



## COUNTY of GALVESTON

Criminal District Attorney

**JACK ROADY**

**Donna W. Cameron**  
First Assistant

**Johnny Freeze**  
Chief Investigator

**Zonia Wilturner-Smith**  
Chief Executive Officer

### OPEN RECORDS COMPLAINT CHECKLIST

1. **Contact the Office of the Attorney General** Open Government Hotline at (877-673-6839). This is a toll free number and they will attempt to resolve your complaint. You may go to their website for additional assistance at [www.oag.state.tx.us](http://www.oag.state.tx.us).
2. **If the Attorney General's Office is unable to resolve** your complaint and you wish to have this office open a criminal complaint, **please provide this office with all of the necessary documentation.**
3. Texas Law provides a **criminal penalty** for:  
An officer for public information, or the officer's agent, commits an offense if, with criminal negligence, the officer or the officer's agent ***fails or refuses*** to give access to, or to permit or provide copying of, public information to a requestor as provided by this chapter. (See Section 552.353(a) of the Government Code).
4. It is a **defense to the prosecution** that the governmental body did a timely request for a decision to the Attorney General's Office under section 552.301 of the Government Code.
5. If the governmental body does not request an attorney general decision timely, the **presumption** is that the information is public (see section 552.302 of the Government Code).

Felony Section  
Off: 409-766-2355

Family Law Section  
409-766-2364

Grand Jury Section  
409-766-2379

Worthless Check Section  
409-766-2429

Felony Victim's Asst.  
409-770-5124

Houston Line  
281-316-8300

Fax: 409-766-2290

[www.co.galveston.tx.us](http://www.co.galveston.tx.us)

600 59<sup>TH</sup> Street, Suite 1001 • P.O. Box 17254 Galveston, Texas 77552-7254



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6. The **Attorney General's Office** or a requestor may compel a governmental body to make information available if they refuse to do so without a legal exception. This would require a civil law suit to be filed.
7. If you have:
- A) Made a **written request** to a governmental body that was **clear and not over-broad**, and
  - B) Allowed the governmental body a **reasonable amount of time** to produce the information, but not delay, and
  - C) **Allowed for the Attorney General** to provide the governmental body with a decision if timely requested, and
  - D) **Contacted the Attorney General's Office** and have been told that there is **no exception** to disclosure, and
  - E) Provide our office with:
    - 1) A **completed "checklist for criminal complaint"** with all relevant information, and
    - 2) A **copy of your dated written request** to the governmental body, and
    - 3) A **copy of any and all communications with the Attorney General's Office**, and

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- 4) A copy of any and all responses or opinions received from the governmental body, and
- 5) Proof that the requested information exists and is retrievable, and
- 6) Who you believe is failing to provide the information.
- 7) This office will then review the merits of your complaint and respond to you in a timely manner.

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