

# CITY OF VICTORIA

Established 1824, Founded by Congress, Republic of Texas, 1839



**Thomas A. Gwosdz**  
City Attorney  
Member: College of the State Bar

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## LEGAL DEPARTMENT

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Texas Attorney General's Office  
P.O. Box 12548  
Austin, Texas 78711-2548

January 5, 2015

via CMRR 7011 3500 0002 1804 9229

Re: Request for Open Records Decision – Request from Mike on 1/4/15

Dear Attorney General:

On January 4, 2015, the City of Victoria received a Request for Information from Mike requesting "...a copy of all "Use of Force" for Lethal and Non Lethal forms."

Some of the requested information may not be subject to disclosure pursuant to an applicable exception of the Texas Public Information Act. Therefore, to comply with Texas Gov't Code § 552.301, the City requests a decision as to whether the requested material is subject to disclosure pursuant to said Act:

*Section 552.108* - Certain Law Enforcement, Corrections, and Prosecutorial Information, (b) An internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution is excepted from the requirements of Section 552.021 if: (1) release of the internal record or notation would interfere with law enforcement or prosecution;

The requested information includes portions of the Victoria Police Department's General Orders regarding the use of force and discharging of weapons and should be withheld as these are internal records of a law enforcement agency, and release of this information could impair an officer's ability to arrest a suspect by placing individuals at an advantage in confrontations with police.

In accordance with the aforementioned statements, the City is requesting an opinion from the Attorney General regarding the releasability of these items and any other items included in this request that may be subject to an applicable exception. Please do not hesitate to contact me at (361) 485-3520 if I can be of further assistance.

Sincerely,



Linda M. Champion  
Assistant City Attorney

cc: Christina Morales – VPD Records

Mike

via email to: [publicrecordsmo@publicrecordsmo.com](mailto:publicrecordsmo@publicrecordsmo.com)