



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

September 10, 2025

Via email

The City of Oklahoma City
c/o Kelea Fisher, Assistant Municipal Counselor
(kelea.fisher@okc.gov)
Paula Kelly, Deputy Municipal Counselor
(paula.kelly@okc.gov)

Re: Public Access Counselor Complaint No. 2025-2

Dear Counsel,

This correspondence serves as an official advisement regarding the above-referenced complaint (“Complaint”) submitted to this office pursuant to title 51, section 24A.40 of the Oklahoma Statutes. The Public Access Counselor (“PAC”) received the Complaint on June 25, 2025 from Jennifer Palmer, a reporter with Oklahoma Watch. The Complaint alleges that the City of Oklahoma City (“City”) improperly denied a request under the Oklahoma Open Records Act (“ORA”) for a law enforcement “initial incident report on Kevin Eddings” (“Eddings Report”).

As required by section 24A.40(F), I conducted an initial review and determined the Complaint warranted a response from the City. In its response, the City argues it is not required to provide access to the Eddings Report because, among other things, (1) the ORA—specifically title 51, section 24A.8—does not mandate public access to “incident reports” that do not involve an arrest, and (2) to the extent the ORA references law enforcement incident reports, it requires public access only to a “chronological list of all incidents,” a record that the City claims it does not maintain.¹

Upon review of the records provided by the City and consideration of the City’s response, I have determined the following:

1. Section 24A.8 sets forth the parameters for access to law enforcement records. Records listed in subsection A, if kept by a law enforcement agency, must be made available to the public. Subsection B permits the agency, in its discretion, to deny access to all other records unless a court “finds that the public interest or the interest of an individual outweighs the reason for denial.” *Id.* § 24A.8(B).

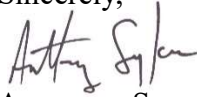
¹ While the City raises additional arguments in support of its position, I did not consider them in reaching my conclusion. The language of title 51, section 24A.8 is sufficiently clear to resolve the Complaint.

2. It is acknowledged both in the Complaint and by the City that the Eddings Report does not involve an arrest. As a result, public access to the record is not required by title 51, section 24A.8(A)(1) & (2). These provisions require access to law enforcement records that reflect information about an arrestee and the circumstances of the arrest.
3. Instead, the parties focus on title 51, section 24A.8(A)(3), which requires law enforcement agencies to “make available for public inspection and copying, *if kept* . . . [a] chronological list of all incidents, including initial offense report information showing the offense, date, time, general location, officer, and a brief summary of what occurred[.]” (emphasis added). The Complaint alleges that this provision requires public access to law enforcement incident reports. The City responds that it is required only to provide a “chronological list” of incidents—assuming it keeps such a record. The City represents that does not maintain such a list, and states that nothing in the ORA requires it.²
4. Importantly, the Legislature has made a distinction between the records that must be made available in these provisions of the ORA. In subsections 1 and 2, the ORA requires law enforcement agencies to make certain arrest information, if kept, available to the public regardless of the record in which it appears. Conversely, subsection 3 requires public access to a specific record—a chronological list of incidents—if such a record exists. This list is further described by what information it might contain: “initial offense report information showing the offense, date, time, general location, officer, and a brief summary[.]” But nothing requires law enforcement to maintain the list, or to allow public access to the source materials—*i.e.*, the incident reports themselves—that would inform such a list.
5. The Complaint focuses only on the Eddings Report and its availability under title 51, section 24A.8(A)(3). As a result, this advisement addresses that issue only. I have not been made aware of any other records related to the Eddings Report, nor have I considered whether the Eddings Report or any related records—should they exist—would be publicly available under other provisions of the ORA.

Based on the information available to me at this time, I conclude that the City has a good-faith legal basis to deny public access to the Eddings Report. Under title 51, section 24A.40(G), no further response to the above-referenced Complaint is required. If you have any follow-up questions, please do not hesitate to contact me at (405) 522-2771 or by email at anthony.sykes@oag.ok.gov.

² Indeed, title 51, section 24A.8(C) states explicitly that “[n]othing contained in this section imposes any new recordkeeping requirements.” Nevertheless, the City notes that it maintains a searchable Community Crime Map (<https://www.okc.gov/Services/Public-Safety/Police/Crime-Prevention-Data/Crime-Map>) that may include incident information. If this is a “chronological list” as described in subsection (3), the City has satisfied its obligation to provide public access by making the record fully accessible on the internet. *See* 51 O.S.Supp.2024, § 24A.5(6).

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Sykes". The signature is fluid and cursive, with the first name "Anthony" and last name "Sykes" clearly distinguishable.

ANTHONY SYKES

Assistant Attorney General

Public Access Counselor

cc: Jennifer Palmer, Oklahoma Watch (*via email*)