

# **Bond Case Briefs**

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## **PUBLIC RECORDS - TEXAS**

### **City of Carrollton v. Paxton**

**Court of Appeals of Texas, Austin - March 31, 2016 - S.W.3d - 2016 WL 1305196**

City filed suit against attorney general to contest determination that certain records requested under Public Information Act (PIA) regarding specific occasions of police activity were subject to disclosure and seeking attorney fees under PIA.

The District Court denied city's summary judgment motion, granted attorney general summary judgment, rendered final judgment requiring that records be released to requestor in accordance with attorney general's rulings, and awarded attorney general attorney fees. City appealed.

The Court of Appeals held that:

- Summary judgment evidence conclusively established that information concerning alleged assault fell within law-enforcement exception;
- Invocation of exception for information held by law enforcement that dealt with detection, investigation, or prosecution of a crime did not forfeit city's reliance on law-enforcement exception; but
- Computer-aided dispatch notes concerning alleged assault contained basic information about a crime, and thus were subject to disclosure;
- Requested information that did not reflect that either arrest was made or that law enforcement made any determination that a crime had actually occurred did not include basic information subject to disclosure;
- Summary judgment evidence did not raise fact question as to whether city was permitted to withhold basic information about alleged assault under physical-safety exception; and
- Summary judgment evidence did not raise fact question as to whether city was permitted to withhold basic information under informer's privilege.