



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 18, 1991

Ms. Elaine H. Piper
Assistant City Attorney
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79999

OR91-506

Dear Ms. Piper:

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# 11758.

You have received a request for information relating to the death of a certain individual. Specifically, the request seeks a copy of the police report of the death. You advise us that the police death report was disclosed. You further advise us that in a subsequent communication to your office, the requestor expanded the request to include all the records that the police department possesses in connection with the death. You claim that the investigative records are excepted from required public disclosure by section 3(a)(1) of the Open Records Act.

Previous open records decisions issued by this office resolve your request. Open Records Decision No. 483 (1987) held that a governmental body is not required to produce information in the absence of a written request. *See also* Open Records Decision No. 304 (1982). You advise us that your office is not in receipt of a written request for information responsive to the request for information verbally communicated to you by telephone. Accordingly, you are under no obligation to produce the information. Until such time that you are presented with a request in writing, we need not address the applicability of section 3(a)(1) to 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 OR91-506.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/GK/lcd

Ref.: ID# 11758

cc: Ms. Sue Merial
The Principal Financial Group
Des Moines, IA 50392-4650