



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 24, 1994

Ms. Angela L. Jones
Assistant City Attorney
Legal Services
City of Waco
P.O. Box 2570
Waco, Texas 76702-2570

OR94-265

Dear Ms. Jones:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 24499.

The City of Waco received an open records request for the complaint made about two vehicles parked on the wrong side of the street at a particular address. You contend that the identity of the complainant may be withheld under the informer's privilege component of section 552.101.

We conclude that the complainant's identity in this case is protected by the informer's privilege. The informer's privilege protects from disclosure the identities of persons who report activities over which the governmental body has criminal or quasi-criminal law-enforcement authority, provided that the subject of the information does not already know the informer's identity. Open Records Decision Nos. 515 (1988) at 3; 208 (1978) at 1-2. In this case, you indicate that the complainant reported parking violations for which tickets were issued. This information demonstrates that the complainant reported a violation of the law to the officials having the duty to enforce that law. Therefore, you may withhold the bracketed information on the requested complaint. However, you must release the rest of the complaint.

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,

A handwritten signature in black ink that reads "Margaret A. Roll". The signature is written in a cursive style with a large, looped initial "M".

Margaret A. Roll
Assistant Attorney General
Open Government Section

MAR/rho

Ref.: ID# 24499

Enclosures: Marked documents

cc: Mr. Thornton E. Priest
3317 Loma Vista
Waco, Texas 76708
(w/o enclosures)