



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 20, 2019

Chief Tim Scott
Big Sandy Police Department
203 East Gilmer Street
Big Sandy, Texas 75755

Dear Chief Scott:

The Office of the Attorney General ("OAG") received the enclosed complaint from Mr. Jack Winters alleging the Big Sandy Police Department (the "department") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# 810941.

The department received a request for the department's policy and procedure manual and discipline handbook. The department provided the requestor an estimate in the amount of \$194.00. The requestor believes the charges are excessive.

Pursuant to section 552.269(a) of the Government Code, the department is required to respond to the following questions in writing within ten business days after the date you receive this letter:

1. How did the department determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.
2. Does the information requested exist in paper form, electronic form, or both? Please explain which records exist in paper form, and which exist in electronic form.
3. Where are the records physically located? If the records are in two or more separate buildings, please provide a simple map showing the location of the buildings, including thoroughfares.

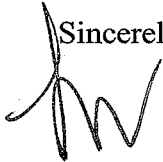
4. Will any information be redacted from the records? If so, what information will be redacted, and will the redaction be done manually, electronically, or a combination of both? Please state which exceptions to disclosure apply and if the department plans to seek a ruling for the requested information.

For your convenience, you may access the 2018 Public Information Handbook at <https://www.texasattorneygeneral.gov/og/open-government>.

Additionally, you may access the Public Information Cost Estimate Model at <https://www.texasattorneygeneral.gov/og/public-information-cost-estimate-model> to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please contact the Education and Enforcement Section of the Open Records Division at (888) 672-6787.

Sincerely,



Jahnna Ward
Assistant Attorney General
Education and Enforcement Section
Open Records Division

JW/vd

Ref: ID# 810941

Enclosure

c: Mr. Jack Winters
P.O. Box 9418
Tyler, Texas 75711
(w/o enclosure)



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 11, 2020

Chief Tim Scott
Big Sandy Police Department
203 East Gilmer Street
Big Sandy, Texas 75755

Dear Chief Scott:

This office has received a complaint from Mr. Jack Winters alleging the Big Sandy Police Department (the "department") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# 810941.

The department received a request for the department's policy and procedure manual and discipline handbook. The department provided the requestor an estimate in the amount of \$194.00. The requestor filed a complaint because he believes the charges are excessive. After receiving the complaint, this office asked the department to respond to a series of questions to determine if the charges were appropriate. The department has provided a response to those questions.

Initially, we address any information that will be redacted. When confidential information is mixed with public information in the same page, a labor charge may be recovered for time spent to redact the confidential information, but not to redact information that falls within a discretionary exception. *See* 1 T.A.C. § 70.3(d)(4); *see also* Open Records Decision No. 665 at 2 n.5 (2000) (discretionary exceptions in general). The department states it will make redactions as allowed by the Act. However, in order to withhold any of the requested information, the department must request a ruling from this office or rely upon a previous determination from this office. *See* Gov't Code § 552.301; Open Records Decision No. 673 (2001) (listing elements of previous determinations under section 552.301(a) of the Government Code). Upon receiving a ruling from this office or determining information is subject to a previous determination, the department may include the time spent redacting confidential information in its cost estimate for labor. *See* 1 T.A.C. § 70.3(d)(4). However, the department may not charge labor for the time required to redact information subject to only discretionary exceptions found under the Act, including section 552.108 of the Government Code. *See id.*; *see also* Open Records Decision No. 665 at 2 n.5 (2000) (discretionary exceptions in general).

Next, we note labor may be charged at \$15.00 per hour for time spent locating, compiling, reproducing, and manipulating data. *See* 1 T.A.C. § 70.3(d). The department states the responsive information exists in paper form and consists of 350 paper pages. The department states it estimated it would require eight hours to sort, redact, and copy the responsive information. We find the tasks of copying the responsive information and redacting confidential information qualify as labor. Accordingly, the department may generally charge labor for the time necessary to complete these tasks.

However, the department also includes the time necessary to sort the responsive information. The department does not explain why it is necessary to sort the responsive information. Accordingly, we find this task does not meet the definition of labor, and the department may not charge labor for the time necessary to complete this task. Further, the department does not state it conducted a sample test to determine its estimated labor charges. Without further explanation of how the department arrived at its estimate, our office is unable to determine whether the estimate for labor is appropriate. Accordingly, the department is required to conduct a sample test to determine the estimated time necessary to redact confidential information. The department should use this sample test to recalculate its estimated labor. Nevertheless, the department may assess an overhead charge of twenty percent of the total allowable labor associated with providing responsive information to the request. *See id.* § 70.3(e)(3).

Next, the department includes \$30.00 for miscellaneous supplies in order to provide the requestor with redacted copies. We note a governmental body may charge \$0.10 per page for the paper copies it provides. *See id.* § 70.3(b)(1). In this instance, the department may charge \$0.10 per page for the paper copies it provides to the requestor. However, the department may not charge the requestor for additional copies in order to redact information.

Finally, we note a governmental body may charge for actual cost for the postage required to transmit requested information. *See id.* § 70.3(j). In this instance, the department estimates its postage cost will be \$20.00. Upon review, we are unable to determine whether this postage estimate is appropriate. We note the Act requires a governmental body to make reasonably efficient use of supplies and other resources to avoid excessive reproduction costs. *See* Gov't Code § 552.268. Accordingly, the department may generally charge for the amount of postage necessary to transmit the information via first class mail. If the amount estimated by the department exceeds the cost of first-class mail, the department must adjust its estimate accordingly.

In summary, the department may charge for the time necessary to copy the responsive information and redact confidential information. The department may assess an overhead charge of twenty percent of the total allowable labor associated with providing the responsive information to the request. The department may charge \$0.10 per page for the paper copies it provides. The department may generally charge for the amount of postage necessary to transmit the information via first class mail.

Within five business days of receiving this letter, the department is required to notify the requestor in writing of the amended charges to [receive copies of the requested information in a statement that complies with section 552.2615 of the Government Code. The department is also required to provide this office a copy of that communication. We will consider this file closed.

If you have any questions or need further assistance, please contact us at (888) 672-6787.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jahanna'.

Jahanna Ward
Assistant Attorney General
Education and Enforcement Section
Open Records Division

JW/vd

Ref: ID# 810941

c: Mr. Jack Winters
P.O. Box 9418
Tyler, Texas 75711
(w/o enclosures)



BIG SANDY POLICE DEPARTMENT

Tim Scott
Chief of Police

P.O. Box 986
Big Sandy, Texas 75755

RECEIVED

JAN 17 2020

OPEN RECORDS DIVISION

810941
818029

January 10, 2020

Jahnna Ward
Assistant Attorney General
Education and Enforcement Section
Open Records Division

Jahnna,

I received your letter dated December 20, 2019 on December 27, 2019.

While I am able to answer some of the questions, I contacted the City of Big Sandy attorney, Robert Davis, for his assistance in answering question #4.

I have never had a Public Information Act request for a copy of the Big Sandy Police Department Personnel Policy and Procedures Manual. The Big Sandy Personnel Policy and Procedures Manual is approximately 350 pages. To the best of my knowledge, here are the responses to the questions in your letter:

1. Since this is the first time the policy has been requested, we estimated it will take approximately 8 hours to sort, redact and copy the 350 page manual. We estimate the sorting process to take approximately 1 hour, the redacting process to take 6 hours, and the copying process to take 1 hour. No sample test has been performed.
2. The information requested exists only in paper form. No part of the department policy and procedures manual exists in electronic form.
3. The Policy and Procedures Manual is physically located at the Big Sandy Police Department, 203 E Gilmer Street, Big Sandy, Texas.
4. Yes, some information, as allowed by the Public Information Act, will be redacted. Robert Davis, the City of Big Sandy attorney, can be reached at 903.520.4525, and is working on a comprehensive list of the information that will be redacted. The redaction will be done manually.

Please let me know if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Scott", written over a horizontal line.

Chief Tim Scott



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 20, 2019

Chief Tim Scott
Big Sandy Police Department
203 East Gilmer Street
Big Sandy, Texas 75755

Dear Chief Scott:

The Office of the Attorney General ("OAG") received the enclosed complaint from Mr. Jack Winters alleging the Big Sandy Police Department (the "department") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# 810941.

The department received a request for the department's policy and procedure manual and discipline handbook. The department provided the requestor an estimate in the amount of \$194.00. The requestor believes the charges are excessive.

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1. How did the department determine the number of personnel hours necessary to produce the responsive information? Please describe the process in a step-by-step manner, stating the time each step will take. If a sample test was performed, please provide a brief description of the results of the test.
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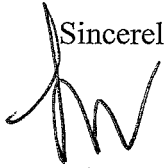
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Additionally, you may access the Public Information Cost Estimate Model at <https://www.texasattorneygeneral.gov/og/public-information-cost-estimate-model> to help you comply with section 552.2615 of the Act.

If you have any questions or need further assistance, please contact the Education and Enforcement Section of the Open Records Division at (888) 672-6787.

Sincerely,



Jahanna Ward
Assistant Attorney General
Education and Enforcement Section
Open Records Division

JW/vd

Ref: ID# 810941

Enclosure

c: Mr. Jack Winters
P.O. Box 9418
Tyler, Texas 75711
(w/o enclosure)

Jack Winters
PO Box 9418
Tyler TX 75711
(903) 617-0413

Received by Open Records

NOV 22 2019
ML-810941-19
810941

November 20, 2019

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Attorney General,

Pursuant to § 552.269(a) of the Texas Government Code I am requesting a review of what we have determined to be blatant overcharges for public records.

Chief Tim Scott has sent an estimate for a copy of their Police Policy Manual we have requested. Mr. Scott did not indicate how many pages there are in this manual but based on my previous review of several police departments, I have estimated that Big Sandy's manual should be no more than 300 pages. Mr. Scott is requesting \$194.00 for a single copy of this manual and appears to be intentionally overcharging for this. His estimate exceeds the departments that have provided policy manuals by a factor of 10.

Mr. Scott's estimate was:

Labor Minutes (\$15/Hour)	8 Hours	\$120.00
Overhead Charges	20%	\$24.00
Postage Cost		\$20.00
Misc. Supplies	Copies to allow redaction	\$15.00
Misc. Supplies	Redacted Copies	\$15.00
Total		\$194.00

Labor Charges:

I will be using an estimated page count of 300 to do a cost comparison.

- My math of his Labor (8 hours) plus Misc. Supplies \$15.00 (copies to allow redaction) assuming this is 1 hour of labor = 9 hours of labor.
- 9 hours x 60 minutes = 540 minutes
- 540 minutes / 300 copies = 1 copy every 1.8 minutes.
- Mr. Scott is claiming that it will take 1.8 minutes to make ONE copy. On a sample run in our office we were able to hand feed 8 pages onto the copier glass to make the copies in a one minute span. At 8 pages a minute, 300 pages could be copied in 38 minutes.

Redacted Copies Charges:

- In the above estimate Mr. Scott is charging for 8 hours of making copies AND \$15.00 for "copies to allow redaction" AND \$15.00 for the "Redacted Copies". This would be double dipping as pages requiring redaction were copied during the first copy pass.

Postage Charges:

- A ream of paper weighs approximately 5 pounds or simply 100 sheets per pound. Using USPS published rates; Priority Mail rate for 3 pounds is \$8.30. Less than one-half of the estimate provided.

- Mr. Scott states postage on 300 pages would be \$20.00. This is also an overcharge.

My estimate.

Copy charges:

300 pages x .10 per page = \$30.00

Labor rate, at a generous copy rate of 5 pages per minute. This comes to 300 pages per hour (5 pages per minute x 60 minutes).

- Copies: \$30.0
- Labor: \$15.00
- Total: \$45.00

Labor rate for redacted copies:

At a generous rate of 1 page per minute 60 pages could be redacted in an hour (1 page per minute x 60 minutes). I expect about 10 pages of redacted material. 60 minutes / 10 pages = 6 minutes of labor. 6 (minutes) x \$15.00 = \$1.50

- Copies: \$1.00
- Labor: \$1.50
- Total: \$2.50

Postage:

- Priority Mail 3 pounds: \$8.30
- Envelope: \$1.00
- Total: \$9.30

New theoretical estimate:

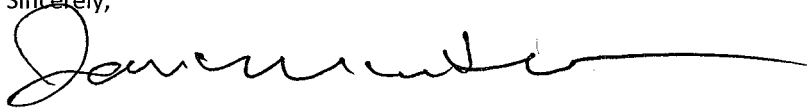
Copy charge per page	.10 per page (300 pages)	\$30.00
Labor Minutes (\$15/Hour)	1 Hours	\$15.00
Overhead Charges	20%	\$3.00
Postage Cost		\$9.30
Misc. Supplies	Copies to allow redaction (Not Needed)	\$0.00
Misc. Supplies	Redacted Copies (10 x .10)	\$1.00
Total		\$58.30

\$58.30 would be a maximum if they are hand feeding the pages onto the copier. If they have a fancy newfangled automatic document feeder like folks are using these days then that labor rate would reduce greatly.

Attached as an example of a correct and true estimate is a copy of one we received from a local department supplying 700+ pages of a HEAVILY redacted document that will take several weeks to prepare.

As a reminder to Mr. Scott, § 552.269(b) of the Texas Government Code states a person who overpays for a copy of public information because a governmental body refuses or fails to follow the rules for charges adopted by the attorney general is entitled to recover three times the amount of the overcharge if the governmental body did not act in good faith in computing the costs.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Winters", with a long horizontal flourish extending to the right.

Jack Winters

Enclosures:

Encl. 1 – Original open records request email chain

Encl. 2 – Big Sandy's itemized estimate..

Encl. 3 -. Copy of itemized estimate from city in East Texas with correct pricing.

----- Original Message -----

On Nov 5, 2019, 11:25 AM, JWinters0

wrote:

Mr Scott,

Thank you for your prompt response.

I will need a itemized bill before I can approve the transaction. I will not be picking up the documents in person, therefore please include shipping costs in the total.

I will send the check as soon as I receive the bill. which you may send to me via email or if you prefer send it to the address included in my signature.

Sincerely,
Jack Winters
(903) 617-0413

P.O 9418
Tyler TX 75711

----- Original Message -----

On Friday, November 1, 2019 12:04 PM, Chief Tim Scott <Policedept@bigsandytx.gov> wrote:

Jack Winters

I DO NOT have a electronic version of my policy. They cost me almost \$50. And some change to be printed. And it will be \$15.00 an hr. plus paper cost for one of my officers to make you a copy. I should have one ready for you to pick up approx Tuesday or Wednesday of next week. I will Email you when the copy is ready for pick up.

I will also have an itemized bill of the costs and if you pay with a check make it payable to City of Big Sandy.

Thank you,

Chief Tim Scott

Big Sandy Police Dept.

P.O.Box 986

Big Sandy, TX 75755

Ph:(903)-636-4200

Fx:(903)-636-5033

policedept@bigsandytx.gov

From: JWinters0

Sent: Friday, October 25, 2019 2:04 PM

To: policedept@bigsandytx.gov

Subject: Open records request

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following records:

- The most recent version of the Big Sandy City Police Department Policy and Procedure manual.
- The most recent version of the Big Sandy City Police Department Discipline handbook.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Jack Winters

(903) 617-0413

P.O 9418

Tyler TX 75711

Public Information Cost Estimate Letter

Date: 11/08/2019

Jack Winters
PO Box 9418
Tyler, TX 75711

Dear Jack Winters :

We have received your request for information dated: 11/05/2019

We have determined that complying with your request will result in the imposition of a charge that exceeds \$40. Therefore, we are providing you with this cost estimate as required by section 552.2615 of the Texas Government Code.

Itemized List of Charges:

Description	Quantity x Price	Total
Labor minutes (\$15/Hour)	8 Hours	\$120.00
Overhead Charges	20%	\$24.00
Postage Cost		\$20.00
Misc. Supplies	Copies to allow redaction	\$15.00
Misc Supplies	Redacted Copies	\$15.00
Total Cost		\$194.00

There is a less expensive way for you to obtain this information. You may view the information in person at our offices. If you choose to view the information in person, please provide me with three dates and times when it will be convenient for you to come.

Your request will be considered automatically withdrawn if you do not notify us in writing within ten business days from the date of this letter that you either:

- a) Accept the charges;
- b) Wish to modify your request; OR
- c) Have sent to the Open Records Division of the Office of the Attorney General a complaint alleging that you are being overcharged for the information you have requested.

Sincerely,

Chief Tim Scott
Big Sandy Police Department
203 E. Gilmer Street
Big Sandy, Texas 75755

Public Information Cost Estimate Model Letter

XXXXXXXXXX
XXXXXXXXXX
XXXXXXXXXX

Dear XXXXXXX:

We have received your request for information dated: 10/30/2019.

We have determined that complying with your request will result in the imposition of a charge that exceeds \$40. Therefore, we are providing you with this cost estimate as required by section 552.2615 of the Texas Government Code.

Itemized List of Charges:

Description	Qty x Price	Total
Standard sized copies	700 x \$0.10	\$70.00
Labor minutes (\$15/hour)	210 x \$0.25	\$52.50
Overhead charges	20% of \$52.50	\$10.50
Total cost		\$133.00

There is a less expensive way for you to obtain this information. You may view the information in person at our offices. If you choose to view the information in person, please provide me with three dates and times when it will be convenient for you to come.

The estimated charges exceed \$100.00; therefore, as allowed by section 552.263(a) of the Government Code, we require a deposit of 50% (\$66.50) before starting work on your request

Your request will be considered automatically withdrawn if you do not notify us in writing within ten business days from the date of this letter that you either:

1. (a) accept the charges;
2. (b) wish to modify your request; OR
3. (c) have sent to the Open Records Division of the Office of the Attorney General a complaint alleging that you are being overcharged for the information you have requested.

Sincerely,

XXXXXXXXXX
XXXXXXXXXX
XXXXXXXXXX

From: [Webmaster](#)
To: [OpenRecordsAssistance](#)
Subject: Open Records Complaint
Date: Tuesday, May 19, 2020 7:38:33 PM
Attachments: [public-information-request-4_17_2020.pdf](#)

Submitted on Tue, 05/19/2020 - 19:30

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information

Christine Jones
115 Circle Dr.
Big Sandy, Texas. 75755

9033745613

Governmental Body Information

Governmental Body Contact Information

City of Big Sandy
Laura Rex
100 N Tyler St
Big Sandy, Texas. 75755
cityofbigsandy@yahoo.com
9036364343

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?

Email

Date of your public information request:

04/17/2020

Did the governmental body ask you to pay for the requested Information?

No

Background Information about Complaint

Have you contacted the governmental body about your complaint?

No

Have you contacted another agency about your complaint?

No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?

I believe that the information I requested is being purposely withheld.

Open Government Hotline

Yes

Upload Initial Request

- [public-information-request-4_17_2020.pdf](#)

Supporting Document

{Empty}



Christine Wilson Jones

Public Information Request 4/17/2020

Christine Wilson Jones

To: cityofbigsandy@yahoo.com

Fri, Apr 17, 2020 at 2:08 PM

Dear Ms. Laura M. Rex:

I am making a public information request according to the Texas Government Code in Title 5, Subchapter A Subtitle 552:

I would like to request the job title, job descriptions and current pay rate of each position at the city of Big Sandy.

Thank you,
Christine Wilson Jones
903.374.5613



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 23, 2020

Mr. Jack Winters
P.O. Box 8418
Tyler, Texas 75711

Dear Mr. Winters:

You requested assistance from the Office of the Attorney General ("OAG") in obtaining information from the Big Sandy Police Department (the "department") under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your correspondence was assigned ID# 840974.

The department has submitted to this office the enclosed letter certifying it has conducted a good faith search of information it owns, controls, or has a right of access to, and has found no information responsive to your public information request. When a governmental body represents to this office that it has no information responsive to a public information request, we must accept its statement. Under the Act, the enforcement authority of the Office of the Attorney General does not include on-site inspections of records held by another governmental office. Accordingly, we will close our file on this matter.

Should you have any questions regarding this letter, please call the Open Government Hotline at (877) 673-6839.

Sincerely,

Tamara R. Smith
Assistant Attorney General
Education and Enforcement Section
Open Records Division

TRS/vd

Ref: ID# 840974

Enclosure

c: Ms. Laura Rex
City Secretary
City of Big Sandy
P.O. Box 986
Big Sandy, Texas 75755
(w/o enclosure)



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 8, 2020

Mr. Tim Scott
Chief
Big Sandy Police Department
P.O. Box 986
Big Sandy, Texas 75755

Dear Mr. Scott:

The Office of the Attorney General (the "OAG") has received a complaint from Jack Winters alleging the Big Sandy Police Department (the "department") has failed to respond appropriately to a request for information. The complaint was assigned ID# 840974.

The Public Information Act (the "Act"), chapter 552 of the Texas Government Code, generally requires a governmental body to release requested public information that it collects, assembles, maintains, or has right of access to, or to request a ruling from the OAG as to the applicability of exceptions to the Act. Our records do not indicate a request for an OAG ruling has been made in accordance with section 552.301 of the Act.

Although the OAG has civil enforcement authority under the Act, our office prefers to work with governmental bodies and requestors to resolve complaints informally. The easiest way to resolve this open records complaint is to release the requested information, provided the information is not confidential by law.

Please provide a written response to this letter within 10 business days. *See* 1 T.A.C. § 70.11(d)(3) (governmental body has a responsibility under the Act to promptly respond). A certification form is enclosed with this letter in order to expedite your response. You may use the form to certify: (i) the requested information has been or will be released to the requestor; (ii) the department has no information responsive to the request; or (iii) the department has requested or will request an attorney general's decision regarding the requested information. If the form is not applicable, you may provide a written response to this notification letter explaining how the department has complied with the Act. The written response may be sent to the address below or faxed to the Education and Enforcement Section at (512) 481-1992.

If you have any questions regarding this letter, please contact the Education and Enforcement Section of the Open Records Division at (877) 673-6839 or (512) 936-6736 to discuss the resolution of this complaint. You will also find resources to assist you in complying with the Act at <https://www.texasattorneygeneral.gov/open-government>.

Thank you for your prompt attention to this matter.

Sincerely,

Education and Enforcement Section
Open Records Division

Enclosure

c: Mr. Jack Winters
P.O. Box 9418
Tyler, Texas 75711
(w/o enclosure)

**PUBLIC INFORMATION ACT REQUEST CERTIFICATION FROM
GOVERNMENTAL BODY**

RE: OAG ID# 840974

Please complete this form to indicate the manner in which the referenced request will be or has been answered. Include your signature and date.

I am the officer of public information, or the authorized representative, for the following governmental body (the "governmental body"): _____

I am aware of a public information request to the governmental body from the requestor (the "requestor"): _____

Please initial the certification that applies.

_____ I certify the governmental body has made available to the requestor all existing responsive information that this governmental body owns, controls, or has a right of access to.

_____ I certify the governmental body has conducted a good faith search of information that this governmental body owns, controls, or has a right of access to, and has found no such information that is responsive to the requestor's public information request.

_____ I certify the governmental body has supplied the requestor all existing responsive information for which the governmental body is not claiming an exception and has requested an attorney general's decision regarding the responsive information the governmental body believes is excepted from disclosure.

Public Information Officer, or Authorized Representative

Signature

Date

Printed Name

Title

Mr. Tim Scott - Page 3

**PUBLIC INFORMATION ACT REQUEST CERTIFICATION FROM
GOVERNMENTAL BODY**

RE: OAG ID# 840974

RECEIVED

SEP 11 2020

OPEN RECORDS DIVISION

Please complete this form to indicate the manner in which the referenced request will be or has been answered. Include your signature and date.

I am the officer of public information, or the authorized representative, for the following governmental body (the "governmental body"): City of Big Sandy, Texas

840974
854465

I am aware of a public information request to the governmental body from the requestor (the "requestor"): Jack Winters

Please initial the certification that applies.

_____ I certify the governmental body has made available to the requestor all existing responsive information that this governmental body owns, controls, or has a right of access to.

X I certify the governmental body has conducted a good faith search of information that this governmental body owns, controls, or has a right of access to, and has found no such information that is responsive to the requestor's public information request.

_____ I certify the governmental body has supplied the requestor all existing responsive information for which the governmental body is not claiming an exception and has requested an attorney general's decision regarding the responsive information the governmental body believes is excepted from disclosure.

Public Information Officer, or Authorized Representative

Laura M Rex
Signature

09.11.2020
Date

Laura M Rex
Printed Name

City Secretary
Title



City of Big Sandy

Established 1926

Office of the City Secretary

Laura M. Rex, City Secretary

February 18, 2020

Jack Winters
PO Box 9418
Tyler TX 75711-9418

RE: Open Records Request

We have received your public information request dated February 10, 2020 requesting a copy of any and all documents, files, photographs in the Civil Service Files excluding any confidential information that is deemed protected by law, statute, or Texas Attorney General ruling for the following officer(s): Chief of Police.

There are no records responsive to this request.

Sincerely,

Laura Rex

Laura Rex
City Secretary/City Administrator

From: webmaster@oag.texas.gov on behalf of [Office of the Attorney General](#)
To: [OpenRecordsAssistance](#)
Subject: Open Records Complaint
Date: Wednesday, June 24, 2020 9:30:47 PM
Attachments: [big-sandy-pd--policy-procedure--01---1st-request-for-manual.pdf](#)

Submitted on Wed, 06/24/2020 - 21:12

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information

Jack Winters
PO Box 9418
Tyler, Texas. 75711

(903) 617-0413

Governmental Body Information

Governmental Body Contact Information

Big Sandy Police Department
Chief Tim Scott
PO Box 986
Big Sandy, Texas. 75755
policedept@bigsandytx.gov
(903)-636-4200

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?

Email

Date of your public information request:

10/25/2019

Did the governmental body ask you to pay for the requested Information?

Yes

How much did the governmental body ask you to pay for the information?

\$59.00

How much have you paid for the information at this time?

\$59.00 - Sent by Certified Letter

Background Information about Complaint

Have you contacted the governmental body about your complaint?

Yes

When did you contact the governmental body about your complaint?

June 02, 2020 - Sent by Certified Letter to city's attorney

How did the governmental body respond to your complaint?

No reply

Have you contacted another agency about your complaint?

No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?

I have requested and paid for the documents and have not received anything

Open Government Hotline

Yes

Upload Initial Request

- [big-sandy-pd---policy-procedure---01---1st-request-for-manual.pdf](#)

Supporting Document

{Empty}

Open records request

Sent: Friday, October 25, 2019 2:03 PM

From JWinters0

To policedept@bigsandytx.gov policedept@bigsandytx.gov

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following record

- The most recent version of the Big Sandy City Police Department Policy and Procedure manual.
- The most recent version of the Big Sandy City Police Department Discipline handbook.

In the event that there are fees, I would be grateful if you would inform me of the total charge in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,
Jack Winter
(903) 617 0413

P.O. 9418
Tyler TX 75711

From: webmaster@oag.texas.gov on behalf of [Office of the Attorney General](#)
To: [OpenRecordsAssistance](#)
Subject: Open Records Complaint
Date: Wednesday, June 24, 2020 9:37:12 PM
Attachments: [big-sandy-pd---employee-file---tim-scott---01---1st-request-for-civil-service-jacket.pdf](#)

Submitted on Wed, 06/24/2020 - 21:31

Submitted by: Anonymous

Submitted values are:

Requestor Information

Requestor Contact Information

Jack Winters
PO Box 9418
Tyler, Texas. 75711

(903) 617-0413

Governmental Body Information

Governmental Body Contact Information

Big Sandy Police Department
Chief Tim Scott
PO Box 986
Big Sandy, Texas. 75755
policedept@bigsandytx.gov
(903)-636-4200

Public Information Request at issue in Complaint

How did you submit your public information request to the governmental body?

Mail or commercial carrier

Date of your public information request:

02/10/2020

Did the governmental body ask you to pay for the requested information?

No

Background Information about Complaint

Have you contacted the governmental body about your complaint?

Yes

When did you contact the governmental body about your complaint?

June 3, 2020 - Certified Letter sent to city's attorney

How did the governmental body respond to your complaint?

No reply

Have you contacted another agency about your complaint?

No

Complaint based on Public Information Request

Which of the following options best describes the nature of your complaint?

I requested information more than 10 business days ago, and I have received no response from the governmental body.

Open Government Hotline

Yes

Upload Initial Request

- [big-sandy-pd---employee-file---tim-scott---01---1st-request-for-civil-service-jacket.pdf](#)

Supporting Document

Jack Winters
PO Box 9418
Tyler TX 75711-9418
(903) 617-0413

February 10, 2020,

Tim Scott
Chief of Police
Big Sandy Police Department
203 E Gilmer St
Big Sandy TX 75755

Pursuant to Texas Government Code, Chapter 552, I hereby request the following records:

- Please provide any and all documents, files, photographs in the Civil Service Files excluding any confidential information that is deemed protected by law, statute or Texas Attorney General ruling for the following officer(s): Chief of Police.

I ask the request be filled electronically, by e-mail attachment, CD-ROM or flash drive if available. Should the information not exist in electronic format I will accept a paper copy.

In the event that there are any fees, please provide an itemized statement detailing the total charges required to fulfill my request.

Thank you in advance for your cooperation in this matter. I look forward to receiving your response to this request.

Sincerely,

Jack Winters