



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 7, 2019

Ms. Carrie Galatas
General Counsel
Conroe Independent School District
3205 West Davis
Conroe, Texas 77304-2098

OR2019-28069

Re: Request for case number 1906.27867

Dear Ms. Galatas:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 789816.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim the submitted information may be withheld from public disclosure pursuant to section 552.108(a)(1) of the Government Code on behalf of another law enforcement agency with a law enforcement interest.¹ Further, you inform this office the other law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Thus, we conclude you may withhold the submitted information pursuant to section 552.108(a)(1) on behalf of the other law enforcement agency. However, you must release the basic information pursuant to section 552.108(c) of the Government Code.²

¹ We note you did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(e). Nonetheless, the need of a governmental body, other than the governmental body that failed to timely seek an open records decision, to withhold information under section 552.108 of the Government Code can provide a compelling reason sufficient to overcome the presumption of openness. *See* Open Records Decision No. 586 (1991).

² We note, and you acknowledge, the requestor has a special right of access to the information being released. *See* Fam. Code § 58.008(d). Accordingly, if the district receives another request for this same information from a different requestor, the district must again seek a ruling from this office.

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/open-records-memorandum-rulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor
(w/o enclosures)