



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

April 2, 2026

Via email

The City of Oklahoma City
c/o Kelea Richardson, Assistant Municipal Counselor
c/o Jason Perez, Assistant Municipal Counselor
(jason.perez@okc.gov)

Re: Public Access Counselor Advisement – Complaint No. 2025-099

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 January 7, 2026 from Sachi McClendon, 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 the results of proficiency examinations conducted by Collaborative Testing Services (“CTS”) for firearms examiners in the City police department’s forensic laboratory. According to the Complaint, the City advised Ms. McClendon that the request was denied pursuant to “Title 51 Section 24A.8 10A.”¹

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 that it has the discretion to deny public access to the CTS examination results because they are personnel records within the meaning of 51 O.S.Supp.2022, § 24A.7(A).

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

1. The results of individual CTS proficiency examinations are records as defined by the ORA. 51 O.S.Supp.2025, § 24A.3(1). As such, they must “be open to any person” unless otherwise exempt by virtue of another provision of law. *Id.* § 24A.5.
2. The City relies on 51 O.S.Supp.2022, § 24A.7(A) to justify denying access to the records. That provision grants a public body the discretion to “keep personnel records confidential...[w]hich relate to personnel investigations including examination and

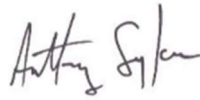
¹ It is unclear what provision the City was referring to with this citation. However, in its response to the Complaint the City relies on an entirely separate provision of the ORA to justify withholding the records at issue. Accordingly, I have only considered the City’s arguments discussed herein.

selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation[.]” According to the City, a firearms examiner’s failure to test fully qualified on the CTS exam may lead to the examiner’s demotion, discipline, or removal from their position.

3. This is a misreading of a public body’s discretion under section 24A.7(A). By the plain terms of the statute, the City may deny public access to the examination results *only* when they relate to a personnel investigation. If no personnel investigation has been initiated with regard to the exam-taker, the records must be made available.
4. With that said, the City may be permitted to make certain redactions to protect the privacy of individual exam-takers, either under section 24A.7(B) or other laws. However, I do not reach that question here. It is my understanding that Ms. McClendon has agreed to receive the CTS results with identifying personal information of the individual exam-takers redacted.

Based on the information available to me at this time, I conclude that the CTS examination results referenced in the Complaint are open records under 51 O.S.Supp.2025, § 24A.3 and the City has not provided a legal basis to deny public access. The City’s options upon receiving this advisement are set forth in 51 O.S.Supp.2025, § 24A.40(G), however it is my understanding that the City has agreed to release the requested records. If you have any 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: Sachi McClendon (*via email*)