



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

January 8, 2026

Via email

The City of Oklahoma City
c/o Kelea Fisher, Assistant Municipal Counselor

Re: Public Access Counselor Advisement – Complaint No. 2025-70

Dear Counsel,

This is an official advisement regarding the above-referenced complaint (“Complaint”) submitted to this office pursuant to 51 O.S.Supp.2025, § 24A.40. The Public Access Counselor (“PAC”) received the Complaint on October 17, 2025 from Tommy Lee Carson III, a private citizen. The Complaint alleges that the City of Oklahoma City (“City”) improperly denied a request under the Oklahoma Open Records Act (“ORA”) for a 911 audio recording (“911 Audio”) from the Oklahoma City Police Department (“OCPD”) pertaining to Mr. Carson’s father.

Per the terms of 51 O.S.Supp.2025, § 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 because the 911 Audio is a record of a law enforcement agency and 911 audio recordings are not among the records required by 51 O.S.Supp.2022, § 24A.8 to be made accessible to the public.¹

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

1. The ORA in 51 O.S.Supp.2022, § 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. The agency may, in its discretion, 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).
2. The City has shown that the 911 Audio is a record of OCPD, a law enforcement agency. Audio recordings of 911 calls are not among the records listed in 51 O.S.Supp.2022, § 24A.8(A). Accordingly, OCPD may, in its discretion, deny Mr. Carson’s request for

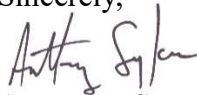
¹ While the City mentions additional arguments in support of its position, I did not consider them in reaching my conclusion. The language of 51 O.S.Supp.2022, § 24A.8 is sufficiently clear to resolve the Complaint.

access until a court “finds that the public interest or the interest of an individual outweighs the reason for denial.”

3. The City’s discretion in this regard is not unfettered. It must balance its reasons for denying access to records against the interests of the requester and/or the public at large. Here the City has made a colorable case that, after balancing these interests, it need not release the 911 Audio to Mr. Carson. While I might have reached a different conclusion, the PAC does not serve as the check on the City’s balancing of interests. Instead, the ORA vests that authority solely in the judicial system. 51 O.S.Supp.2022, § 24A.8(B).

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 911 Audio. Under 51 O.S.Supp.2025, § 24A.40(G), no further response is required. 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: Tommy Lee Carson III (*via email*)