



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

January 23, 1991

Ms. Mary Ann Courter
Assistant General Counsel
Department of Public Safety
Box 4087
Austin, Texas 78773-0001

OR91-041

Dear Ms. Courter:

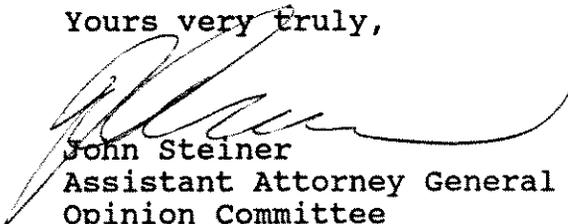
You ask whether certain information regarding the Department of Public Safety's drug recognition program is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10850.

We have considered the exceptions you claimed, specifically sections 3(a)(8) and 3(a)(11), and have reviewed the documents at issue. We have often stated the tests for exception under sections 3(a)(8) and 3(a)(11). See, e.g., Open Records Decision No. 531 (1989) (section 3(a)(8)) and Open Records Decision No. 559 (1990) (section 3(a)(11)).

The information marked by you on the documents submitted for our inspection meets the necessary tests, respectively, for exception under the referenced provision. For this reason, you may withhold the marked portions of the documents.

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 OR91-041.

Yours very truly,


John Steiner
Assistant Attorney General
Opinion Committee

JS/le

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Ref.: ID# 10850

Enclosure: Open Records Decision No. 531, 559
Marked Documents

cc: Todd Copilevitz
Reporter
Dallas Morning News
Communications Center
Dallas, Texas 75265