



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 6, 1993

Ms. Melissa Abshier
Assistant County Attorney
Matagorda County
Courthouse Room 327
1700 Seventh Street
Bay City, Texas 77414

OR93-428

Dear Ms. Abshier:

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# 20219.

Matagorda County has received a request for "the forwarding address of a former Matagorda County Deputy Sheriff."¹ You contend the information is excepted from required public disclosure under section 3(a)(17) of the Open Records Act.

Section 3(a)(17) excepts:

(A) the home addresses or home telephone numbers of each official or employee or each former official or employee of a governmental body except as otherwise provided by Section 3A of this Act, *or of peace officers as defined by Article 2.12, Code of Criminal Procedure, 1965, amended, or by Section 51.212, Texas Education Code.* [Emphasis added.]

In order for section 3(a)(17) to apply, the person whose address is requested must be a peace officer at the time the request for information is made. Open Records Decision No. 532 (1982). You state that "the former Deputy Sheriff is a peace officer as defined by Article 2.12, Code of Criminal Procedure, 1965, as amended." We understand you to assert that the former deputy sheriff is currently a peace officer under that provision.

¹We note that the request seems to be an interrogatory, not a request for documents under the Open Records Request. Because the county treats this as a records request, so will we.

Accordingly, you may withhold the requested information under section 3(a)(17) of the Open Records Act.

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 contact this office.

Yours very truly,



Mary R. Crouter
Assistant Attorney General
Opinion Committee

MRC/LBC/lmm

Ref.: ID# 20219

cc: Ms. Beverly Cockrell
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