



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

August 22, 1990

Mr. William E. Fulbright
Fulbright & Casselberry
Attorney for City of Lamesa
211 North Houston
Lamesa, Texas 79331

OR90-402

Dear Mr. Fulbright:

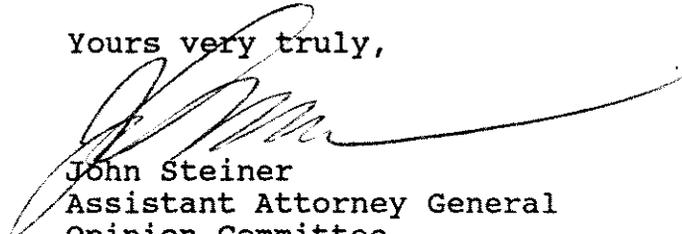
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10065.

We have considered the exceptions you claimed, specifically sections 3(a)(3) and 3(a)(8), and have reviewed the documents at issue. The relationship, if any between the requested information and any pending litigation to which the city is a party is not apparent and has not been demonstrated to this office. Accordingly, the information may not be withheld under section 3(a)(3). See Open Records Decision No. 551 (1990), copy enclosed.

With respect to your claim under section 3(a)(8), a previous determination of this office, Open Records Decision No. 127 (1976), a copy of which is enclosed, resolves your request. The "incident reports" submitted for our inspection appear analogous to offense reports and should be treated accordingly. For this reason, you must release the requested information in accordance with the criteria elaborated in Open Records Decision No. 127.

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 OR90-402.

Yours very truly,


John Steiner
Assistant Attorney General
Opinion Committee

JS/le

Ref.: ID# 10065, 10262

Enclosure: Open Records Decision No. 551; 127