

Dallas Public Fraud Prevention Services

Anonymous Hotline Reporting

POB 455
Addison, TX 75001-0455

www.dpfps.org

December 5, 2003

Mr. Gary B. Lawson
Lawson Fields McCue & Campbell, P.C.
14135 Midway Road, Suite 250
Addison, TX 75001

**RE: Texas Public Information Act – Open Records Request
Dallas Police & Fire Pension System
ID # 0301-022**

Dear Mr. Lawson:

On November 17, 2003, we issued a request for information regarding the Dallas Police & Fire Pension System and its now pending lawsuit against the Texas Attorney General. In anticipation of inspection or a request for copies, we requested the identification of all legal documents filed by the Pension System in the aforementioned lawsuit ([Exhibit "A"](#)).

We are now in receipt of your letter of December 1, 2003, that not only *fails to provide* the information requested but states among other things, that your client is *not obligated* "to create documents that do not exist" nor is it required "to interrogate officers and employees to obtain information that it has not documented" ([Exhibit "B"](#)).

In our letter of November 17, 2003, we noted that the Pension System's Chairman has served the Board of Trustees continuously since 1983. Please note that we were simply identifying a resource from which information could possibly be obtained should documents not exist as indicated in your letter, and that any thoughts of "interrogating" Pension System employees or officers are yours, not ours.

In addition, should the information requested require compilation or human intervention, Chapter 552, § 552.231 of the Government code states that the governmental body shall provide the requestor with a written statement noting that the request for public information will require programming or manipulation of data, and that the information could be made available at a cost that covers the programming and manipulation of data ([Exhibit "C"](#)).

Finally, Chapter 552, § 552.001 states that "...it is the *policy of this state* that each person is entitled, unless otherwise expressly provided by law, at all times to *complete information* about the affairs of government and the official acts of public officials and employees. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know" ([Exhibit "D"](#))

Accordingly, the courtesy of the information requested in our letter of November 17, 2003, would be appreciated. Thank you.

Gary B. Lawson
December 5, 2003

Page 2

Respectfully,

Fraud Investigations
Dallas Public Fraud Prevention Services
www.dpfps.org

cc: Honorable Mayor Laura Miller
Dallas City Council
Teodoro J. Benavides, City Manager
Shirley A. Acy, City Secretary