORT OF WRIT OF MANDAMUS

NOW INTO COURT, through undersigned counsel, comes Petitioner William Andrew Hawkins, who respectfully submits this memorandum of law in support of his Petition for Writ of Mandamus under the Louisiana Public Records Law, La. R.S. 44:1 *et seq*, against Respondent Frank J. Besson, in his official capacity as Superintendent of Louisiana State Police (hereinafter “LSP”) and Deputy Secretary of the Department of Public Safety Services (hereinafter “DPS”).

INTRODUCTION

At issue in this case is whether financial and expense records of public employees traveling outside of the United States are subject to access under the Public Records Law. Because there is no statute exempting these records from disclosure, Respondent’s refusal to disclose them constitutes a violation of the Louisiana Public Records Law.

The records at issue are related to Governor Jeff Landry’s appointment by President Trump as special counsel to Greenland in December 2025. The appointment was widely reported on in the state and across the country, and there was public discourse regarding whether the governor could hold two positions at once.¹ As part of his role as special envoy, Governor Landry traveled

¹ See, e.g., 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>; O’Donoghue, *Jeff Landry Now Has Two Roles: Governor and Greenland Envoy. It’s Unclear How He Will Manage Both.*, LOUISIANA ILLUMINATOR, (Jan. 18, 2025) <https://lailluminator.com/2026/01/18/jeff-landry-now-has-two-roles-governor-and-greenland-envoy-its-unclear-how-he-will-manage-both/>; Amelia Nierenberg, Jeffery Gettleman, and Maya Tekeli, *Angering Denmark, Trump Appoints Special Envoy to Greenland*, NY TIMES, (Dec. 22, 2025) <https://www.nytimes.com/2025/12/22/world/europe/trump-special-envoy-greenland-denmark-landry.html>.

to Greenland in May 2026.² The cost of the publicly funded security detail accompanying Governor Landry and the expenses incurred while traveling are a matter of public concern.

As detailed more fully below, the cited exemptions under the Public Records Law for denying Mr. Hawkins's requests for financial summary of expenses made in Greenland from May 13, 2026 to May 23, 2026 are inapplicable, and Respondent has failed to meet his burden to justify withholding the requested records. Mr. Hawkins respectfully asks this Court to issue a writ of mandamus directing Respondent to produce the requested records, award Mr. Hawkins his reasonable attorneys' fees and costs, and grant any other legal and equitable relief to which he is entitled.

FACTUAL BACKGROUND

Mr. Hawkins is a reporter for Public Radio Inc. d/b/a WRKF and the Gulf States Newsroom, a collaboration among public radio stations in Louisiana, Mississippi, Alabama, and National Public Radio. His reporting focuses on public health, economic development projects, and government spending across the region. In or around March 2026, Mr. Hawkins began reporting on the costs of Governor Landry's trips outside the state of Louisiana. He investigated, among other things, records related to Governor Landry's travel to Greenland as special envoy to the country.

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**. The next day, the Records Management Division of LSP, 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. Mr. Hawkins narrowed the date range of his request to records within an eleven-day period between May 13, 2026 and May 23, 2026. *See* Exhibit 1, p. 2.

² *See e.g.*, Bob Pavlovich, Alana Schreiber, *Louisiana Considered: Gov. Landry Goes to Greenland; Why Youth Sports has a Referee Shoertage; Howe to Protect Photos from Storm Damage*, WWNO (May 21, 2026) <https://www.wwno.org/show/louisiana-considered/2026-05-21/gov-landry-goes-to-greenland-why-youth-sports-has-a-referee-shoertage-how-to-protect-photos-from-storm-damage>.

On July 31, 2026, the Records Management Division denied the request, citing La. R.S. 40:1399 and La. R.S. 44:3(A)(3). *See* Exhibit 1, p. 1. At no point has DPS claimed that the records do not exist. In addition, DPS provided three letters related to the Governor and the public availability of security detail records: (1) an August 27, 2025 letter from Louisiana Attorney General Liz Murrill to various public officials, regarding security of public officials and applicability of the Louisiana Public Records Act; (2) an August 28, 2025 letter from Jason Gregory Hessick, Assistant Secretary of Public Safety Services, asserting that a set of requested records were exempt from disclosure and providing some general information about the logistics of Governor Landry’s out-of-state travel; and (3) an August 28, 2025 letter from Deputy Superintendent Lt. Colonel Robert Burns II, providing the total expenditures for the Louisiana State Police Protective Services Section for fiscal year 2025. *See* Exhibit 2. Upon information and belief, the letters purport to explain why the records are not subject to disclosure. The letters provided by DPS are attached hereto as **Exhibit 2**. The cited exemptions and justifications set forth in the Records Management Division’s denial and the accompanying letters do not justify withholding the requested records.

ARGUMENT

I. PETITIONER IS ENTITLED TO MANDAMUS RELIEF UNDER THE LOUISIANA PUBLIC RECORDS LAW

A petitioner is entitled to mandamus relief under the Public Records Law upon a showing of the following:

(1) A request must be made, La. R.S. 44:32(A); (2) the requester must be a “person,” La. R.S. 44:31; (3) the request must be made to a “custodian,” La. R.S. 44:32(A)(3); (4) the document requested must be a “public record,” La. R.S. 44:1(A)(2); (5) the document requested must exist, La. R.S. 44:35; and (6) there must be a failure by the custodian to respond to the request.

Labranche v. Landry, 2022-0461 (La. App. 1 Cir. 12/15/2022), 357 So. 3d 395, 404 (citations omitted).

The right to examine public records is of such importance that it is guaranteed in the Louisiana Constitution. La. Const. art. XII, § 3 (“[n]o person shall be denied the right to...examine public documents, except in cases established by law.”). The Louisiana Supreme Court has reiterated that the constitutional right of access must be

construed liberally in favor of free and unrestricted access to the records, *and that access can be denied only when a law, specifically and unequivocally, provides otherwise. Id.* 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.

In re Matter Under Investigation, 2007-1853, p. 24-25 (La. 7/1/2009), 15 So. 3d 972, 989, quoting *Capital City Press v. E. Baton Rouge Par. Metro. Council*, 96-1079, p. 4 (La. 7/1/1997), 696 So. 2d 562, 564 (emphasis in original) (further quotations omitted).

Further, the legislature enacted the Louisiana Public Records Act, La. R.S. 44:1, *et seq.*, to ensure the right of public access in the most expansive and unrestricted way possible. *Title Rsch. Corp. v. Rausch*, 450 So. 2d 933, 937 (La. 1984). The law is intended to keep the public reasonably informed about how public bodies conduct their business and how the affairs of government are handled. *City of Baton Rouge/Par. of E. Baton Rouge v. Capital City Press, LLC*, 2007-1088, p. 15 (La. App. 1 Cir. 10/10/2008). Providing access to public records is the responsibility and duty of the appointive or elective office of custodians and their employees. La R.S. 44:31(A).

Any "exception, exemption, and limitation to the laws pertaining to public records not provided for in the Public Records Law or in the Constitution of Louisiana has no effect." *Shane v. Parish of Jefferson*, 2014-2225 (La. 12/8/2015) 209 So. 3d 726, 735. The custodian of records must prove that a requested record is not subject to disclosure. La. R.S. 44:31(B)(3).

Mr. Hawkins has met the requirements to seek mandamus relief. Mr. Hawkins, a person, made a request for financial summary of expenses in Greenland from May 13, 2026 to May 23, 2026 to a custodian. Petition, ¶ 9, 11. Expense records from security personnel's travel exist—security personnel are required by statute to substantiate cost of travel. La. R.S. 40:1399(D). LSP provides the total annual expenditures of Protective Services Section, including the costs of travel and miscellaneous expenses; certainly, LSP has custody of records of travel expenditure broken down by trips. And, finally, Respondent withheld all responsive records and has failed to prove that the records are exempt under the Public Records Law or Louisiana Constitution.

Financial records of state agencies are plainly public records. La. R.S. 44:1(2)(a) ("All books, records, writings, letters...or any other documentary materials, regardless of physical form or characteristic...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[.]’”). Expenses made by law enforcement agencies while traveling are subject to disclosure. *See Ctr. for Constitutional Rights v. St. Charles Par. Sheriff’s Office*, 18-274 (La. App. 5 Cir. 12/27/2018) 263 So. 3d 980 (“Receipts for the travel by the employees of the Sheriff’s Office to North Dakota in October 2016 in response to the protests against the Dakota Access Pipeline Project fall within the definition of public records.”).

II. RESPONDENT HAS NOT MET HIS BURDEN THAT THE RESPONSIVE RECORDS ARE EXEMPT FROM DISCLOSURE

A. La. R.S. 40:1399 does not create an exemption from the Public Records Law.

Critically, LSP is *required* to substantiate security personnel spending. La. R.S. 40:1399. But by denying access to expense records, there is no public oversight of security detail spending and no way for the public to understand how much taxpayer money LSP spent on travel to Greenland. No statute provides a valid basis for withholding these records.

Respondent has asserted that the responsive records are exempt from disclosure based on La. R.S. 40:1399, but this is not supported in any way by the text of the statute. La. R.S. 40:1399 authorizes the office of state police to “provide and maintain the security for the governor, and the governor’s immediate family, other persons authorized by the governor, and the governor’s office and mansion, and the grounds thereof.” La. R.S. 40:1399(A). The statute does not create any exemptions from the Louisiana Public Records Law, let alone reference the Public Records Law at all.

La. R.S. 40:1399 provides 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). But again, this statute does not create any exemption from the Public Records Law; rather, it merely requires that certain records be substantiated by security personnel traveling with the governor.

Access to public records can be denied only when the Public Records Law or the Constitution *specifically* and *unequivocally* provide otherwise. *See Shane*, 209 So. 3d at 735 (citing *DeSalvo v. State*, 624 So. 2d 897, 902 (La. 1993)). Indeed, exemptions that are not provided for in

law or in the Louisiana Constitution **have no effect**. *See Id.* La. R.S. 40:1399 does not create an exemption from the Public Record Law and cannot be used to deny access to expense records.

B. La. R.S. 44:3(A)(3) is inapplicable to expense records.

The other statute cited by Respondent is also inapplicable. La. R.S. 44:3(A)(3) exempts from public records the following information held by law enforcement and intelligence agencies:

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).

A general assertion that disclosure could reveal security procedures is insufficient to justify withholding records under this provision. *See Freeman v. Guaranty Broadcasting Corp.*, 498 So. 2d 218, 225 (La. 1 Cir. App. 1986) (reasoning that State Police failed to substantiate claim that documents revealed investigative techniques); *Skamangas v. Stockton*, 37, 996 (La. App. 2 Cir. 3/5//04), 867 So. 2d 1009 (“La. R.S. 44:3 requires more than judicial acceptance of a general assertion of privilege.”).

As further example, in *Asante-Chioke v. Hodges*, a requestor sought, in pertinent part, personnel files of an officer and superintendent involved in a deadly officer-involved shooting, including trainings administered to the officers, and LSP’s training materials regarding de-escalation tactics or encounters with individuals suffering from mental illness. *Asante-Chioke v. Hodges*, 2024-1302, p. 12 (La. App. 1 Cir. 5/30/2025), 417 So. 3d 886, 895. The First Circuit Court of Appeals rejected LSP’s arguments that the officers’ entire personnel file and training materials related to de-escalation were exempt under La. R.S. 44:3(A)(3) and ordered *in camera* inspection of the records to determine what, if any records, would reveal security procedures or investigative training information. *Id.* at 869.

It strains credulity that expense records—such as receipts or invoices—would contain “security procedures.” Merely knowing the amount of money spent by security personnel on a previous trip would in no way reveal security techniques or endanger the governor on future trips.

In the event that the relevant expense records contain some information exempted by La. R.S. 44:3(A)(3), that information can be redacted and the remaining non-exempt content must be disclosed. *See Johnson v. Broussard*, 2012-1982 (La. App. 1 Cir. 6/7/2013), 118 So. 3d 1249, 1256 (noting that custodian has authority to excise any non-public information before providing access to records and presence of non-public information is not a reason for restricting access).

The records at issue in this case are simply expense records, which are routinely sought by the public to assess government spending. The exemption provided for in La. R.S. 44:3(A) for security procedures and techniques is wholly inapplicable to the requested records. As such, Respondent has failed to show that the records are exempt and they must be disclosed. Alternatively, if there is any question as to whether the exemption applies, Mr. Hawkins asks this Court to inspect the records *in camera*, rather than dismiss the petition.

CONCLUSION

Respondent has failed to meet his burden of showing that the requested expense records are not subject to disclosure. Mr. Hawkins respectfully asks this court to issue a writ of mandamus, directing Respondent to make the records available, award Mr. Hawkins reasonable attorneys' fees and costs, or any other legal and equitable relief to which he is entitled. Alternatively, if the Court believes that some portion of the records may be exempt from disclosure, Mr. Hawkins requests that the Court inspect the records *in camera* to determine whether any exempt content can be redacted and the remaining content disclosed.

Respectfully submitted,

/s/ Virginia M. Hamrick
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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing pleading on Defendant's counsel via email on October 12, 2026.

/s/ Virginia M. Hamrick