



THE ATTORNEY GENERAL
OF TEXAS

JEN MATTOK
ATTORNEY GENERAL

January 31, 1990

Ms. Mary Ann Courter
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

Dear Ms. Courter:

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# 7936; this decision is OR90-038.

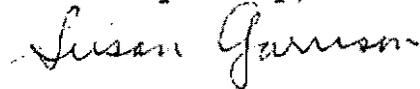
The Texas Department of Public Safety (DPS) received an open records request for all photographs and videos of the "Dr. Pepper Truck/Mission School Bus accident." We have considered the exceptions you claimed, specifically sections 3(a)(3) and (a)(8) of the Open Records Act. A previous determination of this office, Open Records Decision No. 378 (1983), a copy of which is enclosed, resolves your request. For this reason, you may withhold the requested information pursuant to section 3(a)(8) at this time.

Please note, however, that your expressed rationales for withholding this information no longer applies once the documents in question are released during discovery to the criminal defendant. If DPS receives another open records request for these documents subsequent to such a release, you must at that time submit copies of the documents to this office and demonstrate why they should not be released to the general public.

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 OR90-038.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

Ref.: ID# 7936

Enclosure: Open Records Decision No. 378

cc: Adrian Young
Assistant Attorney General
Enforcement Division

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