



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 1, 1996

Ms. Judith Hunter
Paralegal
City Attorney's Office
P.O. Box 409
Georgetown, Texas 78627-0409

OR96-1372

Dear Ms. Hunter:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 100243.

The City of Georgetown (the "city") received a request for copies of the "offense report, hospital records and blood test results" relating to the requestor's arrest on May 19, 1996. You have released front page offense report information to the requestor, but you contend that the remainder of the information is excepted from disclosure under section 552.108 of the Government Code. You have submitted the information at issue to this office for review.

Section 552.108 excepts 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 therefore conclude that, except for front page offense report information, section 552.108 of the Government Code excepts the requested information from required public disclosure.¹ You may, however, choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

¹Information normally found on the front page of an offense report is generally considered public. *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975), writ *ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976). The content of the information determines whether it must be released in compliance with *Houston Chronicle*, not its literal location on the first page of an offense report. Open Records Decision No. 127 (1976) contains a summary of the types of information deemed public by *Houston Chronicle*.

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,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref.: ID# 100243

Enclosures: Submitted documents

cc: Mr. Clifton Allen Knight
2111 Peach Tree Lane
Austin, Texas 78709
(w/o enclosures)