



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 30, 1994

Ms. Annette Jones
Police Legal Advisor
City of Waco
Legal Services
P.O. Box 2570
Waco, Texas 76702-2570

OR94-306

Dear Ms. Jones:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 24498.

You advise that the City of Waco Police Department has received a request for the "narrative report" of the arresting officer in a pending "unlawfully carrying a weapon case." You wish to withhold the report under section 552.108 of the act, which provides that

(a) A record of a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from [required public disclosure].

(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 [required public disclosure].

Since the matter is pending, you may withhold the narrative report at this time. Please note, however, that traditional front page offense report information must be released. See Open Records Decision Nos. 372, 366 (1983). In view of our disposition here, we do not address your claim at this time that the requested information might also be protected by section 552.103 of the act, the "litigation exception."

Because case law and prior published open records decisions resolve your request, we are resolving this matter with an informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,



William Walker
Assistant Attorney General
Open Government Section

WMW/MAR/rho

Ref.: ID# 24498

Enclosures: Submitted documents

cc: Ms. Freddie Mitchell
2004 Avondale
Waco, Texas 76707
(w/o enclosures)