

PE

Original



2026 OK 12

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

GRAY MEDIA GROUP, INC. d/b/a)
KSWO-TV and SETH MARSICANO,)

Plaintiffs/Appellants,)

v.)

COMANCHE COUNTY FACILITIES)
AUTHORITY and DAVID WEBBER,)
in his official capacity as Interim)
Administrator of Comanche County)
Detention Center,)

Defendants/Appellees.)

No. 122,685 (companion with
No. 122,806)

FILED
SUPREME COURT
STATE OF OKLAHOMA

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MEMORANDUM OPINION

COMBS, J.:

¶ 1. This is an appeal from an order of the Comanche County District Court denying the Plaintiffs/Appellants' petition below for declaratory and injunctive relief pursuant to section 24A.17(B) of the Oklahoma Open Records Act (ORA), 51 O.S. § 24A.17(B). The Oklahoma Supreme Court retained this case on the Court's own motion and made it a companion with *James Lawson v. LeFlore County Detention Center Public Trust*, No. 122,806, because both cases concerned whether the ORA's definition of "law enforcement agency" in section 24A.3(5) included a detention center managed by a public trust.

¶ 2. At the district court, Gray Media Group, Inc., d/b/a KSWO-TV and Seth Marsicano, the trial court plaintiffs, filed for declaratory and injunctive relief, a writ of mandamus, and attorneys' fees after their request for video footage from the Comanche County Detention Center (CCDC or detention center) was denied. The detention center is operated by the trial court defendant, Comanche County Facilities Authority (CCFA), a public trust created per 60 O.S. §§ 176 *et seq.* Defendants filed a motion to dismiss, arguing they were a "law enforcement agency" under § 24A.3(5) of the ORA and were therefore exempt from producing documents other than those specified in the act. The district court initially found it did not have enough information to decide whether CCFA was a "law enforcement agency" and denied its motion to dismiss. The district court directed the parties to schedule an evidentiary hearing so that more information could be collected. That evidentiary hearing was conducted two months later. After the evidentiary hearing, the district court issued its order concluding that CCFA is a "law enforcement agency," 51 O.S.2024, § 24A.3(5) under the ORA, and furthermore, that the interest of the public or any individual in seeing the requested records did not outweigh the reasons for the denial. 51 O.S.2024, § 24A.8(B).

¶ 3. The primary issue in this appeal concerns the construction or interpretation of the definition of "law enforcement agency" under the ORA, 51 O.S.2024, § 24A.3(5). Questions of statutory interpretation are *legal questions*

subject to *de novo* review. *Fulsom v. Fulsom*, 2003 OK 96, ¶ 2, 81 P.3d 652, 655

(emphasis added). “Law enforcement agency” is defined by statute as

any public body charged with enforcing state or local criminal laws and initiating criminal prosecutions including, but not limited to, police departments, county sheriffs, the Department of Public Safety, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Alcoholic Beverage Laws Enforcement Commission, and the Oklahoma State Bureau of Investigation.

Whether this statutory definition covers a public trust operating a detention center is the same issue we addressed in *Lawson v. LeFlore Cnty. Det. Ctr. Pub. Trust Sec. Comm’n*, 2025 OK 87, --- P.3d ---. In *Lawson*, we held as a matter of law that a public trust operating a county detention center did not satisfy the ORA’s definition of “law enforcement agency.”

¶ 4. Our holding in *Lawson* resolves this case. The trial court’s order is reversed and remanded for further proceedings consistent with this opinion.¹

**REVERSED AND REMANDED
FOR FURTHER PROCEEDINGS.**

**ROWE, C.J.; KUEHN, V.C.J.; and EDMONDSON, COMBS, GURICH,
and DARBY, JJ., concur.**

WINCHESTER (by separate writing), KANE, and JETT, JJ., dissent.

¹ Appellants’ request for attorneys’ fees in the brief-in-chief is not addressed here as Okla. Sup. Ct. R. 1.14(B) requires a separately filed and labeled motion. *See also* 12 O.S. § 696.4(C).