



Office of the Attorney General  
State of Texas

June 7, 1993

DAN MORALES  
ATTORNEY GENERAL

Ms. Mindy Ward  
City Attorney  
City of San Angelo  
P.O. Box 1751  
San Angelo, Texas 76902

OR93-293

Dear Ms. Ward:

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# 19558.

The City of San Angelo (the "city") has received a request for certain information in the possession of the city's police department. Specifically, the requestor seeks "information from the police department concerning the department's policies and procedures for patrol officers in stopping vehicles in low and high speed pursuits." You have submitted the requested information to us for review and claim that it is excepted from required public disclosure by section 3(a)(8) of the Open Records Act.

Previous open records decisions issued by this office resolve your request. Section 3(a)(8) excepts

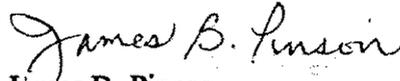
records of law enforcement agencies and prosecutors that deal with the detection, investigation, and prosecution of crime and the internal records and notations of such law enforcement agencies and prosecutors which are maintained for internal use in matters relating to law enforcement and prosecution.

When the "law enforcement" exception is claimed as a basis for excluding information from public view, the agency claiming it must reasonably explain, if the information does not supply the explanation on its face, how and why release would unduly interfere with law enforcement. Open Records Decision Nos. 434 (1986); 252 (1980); *see also* Open Records Decision No. 397 (1983). In Open Records Decision No. 531 (1989), this office held that section 3(a)(8) authorized the San Antonio Police Department to withhold portions of its use of force procedures prepared for its officers that state detailed guidelines on the use of force. Portions of the procedures, however, which related to generally known common-law rules, constitutional limitations, or Penal Code provisions were deemed public information. *Id.*

The information you have submitted to us for review is analogous to the information addressed in Open Records Decision No. 531. You explain that the requested information "contains specific guidelines for police officers to follow when determining whether to engage in a vehicular chase, when to break it off, and methods for stopping the violator" and that release of the requested information would provide the public "with guidance regarding how to avoid apprehension by the police." We have examined the information submitted to us for review. We agree that release of some of it would undermine a legitimate law-enforcement interest. We have marked the information that does not fall within the section 3(a)(8) exception and must be released. The remaining information, however, may be withheld from required public disclosure under section 3(a)(8) of the Open Records Act.

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 contact this office.

Yours very truly,



James B. Pinson  
Assistant Attorney General  
Opinion Committee

JBP/GCK/le

Enclosures: Marked Documents

Ref.: ID# 19558  
ID# 19690

cc: Mr. Michael Wilson  
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