



July 20, 1999

Mr. David K. Hudson
Assistant District Attorney
Criminal District Attorney
Tarrant County
401 West Belknap
Fort Worth, Texas 76196-0201

OR99-2038

Dear Mr. Hudson:

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# 126057.

The Tarrant County Sheriff's Department (the "department") received an open records request for six categories of information pertaining to the department's use of involuntary psychiatric evaluations of its officers. You state that the department has released to the requestor the records responsive to the first category of the request. You contend, however, that the department is not required to respond to the remaining request categories because they are "interrogatories" which the department is not required to respond to under the Texas Public Information Act.

Section 552.002 of the Government Code defines public information as "information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business: (1) by a governmental body; or (2) for a governmental body and the governmental body owns the information or has a right of access to it." The Texas Public Information Act does not require a governmental body to obtain information not in its possession or to prepare new information in response to a requestor. Open Records Decision No. 445 (1986). Nor does the Public Information Act require a governmental body to answer factual questions or to, in effect, respond to legal interrogatories. Open Records Decision No. 347 (1982).

From our review of the request, we conclude that the synopsis requested in item 1 as well as request items 2 through 6 are not requests for specific documents but rather constitute requests to compile information in a manner not required by the Texas Public Information Act. The department need not respond to these requests.

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 "Michael J. Burns". The signature is fluid and cursive, with a large initial "M" and a long horizontal stroke at the end.

Michael J. Burns
Assistant Attorney General
Open Records Division

MJB/RWP/eaf

Ref.: ID# 126057