



Office of the Attorney General

State of Texas

December 31, 1992

DAN MORALES
ATTORNEY GENERAL

Ms. Paula Kay Logan
Assistant General Counsel
Texas Department of Public Safety
P. O. Box 4087
Austin, Texas 78773-0001

OR92-708

Dear Ms. Logan:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, V.T.C.S. article 6252-17a. Your request was assigned ID# 17899.

The Texas Department of Public Safety (the "department") has received a request for information relating to two traffic speeding arrests which occurred June 16, 1992, in Young and Jack counties. Specifically, the requestor, who was arrested for speeding, seeks the same seven categories of information addressed in a previous ruling of this office. See Open Records Letter OR92-488 (1992) (copy enclosed). In that ruling, we determined that, in accordance with a previous decision of this office, Open Records Letter OR92-114 (1992), portions of the requested Radar Operations Manual were excepted from required public disclosure. We further determined that section 3(a)(8) of the Open Records Act excepted the remaining information¹ from required public disclosure, to the extent that the information existed or that the department had not yet released the information to the requestor. Now, in addition to the information he requested previously, the requestor seeks "the DPS policy(s) regarding the use of radar [and] . . . the investigation package containing the results and recommendations as a result of my complaint to DPS regarding Troopers Blanco and Wood - including copies of all interviews conducted." You advise us that the department has released or will release to the requestor some of the requested information. You claim, however, that section 3(a)(8) of the Open Records Act excepts the remainder of the requested information from required public disclosure.

Section 3(a)(8) of the act excepts

¹The information included a copy of the ticket issued the requestor and a video tape recording of the incident involving the requestor and Trooper Blanco.