



Office of the Attorney General

State of Texas

June 4, 1992

DAN MORALES
ATTORNEY GENERAL

Ms. Annette Jones
Police Legal Advisor
Legal Services
City of Waco
P. O. Box 2570
Waco, Texas 76702-2570

OR92-296

Dear Ms. Jones:

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# 15371.

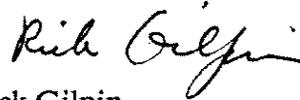
The Waco Police Department received an open records request for certain records pertaining to an automobile accident that occurred on December 27, 1991. One of the drivers involved in the accident was later arrested for allegedly refusing to stop to identify himself and provide information regarding his insurance coverage. You state that you have released to the requestor the Texas Peace Officer's Accident report form. See V.T.C.S. art. 6701d, § 47. You seek to withhold all remaining records pertaining to the accident pursuant to sections 3(a)(3) and 3(a)(8) of the Open Records Act.

Previous determinations of this office, Open Records Decision Nos. 597 (1991) and 127 (1976), resolve your request. You must release those portions of the police offense and arrest reports that were deemed public in *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App. -- Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976). See attachment. Similarly, for the reasons expressed in Open Records Decision No. 597 at 3, you must release the criminal complaint that was filed against the criminal defendant. The remaining records may be withheld at this time pursuant to section 3(a)(8).

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 OR92-296.

Yours very truly,



Rick Gilpin
Assistant Attorney General
Opinion Committee

RG/RWP/lmm

Ref.: ID# 15371

Enclosure: Open Records Decision No. 597

cc: Ms. Susan Nelson
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Waco, Texas 76706-1023
(w/o enclosures)