



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 24, 2019

Ms. Myrna S. Reingold
Galveston County Legal Department
722 Moody, 5th Floor
Galveston, Texas 77550-2317

OR2019-17202

Dear Ms. Reingold:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 771791.

The Galveston County Criminal District Attorney's Office (the "district attorney's office") received a request for communications between two named individuals during a specified time period. The district attorney's office claims the submitted information is excepted from disclosure under sections 552.108 and 552.117 of the Government Code. We have considered the exceptions the district attorney's office claims and reviewed the submitted information.

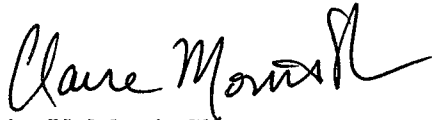
Section 552.108(b)(2) of the Government Code excepts from disclosure an internal record or notation of a law enforcement agency or prosecutor if "the internal record or notation relates to law enforcement only in relation to an investigation that did not result in conviction or deferred adjudication[.]" Gov't Code § 552.108(b)(2). A governmental body claiming section 552.108(b)(2) must demonstrate the information at issue relates to a criminal investigation that concluded in a final result other than conviction or deferred adjudication. *See id.* §§ 552.108(b)(2), .301(e)(1)(A). The district attorney's office states the submitted information consists of internal notations of the district attorney's office that pertain to a closed criminal investigation that concluded in a final result other than conviction or deferred

adjudication. Based on this representation, we agree the district attorney's office may withhold the submitted information under section 552.108(b)(2) of the Government Code.¹

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/be

Ref: ID# 771791

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address the remaining arguments against disclosure of the submitted information.