



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

November 22, 1989

Mr. Leonard W. Peck, Jr.
Assistant General Counsel
Texas Department of Corrections
P.O. Box 99
Huntsville, Texas 77340

Dear Mr. Peck:

The Texas Department of Corrections (TDC) received an open records request from an inmate of TDC for the record of an internal investigation of a grievance that the inmate/requestor filed against certain TDC officers. This office ruled, in OR89-333 (1989) that because TDC had failed to request a decision from this office in a timely manner, the TDC must demonstrate compelling reasons as to why the requested information should be withheld. This office received copies of the documents in question and your arguments regarding them. Your most recent letter regarding this matter has been assigned ID# 7963; this ruling is OR89-333A.

We have considered the exceptions you claimed and reviewed the documents at issue. You have not provided this office with compelling reasons as to why the information should be withheld pursuant to sections 3(a)(3) or 3(a)(11). Further, the information at issue is not protected by false light privacy. See Open Records Decision No. 400 (1983) (copy enclosed). You must, however, pursuant to the Ruiz Amended Decree, withhold statements made by TDC inmates and other portions of the investigative file that tend to identify inmates other than the requestor. See OR89-148 (1989). We have marked the information that you must withhold; the remaining information must be released to the requestor without delay.

Because case law and prior published open records decisions resolve your request, we are resolving this matter

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with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR89-333A.

Yours very truly,

Open Government Section 
of the Opinion Committee

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of the Opinion Committee
Approved by Jennifer S. Riggs
Chief, Open Government Section

JSR/RWP/le

Ref.: ID# 7963
ID# 7114
OR89-333

Enclosure: marked documents
Open Records Decision No. 400 (1983)

cc: Jerry Easley