



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 28, 1995

Mr. James Showen  
Senior Assistant City Attorney  
City of Tyler  
P.O. Box 2039  
Tyler, Texas 75710

OR95-896

Dear Mr. Showen:

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# 34900.

The City of Tyler (the "city") has received a request for a certain police report. You assert that, as the report relates to an ongoing criminal investigation, the report is excepted from required public disclosure pursuant to section 552.108 of the Government Code. We agree. *See* Open Records Decision No. 127 (1976). Consequently, pursuant to section 552.108 of the Government Code, the city may withhold the report from required public disclosure, with the exception of the type of basic information that ordinarily appears on the first page of an offense report. *See id.* We note that the location of the information does not determine whether it is available to the public. Information that is public pursuant to Open Records Decision No. 127 (1976) is public wherever it is found. We have enclosed a summary of Open Records Decision No. 127 (1976) that outlines the information that is open and closed to the public.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Kay Guajardo". The signature is written in a cursive, flowing style.

Kay Guajardo  
Assistant Attorney General  
Open Government Section

KHG/rho

Ref.: ID# 34900

Enclosures: Submitted documents  
Summary of Open Records Decision No. 127

cc: Mr. James W. Litzler  
McLeroy & Litzler, P.C.  
P.O. Box 1037  
Sulphur Springs, Texas 75483  
(w/o enclosures)