



January 22, 2025

VIA EMAIL

Brooks County Sheriff's Office
P.O. Box 558
Falfurrias, TX 78355
jgarza@co.brooks.tx.us

Re: Public Information Request

Dear Public Information Officer:

Pursuant to the Texas Public Information Act, as codified at Tex. Gov't 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 emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) Sheriff Urbino "Benny" Martinez, and (b) any of the external entities and individuals listed below or anyone communicating on their behalf (including, but not limited to, at the listed email addresses and domains).

External Entities and Individuals:

- a. America First Legal (aflegal.org)
- b. American Immigration Control Foundation (aicfoundation.com)
- c. Border 911 (border911.com)
- d. Center for Immigration Studies (cis.org)
- e. Claremont Institute (claremont.org)
- f. David Vandenberg (DavidVandenberg@utexas.edu)
- g. Eddie Ortiz
- h. Federation for American Immigration Reform (fairus.org)
- i. Immigration Reform Law Institute (irli.org)
- j. Jason Killmeyer (jason.killmeyer@gmail.com)
- k. Joseph Humire (jmhumire@securefreesociety.org)
- l. Michael "Mike" Banks (michael.banks@gov.texas.gov)
- m. Mike McDaniel (FMcdaniel@houstonhidta.net)
- n. NumbersUSA (numbersusa.org)
- o. Roy Sikes
- p. Sheriff Corey Helton (chelton@leacounty.net)
- q. Sheriff Jim Skinner (sheriffskinner@collincountytx.gov)
- r. Sheriff Mark Dannels (MDannels@cochise.az.gov)



- s. Sheriff Roy Boyd (sheriff@goliadcountytexas.gov)
- t. Thomas “Tom” Homan
- u. Tim Poynter (timpoynter@att.net)

Please note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. In other words, for example, if an official received a mass-distribution news clip email from Border 911, that initial email would not be responsive to this request. However, if the official forwarded that email to another listed individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

- 2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by Sheriff Urbino “Benny” Martinez and containing any of the key terms listed below.

Key Terms:

- i. “Multi-Jurisdictional Law Enforcement Team”
- ii. “Border Security Work Group”
- iii. “Border Security LE Team”
- iv. MJLET
- v. BSWG
- vi. deport
- vii. “detention camp”
- viii. “national emergency”
- ix. “mass detention”
- x. “287 g”
- xi. 287g
- xii. 287(g)
- xiii. “287 (g)”
- xiv. Trump
- xv. Homan
- xvi. Noem

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 2 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual’s response to an email and the initial received message are responsive to this request and should be produced.

- 3. All text messages between (a) Sheriff Urbino “Benny” Martinez, and (b) Thomas “Tom” Homan.

American Oversight is not in a position to provide a phone number for Homan. To the extent the Sheriff is unable to provide it, please use the key term “Homan” as a search term.

4. Records reflecting any materials in the possession of Sheriff Urbino “Benny” Martinez related to the Border Security Work Group of the Multi-Jurisdictional Law Enforcement Team.

Responsive records may include, but should not be limited to, information handouts, summary documents, handwritten or typed notes, or any materials produced by the work group.

An email thread referencing the Border Security Work Group of the Multi-Jurisdictional Law Enforcement Team is included as Exhibit A to aid in your search.

For all parts of this request, please provide all responsive records from April 1, 2024, through the date the search is conducted.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record” in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, 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.¹

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the

¹ Tex. Gov’t Code § 552.002(a-2); see also *Adkisson v. Paxton*, 459 S.W.3d 761, 773 (Tex. App. 2015).

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. Gov't 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.” The requested records are directly related to the work of local officials, with the potential to shed light on potential coordination between local law enforcement and the federal government over immigration issues. This matter is a subject of substantial public interest in Texas.² Accordingly, release of any responsive records may help the public understand the operations and activities of state officials and is therefore in the public interest.

Release of the requested records will primarily benefit the public.³ 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

² See, e.g., Scott Calvert & Michelle Hackman, *The Local Sheriffs Gearing Up to Help Trump Carry Out Mass Deportations*, Wall Street Journal (Nov. 28, 2024, 9:00 PM), <https://www.wsj.com/us-news/county-sheriffs-trump-immigration-plan-deportations-64c522dd>.

³ Tex. Gov't Code § 552.267(a).

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 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 X (formerly Twitter).⁴

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.⁵ 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;⁶ the posting of records related to the Trump Administration's contacts with Ukraine and analyses of those contacts;⁷ posting records and editorial content about the federal government's response to the Coronavirus pandemic;⁸ 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;⁹ 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;¹⁰ and posting records and analysis of federal officials' use of

⁴ American Oversight currently has approximately 16,000 followers on Facebook and 97,000 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 21, 2025); American Oversight (@weareoversight), X (formerly Twitter), <https://x.com/weareoversight> (last visited Jan. 21, 2025).

⁵ *News*, American Oversight, <https://www.americanoversight.org/blog>.

⁶ *State Investigations*, American Oversight, <https://www.americanoversight.org/states>.

⁷ *Trump Administration's Contacts with Ukraine*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>.

⁸ *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>.

⁹ *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>.

¹⁰ *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, <https://www.americanoversight.org/document/doj-civil-division-response-noel>

taxpayer dollars to charter private aircraft or use government planes for unofficial business.¹¹

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 office 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 Chloe Dennison at records@americanoversight.org or 202.516.7117. 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/ Chloe Dennison
Chloe Dennison
on behalf of
American Oversight

[francisco-compliance](https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents); *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>.

¹¹ 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>.

EXHIBIT A

From: Dannels, Mark
Sent: Tuesday, May 21, 2024 7:29 AM
To: Corey Helton
Subject: FW: Border Security Work Group Law Enforcement Team - Policies & Problems
Attachments: Border Security Work Plan V2.pptx

Hello Corey,

I apologize for the tardiness of this request coming out of Texas, see below. They asked if I could be part of this and I suggested you too, they have an improv virtual meeting at 0830 this morning, see link below, 1030 central time, can you jump on?

Thanks,

Mark

COCHISE COUNTY
SHERIFF'S OFFICE
OFFICIAL COPY

From: Roy Boyd <sheriff@goliadcountytexas.gov>
Sent: Monday, May 20, 2024 4:12 PM
To: umartinez@co.brooks.tx.us; Mike McDaniel <FMcdaniel@houstonhidta.net>; Dannels, Mark <MDannels@cochise.az.gov>
Subject: Border Security Work Group Law Enforcement Team - Policies & Problems

CAUTION: EXTERNAL EMAIL*

Members of the Multi-Jurisdictional Law Enforcement Team,

As part of the Border Security Work Group, our focus is to plan a coordinated effort to guard against contraband entry into the US and territories; intercept the flow of contraband from US states to transnational staging areas outside of US states and territories; dismantle transnational criminal organizations operating within all US states and territories and prosecute their members. *Establish the "main operational effort."*

We must focus on **sub-tasks 1 & 2** between now and Wednesday the 22nd, with the goal to complete sub-task 1 and part of sub-task 2 by Wednesday the 22nd, 7pm EST.

We have until Monday, June 3rd, to submit a draft for our portion of the plan.

See those sub-tasks bolded/underlined below:

Multi-jurisdictional law enforcement team (consisting of local, state, tribal, and Federal representatives)

Special Teams' purpose: Research.

- 1) **Describe current policies affecting comprehensive approach to border security.**
- 2) **Describe current problems.** Recommend objectives and priorities for each team focus area.
- 3) Recommend options to achieve objective(s).
- 4) Recommend resources required to achieve objectives.
- 5) Identify potential stakeholders.
- 6) Identify potential obstacles for realizing objectives.

Sub-task 1: Describe current policies - With our current level of understanding in each of our areas, we need to look at how the various issues related to border security are being handled throughout federal, state, and local systems. While many of these actions may not be tied to a written policy, the actions become the policy. We should examine each action to identify how and if it corresponds to the current problem.

Sub-task #2: Describe current problems – We are all witnessing the problems associated with the failure to secure the border and combat transnational criminal activity throughout the United States. In this task, I recommend that we create a list of issues to combine into a short description that can be used to provide for actionable objectives in our next phase of this project.

In the initial synopsis I provided Colonel Rios for this project, I wrote the following about those portions that apply to this work group:

COCHISE COUNTY
SHERIFF'S OFFICE
OFFICIAL COPY

Enforcement – At The Border

Border Patrol must be set free to conduct their business and enforce the law without administrative restrictions being placed on them that are designed to prevent the enforcement of laws. In order to be successful, the new administration will have to identify and terminate those supervisors who have been placed in key positions as a means by which to prevent the field agents from conducting enforcement efforts. Failure to do so will ensure mission failure.

Enforcement - Interior

Transnational Criminal Organizations have entrenched holdings across the United States. Securing the borders and reducing the numbers will not bring their criminal enterprise to a stop throughout the US.

Mexican cartels, their contractors, sub-contractors, indentured servants, and domestic and foreign business partners must be identified and prosecuted. With the use of a properly functioning intelligence body, a combined force of federal, state, and local law enforcement agencies must identify, locate, investigate, and arrest transnational criminal actors and their associates. The Mexican cartels have partnered with other foreign organized crime from places like China, Korea, Syria, etc. These groups are working together throughout the US. This partnership of hostile actors is a direct threat to our national security.

The functionality of this effort must be set up as a Unified Command, with each level of law enforcement having a say in the target selection and operational methodology that is to take place. The High Intensity Drug Trafficking Area (HIDTA) Executive Board is a good example of how this can function in a productive manner. In order to eliminate the need to expand the footprint of federal agencies, I recommend that the established taskforce method be used in which state and local agencies that participate may receive grants that pay for manpower and equipment that is to be dedicated to the mission provided by the administration.

Deportation

Without deportation we will not be able to reduce or eliminate the presence of transnational criminal organizations within the United States. Due to the nature of the human smuggling operations, which indebts illegal aliens to the cartels, many of those illegally in the US are operatives of the cartels. If they are allowed to remain in the US, they pose not only a threat to our national security in the form of potential unknown actors, they are also a logistical tool which cartels can use to start up, expand, and reconstitute operations without the need for additional personnel.

Deportation by federal agencies can be augmented with the use of local and state authorities. Local and state law enforcement can be cross designated as federal immigration agents, as has been done in the past, or an expansion of the 287g program beyond the jail setting can be put in place to allow agencies to identify and detain illegal aliens encountered during routine duties.

Deportation is a necessary step to secure our nation and must be a collaborative effort.

If possible, I would like to have a conference call via Zoom tomorrow at 10:30 am to have a quick discussion on your thoughts.

Here is the link:

I will attach a document that Colonel Rios updated today for your information as well.

Sheriff Dannels, please invite the sheriff from New Mexico as well.

Mike, please invite any HIDTA director you feel might be of value.

This E-mail is from an EXTERNAL address. DO NOT click on links or open attachments unless you trust the sender and know the content is safe. If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to cochise.az.gov@missedspam.com or contact IT support at 520-432-8301.

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