



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 20, 1996

Mr. Gary W. Smith  
City Attorney  
City of Greenville  
P.O. Box 1049  
Greenville, Texas 75403-1049

OR96-1489

Dear Mr. Smith:

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# 100159.

The City of Greenville (the "city") has received a request for a copy of two arrest reports. You have released most of the requested information. You contend, however, that criminal history record information contained in the arrest reports is excepted from disclosure under section 552.101 of the Government Code.

Section 552.101 excepts from disclosure information that is confidential by statute. We agree with your contention that criminal history record information generated by the federal government or another state may not be made available to the requestor except in accordance with federal regulations. *See* Open Records Decision No. 565 (1990). Furthermore, any criminal history record information obtained from the Texas Department of Public Safety or any other criminal justice agency must be withheld under section 552.101 of the Government Code in conjunction with section 411.089(b)(1).

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

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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,

A handwritten signature in black ink that reads "Loretta DeHay". The signature is written in a cursive style with a large initial "L".

Loretta R. DeHay  
Assistant Attorney General  
Open Records Division

LRD/rho

Ref.: ID# 100159

Enclosures: Submitted documents

cc: Louis Baodoin  
P.O. Box 100  
Greer, South Carolina 29652  
(w/o enclosures)