



March 31, 1999

Ms. Lydia L. Perry  
Law Offices of Robert E. Luna, P.C.  
4411 North Central Expressway  
Dallas, Texas 75205

OR99-0878

Dear Ms. Perry:

On behalf of the Coppell Independent School District (the "district"), you ask us to clarify Open Records Letter No. 98-3234 (1998). Your request for clarification was assigned ID# 123087.

The district received two requests for information relating to the rental of district facilities. The City of Coppell Police Department (the "department") received a similar request for information. Prior to receiving the requests for information, the district forwarded its responsive information to the department for investigation. Both the district and the department sought to withhold their responsive information from disclosure and requested a ruling from this office. The department submitted a representative sample of the information at issue to this office for review, and we considered the department's submission in conjunction with both requests for rulings. In our ruling to the district, we concluded that with the exception of the basic information in the offense report, the district could withhold the information at issue from disclosure pursuant to section 552.103 of the Government Code. ORL 98-3234 at 2.

You now inform us that the district does not possess a copy of the offense report and, therefore, should not be required to release basic front page offense report information. You argue that the responsive information in the district's possession should be excepted from disclosure in its entirety under section 552.103. The information in the district's possession, a representative sample of which you have submitted for our review,<sup>1</sup> consists of rental

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<sup>1</sup>We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

records for district facilities. Based on the reasoning in Open Records Letter No. 98-3234, we agree that the district may withhold this information from disclosure in its entirety under section 552.103.<sup>2</sup> Open Records Letter No. 98-3234 is overruled to the extent that it requires the district to release basic front page offense report information.

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

Sincerely,



Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 123087

Enclosures: Submitted documents

cc: Mr. R.G. Harrell  
548 W. Oak Grove  
Coppell, Texas 75019  
(w/o enclosures)

Mr. Curtis Howell  
The Dallas Morning News  
3900 West Plano Parkway  
Plano, Texas 75075  
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<sup>2</sup>Generally, once information has been obtained by all parties to the litigation through discovery or otherwise, no section 552.103 interest exists with respect to that information. Open Records Decision Nos. 349 (1982), 320 (1982). We also note that the applicability of section 552.103 ends once the litigation has concluded. Attorney General Opinion MW-575 (1982); Open Records Decision No. 350 (1982).