



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

October 22, 2025

Via email

City of Coweta, Oklahoma
c/o Patrick T. Boulden, Interim Coweta City Attorney
(patrickbouldenlaw@gmail.com)

Re: Public Access Counselor Complaint No. 2025-11

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 from Jason N. Smith, a private citizen. The Complaint alleges that the City of Coweta ("Coweta") improperly denied a request under the Oklahoma Open Records Act ("ORA") for records related to Coweta's investigation of a misconduct complaint against the Coweta Police Chief.

As required by section 24A.40(F), I conducted an initial review and determined the Complaint warranted a response from Coweta. In a response provided by its city attorney, Coweta argues it is not required to provide access to the requested records based on title 51, section 24A.7(A)(1), which allows public bodies to keep certain personnel records confidential.

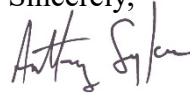
Upon review of the records provided by Coweta and consideration of Coweta's response, I have determined the following:

1. Title 51, section 24A.7(A) contains two provisions that permit a public body, in its sole discretion, to withhold access to personnel records. Relevant here, subsection 24A.7(A)(1) applies to records "relate[d] to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation[.]"
2. While the documents requested in the Complaint evolved over time, they generally fall into two categories: (1) documents related to the internal investigation of the Coweta Police Chief, including any final decision and records relied upon to reach that decision, and (2) documents shared or discussed in public meetings or otherwise not exempt from disclosure under the ORA.

3. Coweta may deny public access to the records in category #1 per the plain terms of Section 24A.7(A).¹ With regard to category #2, Coweta must produce records that are not otherwise exempt from the requirements of the ORA, should any exist.

Based on the information available to me at this time, I conclude that the City of Coweta's response to the Complaint was reasonable. However, if there are non-exempt records that were not made available to Mr. Smith in response to his request, the City of Coweta should make them available promptly. If you have any follow-up questions, please do not hesitate to contact me at (405) 522-2771 or by email at opengov@oag.ok.gov.

Sincerely,



ANTHONY SYKES

*Assistant Attorney General
Public Access Counselor*

cc: Jason N. Smith (*via email*)

¹ While the ORA allows a public body to keep records relating to internal personnel investigations confidential, it requires them to make available records of "final disciplinary action resulting in loss of pay, suspension, demotion of position or termination." 51 O.S.Supp.2022, § 24A.7(B)(4). Here, my understanding is that Coweta took no disciplinary action, so no such records exist.