1. **Acquiring the Texas Traffic Accident Data**

We began working with publicly available traffic accident data files created by the Texas Department of Transportation (TxDOT) during the summer of 2015. These files, called Crash Record Information System (CRIS), exclude personal identifying information and are posted on the TxDOT website. The TxDOT website states, and we confirmed, that TxDOT does not retain any CRIS files before 2010.

We sought access to TX CRIS data for years prior to 2010 from other government agencies and existing data repositories. The National Center for Statistics and Analysis at the National Highway Traffic Safety Administration (NHTSA) retains accident crash data from Texas, but only for a subset of the data fields publicly available beginning in 2010. Importantly, the TX CRIS data retained by the NHTSA do not include georeferenced location information.

We conducted a literature review of peer-reviewed papers which used pre-2010 CRIS data. We found a number of papers that used these data. We contacted the authors of the papers inquiring whether they could share their data. As far as we could tell, the authors of all of the peer-reviewed papers were affiliated with the **University of Texas at Austin Center for Transportation Research** (<https://ctr.utexas.edu/>).

We began to contact the authors of the peer reviewed research papers that used pre-2010 CRIS data in the late summer and early fall of 2016. All of the researchers had a connection to the University of Texas at Austin Center for Transportation Research. Our emails and phone calls were met with some form of the response: “I do not have the data” or “The data are confidential”. In one instance the author would not even admit whether the data existed. We even inquired about bringing one of the researchers at the University of Texas at Austin Center for Transportation Research onto our project so as to facilitate access to the data. Finally, after numerous email exchanges we were unequivocally denied access to the data. The stated reason was that the University of Texas at Austin Center for Transportation Research had made an agreement with TxDOT not to act as a data “pass through” to other parties. Since TxDOT no longer retains these data, then any existing entity with the data would—by definition—fall under this no “pass through” clause, making the data effectively sealed from further public use. We incredulously followed up with the current Director of Crash Data and Analysis at TxDOT who confirmed the no “pass through” policy.

1. **Public Information Request for pre-2010 TX CRIS data**

We obtained the pre-2010 CRIS data after a lengthy Public Information Act Request. We requested the data from the University of Texas at Austin Center for Transportation Research on October 5, 2016. The University of Texas at Austin Center for Transportation Research initially refused to release the data and petitioned to the Texas Attorney General’s office. Legal counsel representing UT Austin sent a letter to the Texas Attorney General’s office outlining their rationale as to why the data should not be released. At this point, we had Case Western Reserve University’s legal counsel reply to the petition not release the data by the University of Texas at Austin Center for Transportation Research. The Attorney General’s office ruled in our favor on January 23, 2017. We received the requested data on February 15, 2017.

We feel that it is important to underscore why we were so perplexed that the University of Texas at Austin Center for Transportation Research would refuse to release the pre-2010 data. First, the accident data were originally compiled by a public agency, and the exact same data are available beginning in 2010 to anyone in the world free of cost via TxDOT’s website. Second, a [previous ruling](https://johntedesco.net/blog/2010/03/11/woai-fought-long-battle-to-obtain-txdots-auto-accident-data/) on a Public Information Act Request clearly established that the data we were requesting are permissible under open record laws and must be released to the public upon request. In fact, the previous ruling is what prompted TxDOT to allow access to the same information (for later years) via their website. All of the documents related to the Information Act Request are in the folder titled: *Public Information Act Letters*.