



TEXAS  
FREEDOM  
NETWORK

Bob Wortham  
Jefferson County District Attorney  
Via fax: 409-835-8573

November 4, 2016

Dear District Attorney Wortham:

The Texas Freedom Network is a nonpartisan, grassroots organization of more than 130,000 religious and community leaders who support religious freedom, individual liberties and public education. Since its founding in 1995, TFN has closely monitored the work of the State Board of Education (SBOE).

I am writing to ask that your office investigate whether David Bradley, a state board member from Beaumont, has improperly withheld emails subject to formal requests under the Texas Public Information Act. Following are relevant details:

- On September 6, 2016, the Texas Freedom Network sent a request under the Texas Public Information Act asking for communications among State Board of Education members regarding the proposed adoption of a Mexican American Heritage textbook. A copy of that request is attached.
- Among the documents we received in response were copies of an email exchange that very day between Mr. Bradley and fellow board member Thomas Ratliff. Mr. Ratliff turned over those emails, but Mr. Bradley did not. A copy of that email exchange is attached.
- We sent a follow-up public information request on Oct. 5 also asking for communications among board members regarding the proposed adoption of that textbook. A copy of that request is attached.
- Among the documents we received in response were copies of a follow-up email exchange on Oct. 12 in which Mr. Bradley seemed to suggest that Mr. Ratliff could have avoided turning over the copies of their earlier email exchange if he had been using a private email server. Mr. Ratliff replied that the emails would be subject to the Public Information Act regardless of whether he had been using an official or private email address and server. A copy of that email exchange is attached.

While we did obtain the emails requested, through Mr. Ratliff's compliance with the open records law, it's troubling that Mr. Bradley simply disregarded our public information request. We are concerned that Mr. Bradley chose not to obey the law in an attempt to hide from the public his efforts to avoid a record vote by the board on a matter of importance to the citizens of Texas.

In fact, Mr. Bradley has a history of disregarding the state's laws on open government. A Travis County grand jury in 2002 indicted Bradley and two other SBOE members for violating the Texas Open Meetings Act. The board members had met secretly with three financial advisers at a time when the full board was considering what consultants to hire for managing the Permanent School Fund. The charges were later dropped on

the condition that Bradley and his two board colleagues take a course on the Texas Open Meetings Act and not violate other laws (beyond traffic violations) over the following year.

While this current matter might seem minor in comparison to the 2002 incident, I believe that any public official's disregard of laws guaranteeing open and transparent government is a legitimate and serious public concern. In fact, legislators have highlighted that seriousness by including in the Texas Public Information Act penalties for violating it, including a \$1,000 fine, up to six months in a county jail, or both.

Please contact me with any questions or concerns you have regarding this matter. I look forward to hearing from you.

Regards,



Kathy Miller  
President, Texas Freedom Network

**Subject:** Public information request

**Date:** Tuesday, September 6, 2016 at 4:49:41 PM Central Daylight Time

**From:** dan@tfn.org

**To:** PIR

Texas Education Agency

Attn: Public Information Officer

September 6, 2016

Dear Public Information Officer:

Following is a request made under the Texas Public Information Act, Chapter 552 of the Texas Government Code, regarding this year's possible adoption of the Mexican American Heritage textbook by the State Board of Education:

- Emails and other communications among State Board of Education members or between SBOE members and other individuals or entities regarding the Mexican American Heritage textbook from April 15, 2016, to today.
- Emails and other communications between Cynthia Dunbar, Jaime Riddle, Valarie Angle or any other representative of Momentum Instruction and TEA staff and/or SBOE members since April 1, 2016.

Thank you for your help in this matter. I look forward to hearing from you soon.

Dan Quinn  
Communications Director

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Dan Quinn  
Communications Director  
Texas Freedom Network  
512.322.0545 (office)  
512.322.0550 (fax)  
512.799.3379 (cell)

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@TFN

Protecting religious freedom | Defending civil liberties | Strengthening public schools

*Emails turned over by Thomas Ratliff.*

**From:** T. Ratliff [mailto:thomas@thomasratliff.com]  
**Sent:** Friday, September 09, 2016 3:16 PM  
**To:** Jackson, Renee <Renee.Jackson@tea.texas.gov>  
**Subject:** PIR #10

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T. Ratliff  
Member, District 9  
(903) 717-1190

Begin forwarded message:

**From:** DAVID BRADLEY <[REDACTED]>  
**Subject:** Re: Reference Text book: Mexican American Heritage  
**Date:** September 6, 2016 at 8:16:18 PM CDT  
**To:** Ratliff Thomas <[thomas@thomasratliff.com](mailto:thomas@thomasratliff.com)>

A lack of a quorum on would be nice. Deny the Hispanics a record vote. The book still fails.

Bring your clubs next week. We will have Tuesday and Thursday afternoons off. Marty will play.

On Sep 6, 2016, at 6:19 PM, T Ratliff <[thomas@thomasratliff.com](mailto:thomas@thomasratliff.com)> wrote:

Or play golf. : )

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Thomas Ratliff  
Member, SBOE District 9  
(903) 717-1190

"One of the best ways to persuade others is with your ears - by listening to them"

On Sep 6, 2016, at 5:17 PM, DAVID BRADLEY <[REDACTED]> wrote:

We don't have a motion to reject or vote to kill it in November. It just fails to get approved.

If it is really that bad and it can't be fixed then we all go for a walk.

On Sep 6, 2016, at 5:13 PM, T. Ratliff <[thomas@thomasratliff.com](mailto:thomas@thomasratliff.com)> wrote:

I'm always willing to listen, learn and see what we are dealing with. From everything I see, it is riddled with errors, but we will see what is actually proposed in testimony.

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T. Ratliff  
Member, District 9  
(903) 717-1190

On Sep 6, 2016, at 5:11 PM, DAVID BRADLEY <[REDACTED]> wrote:

Let the process play out. We have a hearing, folks hopefully document errors, publisher responds, Agency reports on TEks, Remaining Errors, and binding. Then we place on conforming, non conforming or just let it die for a lack of 8 votes ..

On Sep 6, 2016, at 5:08 PM, T. Ratliff <[thomas@thomasratliff.com](mailto:thomas@thomasratliff.com)> wrote:

From what I've seen, everyone is against the book. It's terrible. It's riddled with errors. Even the Truth in Texas Textbooks folks think it's bad from what I understand.

I sent this woman several reviews I've received from several Texas Universities. It's just not what she wanted to hear.

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T. Ratliff  
Member, District 9  
(903) 717-1190

On Sep 6, 2016, at 4:50 PM, DAVID BRADLEY <[REDACTED]> wrote:

Are you with us or against us???

David

**Subject:** Public information request

**Date:** Wednesday, October 5, 2016 at 9:44:11 AM Central Daylight Time

**From:** dan@tfn.org

**To:** PIR

Texas Education Agency

Attn: Public Information Officer

October 5, 2016

Dear Public Information Officer:

Following is a request made under the Texas Public Information Act, Chapter 552 of the Texas Government Code, regarding this year's possible adoption of the Mexican American Heritage textbook by the State Board of Education:

- Emails and other communications among State Board of Education members or between SBOE members and other individuals or entities regarding any issues surrounding the Mexican American Heritage textbook adoption from September 6, 2016, to today.
- Emails and other communications between Cynthia Dunbar, Jaime Riddle, Valarie Angle or any other representative of Momentum Instruction and TEA staff and/or SBOE members since September 6, 2016.

Thank you for your help in this matter. I look forward to hearing from you soon.

Dan Quinn  
Communications Director

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Dan Quinn  
Communications Director  
Texas Freedom Network  
512.322.0545 (office)  
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@TFN

Protecting religious freedom | Defending civil liberties | Strengthening public schools

Emails turned over by Thomas Ratliff.

Jackson, Renee

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**From:** T. Ratliff <[REDACTED]>  
**Sent:** Wednesday, October 12, 2016 4:02 PM  
**To:** Jackson, Renee  
**Subject:** PIR #28187

Response #5 or #6. I've lost count.

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T. Ratliff  
Member, District 9  
(903) 717-1190

Begin forwarded message:

**From:** T Ratliff <[REDACTED]>  
**Subject:** Re: huh?  
**Date:** September 21, 2016 at 5:00:53 PM CDT  
**To:** DAVID BRADLEY <[REDACTED]>

Hahaha!!!! I would have sent that to the press myself!! :)

I think I had 10-11 emails that were covered by that open records request. I just searched for the term and forwarded them to Renee. I didn't even look at them before I submitted them.

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Thomas Ratliff  
Member, SBOE District 9  
(903) 717-1190

"One of the best ways to persuade others is with your ears - by listening to them"

On Sep 21, 2016, at 4:01 PM, DAVID BRADLEY <[REDACTED]> wrote:

Good thing I didn't post a racy selfie.

On Sep 21, 2016, at 3:58 PM, T Ratliff  
<[REDACTED]> wrote:

Doesn't matter where it's located, it's all subject to open records.  
Sorry.

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Thomas Ratliff

Member, SBOE District 9  
(903) 717-1190

"One of the best ways to persuade others is with your ears - by listening to them"

On Sep 21, 2016, at 3:34 PM, DAVID BRADLEY

[REDACTED] wrote:

Hillary,

Have ever thought of using a private server????

Begin forwarded message:

**From:** "Chang, Julie (CMG-Austin)"

<[jchang@statesman.com](mailto:jchang@statesman.com)>

**Subject:** huh?

**Date:** September 21, 2016 at 3:23:29 PM CDT

**To:** DAVID BRADLEY  
[REDACTED]

I'm sure you saw this but it's not clear what TFN is putting out. I don't understand what you meant to say... Got a comment?

<http://tfn.org/texas-gop-ed-board-members-wish-textbook-controversy-deny-hispanics-record-vote/>

## **Julie Chang**

Staff Writer

Austin American-Statesman

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<image001.jpg>

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