



**THE ATTORNEY GENERAL
OF TEXAS**

September 26, 1989

**JIM MATTOX
ATTORNEY GENERAL**

Honorable Maida Modgling
Medina County Attorney
Medina County Courthouse
Hondo, Texas 78861

Dear Ms. Modgling:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 7303; this decision is OR89-317.

Medina County received a request from the United States Department of Justice for copies of a former Medina County employee's personnel file. The department is investigating complaints filed with the Equal Employment Opportunity Commission. You seek general guidance on whether to release this information and ask about the applicability of section 3(a)(3) of article 6252-17a, V.T.C.S., the "litigation exception."

In Open Records Decision No. 111 (1975), this office indicated that the Texas Open Records Act does not authorize a governmental body to refuse to release records requested by the federal Equal Employment Opportunity Commission pursuant to the specific federal statutes and regulations governing the commission's investigations. That decision governs your questions.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR89-317.

Yours very truly,

Open Government Section
of the Opinion Committee 
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of the Opinion Committee
Prepared by Jennifer S. Riggs
Chief, Open Government Section

JSR/bc

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Enclosure: ORD-111

cc: Mr. J. D. Thompson, Jr.
Investigator
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San Antonio, Texas 78229-3555