



June 18, 1999

Mr. Michael Bostic
Office of the City Attorney
City of Dallas
2014 Main Street, Room 206
Dallas, Texas 75201

OR99-1681

Dear Mr. Bostic:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 125212.

The Dallas Police Department (the "department") received an open records request for the following information:

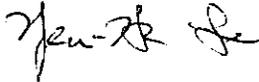
List of all sworn Dallas Police Department employee's [sic] on limited or restricted duty and the amount of time on the department for each one, along with the length of time on limited duty and or restricted duty.

I also request a list of all sworn employees who have been sent an Essential Job Functions of Police Officers form since January 1, 1999.

You state that some responsive information has been released to the requestor. You specifically seek to withhold pursuant to the Americans with Disabilities Act (the "ADA"), 42 U.S.C. §§ 12101 *et seq.*, other information revealing the medical reason for the officers being placed on limited or restricted duty and whether those officers are temporarily or permanently assigned to such duty. We note, however, that the information you seek to withhold under the ADA does not come within the ambit of the open records request. Consequently, this office need not determine at this time whether the ADA is applicable to that particular information. The department may simply redact any such information from the requested records and release only the information that the requestor has specifically requested.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Yen-Ha Le". The signature is fluid and cursive, with the first name "Yen" and last name "Le" clearly distinguishable.

Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/RWP/eaf

Ref.: ID# 125212

Encl: Submitted documents

cc: Mr. Ronald Pinkston
7609 Dockside Drive
Rowlett, Texas 75088
(w/o enclosures)