



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

September 11, 1990

Mr. Larry W. Schenk
City Attorney
City of Longview, Texas
P.O. Box 1952
Longview, Texas 75606-1952

OR90-439

Dear Mr. Schenk:

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# 9562.

The City of Longview received an open records request for, inter alia, "reports, charts, interpretive memoranda, test questions or summaries prepared by any individual in connection with the polygraph examination" of several specified individuals. You have submitted to this office documents that you believe come under the protection of section 3(a)(1).

A previous determination of this office, Open Records Decision No. 430 (1985), a copy of which is enclosed, resolves your request. All documents relating to polygraph examinations are deemed confidential by article 4413(29cc) V.T.C.S. Consequently, these records should be withheld pursuant to section 3(a)(1) unless the subjects of the examination authorize the release of the records pertaining to his respective examination. See V.T.C.S. art. 4413(29cc) § 19A(c)(1).

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 OR90-439.

Yours very truly,

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

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

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Ref.: ID# 9562, 9563

Enclosures: Open Records Decision No. 430

cc: Charles P. Connolly
Merriman, Patterson & Allison
3400 W. Marshall Avenue
Longview, Texas 75604