



November 24, 1999

Mr. J. David Dodd, III
Nichols, Jackson, Dillard,
Hager & Smith, L.L.P.
1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201

OR99-3391

Dear Mr. Dodd:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 128378.

The City of Richardson (the “city”), which you represent, received a written request for three categories of information. The requestor first seeks “[d]ocuments relating to allegations to a ticket quota system in the City of Richardson.” You state that the city “has responded that no such document exists.” We note, however, that the city has previously submitted such documents to this office for review. Furthermore, in Open Records Letter No. 99-1933 (1999), this office held that such documents must be released to the public. Consequently, OR99-1933 constitutes a “previous determination” for purposes of section 552.301(a) of the Government Code, and the city must now release to the requestor all such records in accordance with OR99-1933. *See also* Gov’t Code § 552.007 (prohibiting “selective disclosure” of information).

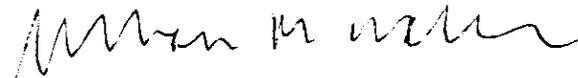
The requestor also seeks the following information: “All promised [sic] to appear issued by the Richardson Police Department in the last 36 months for the offense of red-light violation” and “all notices to appear issued by Officer Baker for the period from May 1, 1998 to January 31, 1999.” You interpret these requests as being for traffic citations issued by the city. You seek to withhold these documents pursuant to sections 552.103 and 552.108 of the Government Code.

Section 552.108(a)(1) of the Government Code excepts from required public disclosure “[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime.” Although you explain that the

requestor “is currently charged with a red light violation and his case is still pending,” you have not explained how the release of the requested citations would “interfere with” the pending prosecution. We further note that traffic citations consist solely of “basic information” about the alleged traffic offenses, which may not be withheld from the public pursuant to either section 552.108 or 552.103. *See* Gov’t Code § 552.108(c); Open Records Decision No. 597 (1991). *See also* Gov’t Code § 552.022(a)(17) (information contained in public court record not protected from required public disclosure). The city must release the requested citations in their entirety.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



William M. Walker
Assistant Attorney General
Open Records Division

WMW/RWP/lp

Ref.: ID# 128378

cc: Mr. Fred H. Slice
2406 Diamond Oaks
Garland, Texas 75044