



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

March 14, 1990

Mr. Robert P. Rose
Assistant City Attorney
City of Austin
P.O. Box 1088
Austin, Texas 78767-8828

OR90-095

Dear Mr. Rose:

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# 8191.

The Austin Police Department received an open records request for the "initial Offense/Incident Report and any subsequent Offense/Incident Reports pertaining to the homicide . . . of Bonnie Peerman." You state that no arrests have been made in connection with this homicide and that the police investigation is ongoing. We have considered the exception you claimed, specifically section 3(a)(8), and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 127 (1976), and Houston Chronicle Publishing Co. v. City of Houston, 531 S.W.2d 177 (Tex. Civ. App. - Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976), resolve your request. For this reason, you must release the requested information to the extent outlined in those rulings; the remaining information may be withheld pursuant to section 3(a)(8).

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 OR90-095.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison
Assistant Attorney General
Opinion Committee

Mr. Robert P. Rose - Page 2 (OR90-095)

SG/RWP/le

Ref.: ID# 8191

Enclosure: Open Records Decision No. 127

cc: Jack H. Taylor, Jr.
Special Projects, News Department
Dallas Times Herald
1101 Pacific Avenue
Dallas, Texas 75202