



August 30, 1999

Ms. Regina T. Grimes
Office of General Counsel
Texas Department of Criminal Justice
P.O. Box 13401
Austin, Texas 78711

OR99-2433

Dear Ms. Grimes:

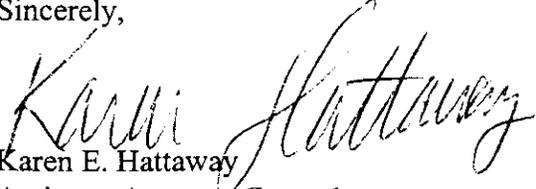
You ask us to reconsider Open Records Letter No. 99-1781 (1999). Your request for reconsideration was assigned ID# 127691.

The Texas Department of Criminal Justice (the "department") received a request for a copy of a specific internal audit report, as well as all information relating to the requestor. In Open Records Letter No. 99-1781, we concluded that the department (1) did not demonstrate the applicability of section 552.103 of the Government Code, (2) that section 552.111 of the Government Code did not apply to any of the requested documents, and (3) that some of the documents at issue were audit working papers and could be withheld from disclosure under section 552.116 of the Government Code. You now ask us to reconsider whether section 552.103 applies to the requested documents.

We issued Open Records Letter No. 99-1781 on June 25, 1999. On June 23, 1999, the department received a letter from an attorney representing a woman who was killed in an automobile accident allegedly caused by a releasee under the supervision of a department parole officer. The department notified this office of the letter within a reasonable time of its receipt. *See* Open Records Decision No. 638 (1996). We therefore find that the

department has established the applicability of section 552.103 to the requested information and overrule Open Records Letter No. 99-1781 to the extent it conflicts with this decision.¹

Sincerely,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 127691

Encl. Submitted documents

cc: Mr. John Brady
District Parole Officer II
PD-Fort Worth DPO I
3628 McCart
Fort Worth, Texas 76110
(w/o enclosures)

¹We assume that the opposing party in the litigation has not previously had access to the records at issue; absent special circumstances, once information has been obtained by all parties to the litigation, *e.g.*, 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).