



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 26, 1996

Ms. Helen M. Gros  
Senior Assistant City Attorney  
City of Houston  
Legal Department  
P.O. Box 1562  
Houston, Texas 77251-1562

OR96-1306

Dear Ms. Gros:

Your predecessor asked whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your requests were assigned RQ-729.

The City of Houston (the "city") received a request for "the Houston Police Department's general order regarding use of deadly force" and another request for "the documentation used in training Houston Police Officers known as the GENERAL ORDERS MANUAL." The city has provided portions of the General Orders Manual to one of the requestors. However, the city contends that the remaining information is exempt from required public disclosure under section 552.108 of the Government Code.

Section 552.108 exempts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n 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." Gov't Code § 552.108; *see Holmes v. Morales*, 39 Tex. Sup. Ct. J. 781, 1996 WL 325601 (June 14, 1996). We have reviewed the records submitted for our review and conclude that section 552.108 applies in this instance. You may therefore withhold the requested records under section 552.108 of the Government Code. On the other hand, you may choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

We are resolving this matter with an 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 should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Loretta R. DeHay  
Assistant Attorney General  
Open Records Division

LRD/rho

Ref.: RQ-729

Enclosures: Submitted documents

cc: Mr. John F. Cannon  
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