



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 26, 1995

Mr. John Weddle
Legal Advisor
Sheriff's Office
Frank Crowley Courts Building
133 North Industrial Boulevard
Dallas, Texas 75207-4313

OR95-487

Dear Mr. Weddle:

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# 32104.

The Dallas County Sheriff's Office received a request for access to copies of all moving citations issued in Dallas County.¹ You have provided a sample copy of a citation form and claim that the requested information is excepted from required public disclosure pursuant to sections 552.101 and 552.108 of the Government Code.

Section 552.101 excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." You have not raised, nor is this office aware of, a statute which would except the information from disclosure. Therefore, we assume that you are raising section 552.101 of the Government Code in conjunction with the doctrines of common-law and constitutional privacy.

We do not believe the citations are excepted from required public disclosure pursuant to section 552.101 and a right to privacy. *See Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977). These records become part of the court's records, which are open to public inspection. *See* Open Record Decision No. 618 (1993) at 4.

¹The requestor has not specified the timeframe for which she seeks records. A governmental body is not *required* to comply with a continuing request to supply information on a periodic basis as such information is prepared in the future. Attorney General Opinion JM-48 (1983), Open Records Decision Nos. 476 (1987), 465 (1987).

Nor do we believe the city may withhold the requested records under section 552.108 of the Government Code. As these records are public court records, we do not believe the city has a law enforcement interest in withholding them. See *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) (holding public has constitutional right to front page offense information). Therefore, we conclude that you must release the requested citations.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Open Government Section

KHG/LMM/rho

Ref.: ID# 32104

Enclosures: Submitted documents

cc: Ms. Katrina Johnson
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(w/o enclosures)