



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

May 23, 1996

Ms. Tracy B. Calabrese  
Assistant City Attorney  
Legal Department  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

OR96-0789

Dear Ms. Calabrese:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, Government Code chapter 552. We assigned your request ID# 28283.

The City of Houston (the "city"), through its police department, has received a request for "the files and records maintained by the Houston Police Department, Public Integrity Review Group regarding PIRG File No. 94-0048." You have submitted the requested information to us for review and claim that section 552.101 of the Government Code exempts it from required public disclosure.

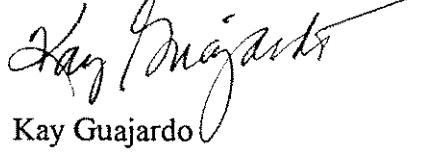
Section 552.101 of the Government Code exempts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." You assert section 552.101 in conjunction with section 143.1214 of the Local Government Code.

This office recently issued Open Records Decision No. 642 (1996) (enclosed) which determined that section 143.1214(b) requires the city to withhold documents relating to PIRG investigations of a firefighter or police officer when PIRG has concluded that the allegations are unfounded. You advise us that the requested file relates to an investigation involving a fire fighter that was closed as "no charges filed" and that no disciplinary action was taken as a result of the investigation. Thus, the city must withhold the requested file from disclosure.

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 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kay Guajardo  
Assistant Attorney General  
Open Records Division

KHG/LBC/ch

Enclosures: Submitted documents  
Open Records Decision No. 642 (1996)

Ref.: ID# 28283

cc: Ms. Paula W. Hinton  
Akin, Gump, Strauss, Hauer & Feld  
1900 Pennzoil Place-South Tower  
711 Louisiana Street  
Houston, Texas 77002  
(w/o submitted documents; w/ Open Records Decision No. 642 (1996))