OFFICE OF THE ATTORNEY GENERAL · STATE OF TEXAS
JOHN CORNYN

April 12, 1999

Mr. Arturo D. Rodriguez, Jr.
Assistant City Attorney
City of Georgetown
P.O. Box 409
Georgetown, Texas 78627-0409

OR99-0977

Dear Mr. Rodriguez:

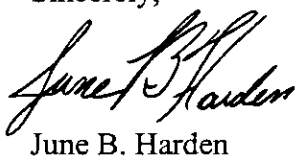
You ask this office to reconsider our ruling in Open Records Letter No. 99-0404 (1999). Your request was assigned ID# 124449.

The City of Georgetown (the "city") received a request for the results of the management audit conducted on the Georgetown Police Department. In Open Records Letter No. 99-0404, this office concluded that the city could not withhold the report under section 552.111 of the Government Code because the report did not relate to the policymaking functions of the Georgetown Police Department.

In your request for reconsideration, you state that you have provided the requestor with a copy of the report in its final form. You seek, however, to withhold a draft copy of the report under section 552.111. We note that section 552.111 excepts draft documents only to the extent that the draft documents pertain to the policymaking function of the governmental body. Open Records Decision No. 615 (1993). As we concluded in Open Records Letter No. 99-0404, the report at issue does not pertain to the policy mission of the city: the document relates solely to the function of and management by the chief of police. *See Garland v. Dallas Morning News*, 969 S.W.2d 548 , 557 (Tex. App.--Dallas 1998, pet. requested) (*citing Lett v. Klein Indep. Sch. Dist.*, 917 S.W.2d 455, 457 (Tex. App.--Houston [14th Dist.] 1996), *writ denied per curiam*, 41 Tex. Sup. Ct. J. 575 (1998) (documents relating to problems with specific employee do not relate to the making of new policy but merely implement existing policy)). Thus, we affirm Open Records Letter No. 99-0404.

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

Sincerely,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref.: ID# 124449

Encl. Submitted documents

cc: Ms. Nelita Neves
Jackson & Walker
100 Congress, Suite 1100
Austin, Texas 78701-4099
(w/o enclosures)