



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

May 25, 1990

Mr. Leonard W. Peck, Jr.
Assistant General Counsel
Texas Department of Criminal Justice
P.O. Box 99
Huntsville, Texas 77342-0099

OR90-202

Dear Mr. Peck:

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# 9084.

The Institutional Division of the Texas Department of Criminal Justice received an open records request from a former employee for his "dismissal recommendation/action form." You released the form the employee with certain information deleted; you contend the deleted information comes under the protection of sections 3(a)(1), 3(a)(7), and 3(a)(11).

The information you seek to withhold reveals the identities of the individuals who reviewed the recommendation for termination and whether they concur in the recommendation. The exceptions to public disclosure that you raise protect only the substance of opinions as to whether employment should be terminated. The identities of the individuals who took part in the deliberative process may not, however, be withheld pursuant to these sections; this information must therefore be released.

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 OR90-202.

Yours very truly,

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

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

Ref.: ID# 9084, 9370

cc: Mr. Leroy Moore
3601 Rockingham
Houston, Texas 77051