



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

August 15, 1990

Ms. Charlotte Bingham
Assistant Criminal District Attorney
2nd Floor, Lubbock County Courthouse
P. O. Box 10536
Lubbock, Texas 79408

OR90-374

Dear Ms. Bingham:

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# 9759.

We have considered the exception you claimed, specifically section 3(a)(11), and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 354 (1982), a copy of which is enclosed, resolves your request as to the performance evaluations of the officer. For this reason, you may withhold the performance evaluations. The inmate complaint against the officer must be released. See Open Records Decision No. 339 (1982).

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 OR90-374.

Yours very truly,

A handwritten signature in cursive script that reads "David A. Newton".

David A. Newton
Assistant Attorney General
Opinion Committee

DAN/le

Ref.: ID# 9759, 9294

Enclosure: Open Records Decision Nos. 354, 339

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cc: Lorraine Adams
The Dallas Morning News
Communications Center
Dallas, Texas 75265