



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

January 23, 1998

Mr. Charles Houghton
Assistant Chief Deputy
Wood County Sheriff's Department
P.O. Box 307
Quitman, Texas 75783

OR98-0238

Dear Mr. Houghton:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 112651.

The Wood County Sheriff's Department (the "department") received a request for detailed information concerning all burglary reports for the county. The requestor did not specify any time period for these reports, but apparently submitted the request as a standing request for burglary information as it is filed. You assert that the department is not obligated to provide information in response to this type of request.

A governmental body is not required to provide information that does not exist at the time a request for records is submitted. Open Records Decision Nos. 561 (1990) at 9 (city does not have to obtain new information); 483 (1987) at 2; 452 (1986) at 3 (open records request applies to information in existence when request is received); 362 (1983) at 2 (city does not have to supply information which does not exist). Thus, this office has previously ruled that a governmental body is not required to comply with a standing request to provide information on a periodic basis as it is created. Attorney General Opinion JM-48; Open Records Decision Nos. 476 (1987), 465 (1987). The department may, but is *not required* under chapter 552 to provide information in response to this type of request.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Ruth H. Soucy", written over a horizontal line.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 112651

cc: Ms. Patricia Evans
Statistics Coordinator
Westec Home Security
3033 Kellway, Suite 100
Carrollton, Texas 75006