



THE ATTORNEY GENERAL
OF TEXAS

JIM NATTOX
ATTORNEY GENERAL

July 5, 1990

Ms. Mary Ann Courter
Texas Department of Public Safety
5805 N. Lamar Blvd.
Box 4087
Austin, Texas 78773-0001

OR90-277

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# 9355.

The Texas Department of Public Safety received a request from a woman who had spent two months in the Washington County Jail for a copy of a voluntary statement she made concerning certain events that occurred while she was incarcerated there. You indicate that the statement is relevant evidence in an active criminal trial involving the Washington County jailers, who were indicted and whose trials are still pending. You therefore seek to withhold the statement from her under sections 3(a)(3) and 3(a)(8) of the Open Records Act.

We have considered the exception you claimed, and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 551 (1990), a copy of which is enclosed, resolves your request. For this reason, you may withhold the requested information.

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 OR90-277.

Yours very truly,

David Newton

David A. Newton
Assistant Attorney General
Opinion Committee

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Ref.: ID# 9355

Enclosure: Open Records Decision No. 551

cc: Ms. Mary Ann French
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