



# Hood County Sheriff's Office Public Information Request Form

If you have questions regarding the Texas Public Information Act, please contact the Office of the Texas Attorney General at toll-free (877) 673-6839 or visit their website at [www.oag.state.tx.us](http://www.oag.state.tx.us).

## FOR DEPARTMENT USE ONLY

RCVD \_\_\_\_\_ BY: \_\_\_\_\_  
DATE: \_\_\_\_\_ FILE NO: \_\_\_\_\_  
RCVD BY PIAC: \_\_\_\_\_ DUE DATE: \_\_\_\_\_

**NOTICE: THIS FORM IS TO BE COMPLETED BY THE REQUESTOR ONLY. UPON RECEIPT OF A REQUEST FOR INFORMATION, THE HOOD COUNTY SHERIFF'S OFFICE HAS TEN (10) BUSINESS DAYS IN WHICH TO RELEASE THE INFORMATION TO THE REQUESTOR OR REQUEST AN OPEN LETTER RULING FROM THE TEXAS ATTORNEY GENERAL.**

### Section One: Requestor Information – PLEASE PRINT CLEARLY!

Name: Emma Lewis Date of Birth: \_\_\_\_\_  
Organization (if applicable): American Oversight Email: \_\_\_\_\_  
Address: 1030 15th St NW, Suite B255 records@americanoversight.org  
City: Washington State: DC Zip: 20001 Phone Number: (202) 919-6303

### Section Two: What records are you requesting?

Name(s) of person(s) involved: \_\_\_\_\_  
Date of Birth of Person(s) involved: \_\_\_\_\_  
Location of incident: \_\_\_\_\_  
Date of incident: \_\_\_\_\_ Report number (if known): \_\_\_\_\_  
Describe the **exact** information you are requesting. Include any details that may help us locate the information. Please do not ask questions. The Sheriff's Office is under no obligation to answer any written questions or create any document in response to an open records request.  
Please see the attached Public Information Request (TX-HOOD-21-0742).

### Section Three: Confidential Information

Please be advised that confidential information is often included in documents held by the Hood County Sheriff's Office. The Sheriff's Office may not be able to release this information. The Texas Public Information Act (codified at Texas Gov't Code Chapter 552) requires a governmental entity to request an open letter ruling from the Texas Attorney General prior to withholding information that is confidential. The Attorney General's Office has 45 days to respond to a request for an open letter ruling. Please check the box below if you are willing to receive only non-confidential information and expedite this request.

**Please send me only non-confidential information.** I understand that some records may be redacted to withhold confidential information. This information includes, but is not limited to: all Social Security numbers, driver's license numbers, vehicle license plate and VIN, all witness information and suspect, arrestee, and complainant confidential information.

**Please check here if you are needing assistance with gathering information for Crime Victim's Compensation**

**I certify that I am the person listed as requestor:**

/s/ Emma Lewis

Signature of Requestor

Today's Date: 06/02/2021

**Return form to: Hood County Sheriff's Office**

**Attn: Records Division**

**400 Deputy Larry Miller Dr.**

**Granbury, Texas 76048**

**Phone: (817)579-3316**



June 2, 2021

**VIA EMAIL**

Hood County Sheriff's Office  
Attn: Records Division  
400 Deputy Larry Miller Drive  
Grandbury, TX 76048  
[pialaw@co.hood.tx.us](mailto:pialaw@co.hood.tx.us)

**Re: Public Information Request**

Dear Public Information Officer:

Pursuant to the Texas Public Information Act, as codified at Tex. Code ch. 552, American Oversight makes the following request for public records.

**Requested Records**

American Oversight requests that your office promptly produce the following:

- 1) All email communications (including email messages, complete email chains, email attachments, calendar invitations, and calendar invitation attachments) sent by Constable John Shirley containing any of the key terms below.

Please provide all responsive records from November 1, 2020, through the date of search.

**Key Terms:**

- |  |                        |
|--|------------------------|
| i. Minuteman   | xiv. Dalton            |
| ii. Minutemen  | xv. Corbin             |
| iii. Posse   | xvi. President         |
| iv. Paramilitary   | xvii. Biden            |
| v. Tyranny   | xviii. Capitol         |
| vi. Tyrannical   | xix. "Stop the steal"  |
| vii. Rhodes  | xx. "Rally to Revival" |
| viii. "Constitutional Sheriffs and Peace Officers Association" | xxi. Storm             |
| ix. CSPOA  | xxii. Congress         |
| x. "Stephen Alexander"   | xxiii. DC              |
| xi. Mack   | xxiv. D.C.             |
| xii. Bushman   | xxv. Washington        |
| xiii. Benson   | xxvi. "Our House"      |
|  | xxvii. MAGA            |
|  | xxviii. "great again"  |
|  | xxix. Caravan          |



xxx.	Parler	xxxvi.	“constitutional sheriffs”
xxxi.	Gab	xxxvii.	“Oath Keeper”
xxxii.	Militia	xxxviii.	“Oath Keepers”
xxxiii.	Militias		
xxxiv.	Combat		
xxxv.	Leesburg		

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited Item 1 of its request to communications sent by Constable John Shirley. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that, for example, both Constable Shirley’s response to an email containing one of the listed key terms and the initial received message are responsive to this request and should be produced.

- 2) All text messages or messages on messaging applications similar in form to text messages (such as Signal, WhatsApp, Facebook Messenger, Twitter DMs, etc.) sent or received by Constable John Shirley containing any of the key terms listed in Part 1, above.

Please provide all responsive records from November 1, 2020, through date of search.

American Oversight requests complete text threads/conversations. This means that, for example, if Constable John Shirley sent or received a text message containing any of the key terms listed above, the complete text thread/conversation for the timeframe listed above should be produced, and not just the message containing the key term.

American Oversight insists that your office use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; governmental authorities may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

Please search all records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of a governmental authority’s officer or employee constitutes a record for purposes of the Texas Public Information Act.<sup>1</sup>

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<sup>1</sup> Tex. Code § 552.002(a-2); *see also Adkisson v. Paxton*, 459 S.W.3d 761, 773 (Tex. App. 2015).

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your office can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

### **Fee Waiver Request**

In accordance with Tex. Code § 552.267(a), American Oversight requests a waiver of fees associated with processing this request for records because such a waiver “is in the public interest because providing the copy of the information primarily benefits the general public.”

Release of the requested records will primarily benefit the public.<sup>2</sup> As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the requested records is not in American Oversight’s financial interest but is rather in the public interest. American Oversight is committed to transparency and makes the responses governmental authorities provide to public records requests publicly available. As noted, the subject of this request is a matter of public interest, and the public would benefit from an enhanced understanding of the government’s activities through American Oversight’s analysis and publication of these records. American Oversight’s mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the

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<sup>2</sup> Tex. Code § 552.267(a).

public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>3</sup>

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through numerous substantive analyses posted to its website.<sup>4</sup> Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records related to the organization's investigations into misconduct and corruption in state governments;<sup>5</sup> the posting of records related to the Trump Administration's contacts with Ukraine and analyses of those contacts;<sup>6</sup> posting records and editorial content about the federal government's response to the Coronavirus pandemic;<sup>7</sup> posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;<sup>8</sup> the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;<sup>9</sup> and posting records and analysis of federal officials' use of

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<sup>3</sup> American Oversight currently has approximately 15,700 followers on Facebook and 105,400 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 12, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 12, 2021).

<sup>4</sup> *News*, American Oversight, <https://www.americanoversight.org/blog>.

<sup>5</sup> *State Investigations*, American Oversight, <https://www.americanoversight.org/states>.

<sup>6</sup> *Trump Administration's Contacts with Ukraine*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>.

<sup>7</sup> *See generally The Trump Administration's Response to Coronavirus*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus>; *see, e.g., CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, <https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings>.

<sup>8</sup> *See generally Audit the Wall*, American Oversight, <https://www.americanoversight.org/investigation/audit-the-wall>; *see, e.g., Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, <https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall>.

<sup>9</sup> *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, <https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance>; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, <https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents>.

taxpayer dollars to charter private aircraft or use government planes for unofficial business.<sup>10</sup>

Accordingly, American Oversight qualifies for a fee waiver. If your office denies our request for a fee waiver, please notify American Oversight of any anticipated fees or costs in excess of \$40 prior to incurring such costs or fees.

### **Conclusion**

We share a common mission to promote transparency in government. American Oversight looks forward to working with your county on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis  
Emma Lewis  
on behalf of  
American Oversight

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<sup>10</sup> See generally *Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, <https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense>; see, e.g., *New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, <https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state>.