



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 22, 1995

Mr. Michael C. Crowley  
Christie, Berry & Dunbar  
1700 North Stanton  
El Paso, Texas 79902

OR95-830

Dear Mr. Crowley:

On behalf of the Housing Authority of the City of El Paso (the authority"), 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# 34451.

The authority received a request for copies of certain security guard incident reports. You assert that the requested information is "exempt from disclosure as intra-office communications." Although you do not raise a specific exception to disclosure in the act, your use of the term "intra-office communications" suggests that you intend to raise section 552.111 of the Government Code.

Section 552.111 of the Government Code exempts from required public disclosure:

An interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency.

This exception applies to a governmental body's internal communications consisting of advice, recommendations, or opinions reflecting the policymaking process of the governmental body at issue. *See* Open Records Decision No. 615 (1993). This exception does not except from disclosure purely factual information that is severable from the opinion portions of the communication. *See id.*

The requested reports contains no communications consisting of advice, recommendations, or opinions reflecting the policymaking process of the governmental body at issue; rather, the reports are factual. Consequently, the authority may not withhold the requested information from required public disclosure pursuant to section 552.111 of the Government Code. As you raise no other exception to the release of the requested information, we conclude that the authority must release it to the requestor.

We are resolving this matter with this 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 may 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 Guajardo  
Assistant Attorney General  
Open Government Section

KHG/rho

Ref.: ID#34451

Enclosures: Submitted documents

cc: Mr. Jay J. Armes  
Chief Investigator  
The Investigators  
1717 Montana Avenue  
El Paso, Texas 79902  
(w/o enclosures)