



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 3, 1992

Hugh W. Davis, Jr.
Office of the City Attorney
The City of Fort Worth
1000 Throckmorton
Fort Worth, Texas 76102

OR92-120

Dear Mr. Davis:

The city of Fort Worth received two written requests from an individual for copies of the following:

- (1) all personnel complaints filed against a named officer of the Fort Worth Police Department;
- (2) any documents, records, or notes maintained by any of the officer's current or former supervisors documenting formal and informal complaints, investigations, or corrective actions involving the officer's use of force, relations with the public, or the officer's honesty;
- (3) any files or records indicating an official investigation by the Federal Bureau of Investigation involving the officer;
- (4) various records and items, including audio recordings and evidence, in the custody of the police department's Internal Affairs and Traffic Divisions regarding the department's investigation of an incident that occurred on December 2, 1990.

You inform us that the city has released some information pertaining to the request, specifically, the offense report and notices of discipline delivered to the officer in connection with other incidents. You have submitted for our inspection a copy of the internal affairs investigative file compiled in connection with the December 2, 1990, incident, which we understand is the only information in the city's custody

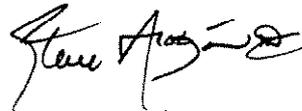
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which is responsive to the specific items of the open records request. You ask whether this information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11556.¹

We have considered the exception you claimed, specifically section 3(a)(1), and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 562 (1990), a copy of which is enclosed, resolves your request. Because you have stipulated that the remaining information is maintained as part of the officer's departmental file pursuant to subsection (g) of article 143.089 of the Local Government Code, and because we find the information reasonably relates to the officer's employment relationship with the department, you must withhold the requested information.

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 OR91-.

Yours very truly,



Steve Aragón
Assistant Attorney General
Opinion Committee

SA/lmm

Ref.: ID# 11556
ID# 11642

Enclosure: Open Records Decision No. 562 (1990)

¹Previous correspondence from this office indicated that this request would be closed without decision because of the city's failure to submit the requested information in accordance with the act. However, we have since learned that the city did submit the documents in a timely fashion. Accordingly, we will proceed with this request.

Mr. Hugh Davis, Jr. - (OR92-120)

cc: Mr. David Sloane
1004 West Hills Terrace
Saginaw, Texas 76179-3418