



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

October 2, 1990

Mr. T. A. Pounders
Assistant City Attorney
City of Dallas
Office of the City Attorney
City Hall
Dallas, Texas 75201

OR90-461

Dear Mr. Pounders:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10230

The City of Dallas received a request from the Texas Board of Private Investigators and Private Security Agencies (the board) for certain information contained in the city's police department's offense and arrest reports pertaining to the arrests of the board's licensees. Information that is exempt from public disclosure under the Open Records Act may be transferred between state agencies without destroying its confidential character, provided that the receiving agency has the authority to obtain the information. See Open Records Decision No. 516 (1989). You inquire, however, whether the board has authority to obtain this information from the city.

The Board of Private Investigators must take disciplinary action against a licensee who has been convicted of a felony or a misdemeanor involving moral turpitude. V.T.C.S. art. 4413 (29bb), § 11B. In addition, certain other conduct would justify board action. Id. at §§ 11B(4), (5); 11C. An administrative agency with investigative duties may take steps to inform itself on matters within its jurisdiction. Attorney General Opinion H-683 (1975). Statutory language similar to that found in sections 11B and 11C of article 4413 (29bb) has been held to authorize state agencies to receive criminal history information. Attorney General Opinion H-683.

Attorney General Opinion H-683, a copy of which is enclosed, resolves your question. The board is authorized

to receive the requested information pursuant to the public policy of this state that governmental bodies should cooperate with each other in the interest of the efficient and economical administration of their statutory duties; consequently the city may release the requested information to the board.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-461.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

Ref.: ID# 10230
ID# 10224

Enclosures: Attorney General Opinion H-683

cc: Clema D. Sanders
Executive Director
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