



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 12, 1996

Ms. Kathleen Weisskopf
Assistant City Attorney
City of Arlington
P.O. Box 231
Arlington, Texas 76004-0231

OR96-1649

Dear Ms. Weisskopf:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101075.

The City of Arlington (the "city") received a request for reports and files of the city's animal control inspector relating to a particular case.¹ You assert that the city may withhold this information from disclosure pursuant to sections 552.103 and 552.108 of the Government Code.

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*, 924 S.W.2d 920 (Tex. 1996). However, the type of information that is normally found on the front page of an offense or arrest report is generally considered public. See generally *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.]

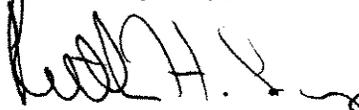
¹The Arlington Municipal Court supplied the requestor information concerning a prosecution for failure to submit an animal for quarantine in accordance with the City of Arlington's animal control ordinance. We note that section 552.003(1)(B) of the Government Code excludes the judiciary from the list of governmental bodies that are subject to chapter 552.

1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976).

You have shown the applicability of section 552.108 to the information at issue. The information submitted to this office does not contain front page offense report information and thus may be withheld from disclosure in its entirety under section 552.108. Since the information at issue may be withheld from disclosure under section 552.108, we need not address your section 552.103 argument against disclosure.

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,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref.: ID# 101075

Enclosures: Submitted document

cc: Mr. M.T. O'Donnell, Jr.
1009 Pleasant Valley Lane
Arlington, Texas 76015
(w/o enclosures)