



Everything New Orleans

# The Times-Picayune

## **N.O. told to pay paper's legal fees**

### **Times-Picayune sued to get public records**

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From staff reports

A state judge Friday ordered the city of New Orleans to pay legal fees incurred by The Times-Picayune when the newspaper was forced to sue City Hall to get a response to six public-records requests for police reports and statistics.

Civil District Court Judge Kern Reese awarded the newspaper \$13,573 after the newspaper contended it was forced to go to court because the city failed to respond to the six records requests in 2007 and 2008. One of the requests had lingered for 108 days, even though the law requires a response within three days.

Reese denied the newspaper's request to penalize the city \$100 a day for each request that did not receive a timely response. That would have added \$45,100 to the award.

The newspaper filed suit seeking the records April 18 and settled with the city May 23.

The suit sought reports on individual crimes and statistics on crime levels citywide.

State law says that initial incident reports are public records and it includes a list of details they are supposed to contain, such as the location of the crime and a description of what happened. Other documents, such as reports from detectives on the status of their investigations, are shielded from public view.

Under the terms of the settlement, the Police Department is allowed to contend that some sensitive details of a police report may be exempt from public view. In those instances, the department must provide a copy of the document that omits those details.

Under state law, the losing party in a public-records dispute must pay the winner's legal fees. As part of their deal, the newspaper and the Police Department agreed to try to resolve the question of what legal fees are owed to The Times-Picayune or submit the question to Reese.

Both sides have 60 days to appeal Reese's decision.