



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 27, 1995

Ms. T. R. Briggs  
Assistant City Attorney  
Legal Department  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

OR95-708

Dear Ms. Briggs:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 31586.

The City of Houston (the "city") has received a request for a wide variety of information regarding the city's Crime Victims Assistance Office. The city has provided access to much of the requested information, but seeks a determination from this office whether letters written by a particular individual are confidential under section 552.101 of the Government Code in conjunction with the doctrine of common-law privacy.

The city has notified the author and subject of the letters giving him the opportunity to assert his privacy interests in them. Neither the city nor this office has received a response from that person. In addition, in one of the letters submitted for our review, the author thanks the director of the city's Crime Victims Assistance Office for forwarding his last letter to the media. Finally, we note that the Austin American-Statesman has recently interviewed the author and published a comprehensive article about the subject of his correspondence. Based on the foregoing facts, we believe that the author of the letters has waived any common-law privacy interests, if any, in them. The city must therefore release the records to the requestor.

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,

*Open Government Section  
of the Opinion Committee*

Ref.: ID# 31586

Enclosures: Submitted documents

cc: Mr. W. Scott McCollough  
Bledsoe, Brown, Evans & McCollough  
711 West 7th Street  
Austin, Texas 78701  
(w/o enclosures)

Mr. Larry Don McQuay  
TDCJ #547825  
Coffield Unit  
Rt. 1, Box 150  
Tennessee Colony, Texas 75884  
(w/o enclosures)