



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 27, 1996

Ms. Judith A. Hunter
Paralegal
City of Georgetown
P. O. Box 409
Georgetown, Texas 78627-0409

OR96-1790

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# 101049.

The City of Georgetown received a request for all information regarding offense report number 96-12657. You claim that the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

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). We note, however, that information normally found on the front page of an offense report is generally considered public.¹ *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). We therefore conclude that, except for front page offense report information and the information discussed below, section 552.108 of the Government Code excepts the requested records from required public disclosure. We note that a detailed description of the offense and information about any persons arrested must be released. Open Records Decision No. 127 (1976). You may

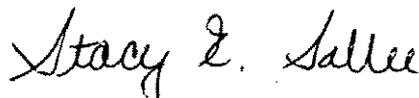
¹The content of the information determines whether it must be released in compliance with *Houston Chronicle*, not its literal location on the first page of an offense report. Open Records Decision No. 127 (1976) contains a summary of the types of information deemed public by *Houston Chronicle*.

choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

Included among the information sent to us for review are arrest warrants. If these arrest warrants have been filed with the court, they have become public record and may not now be withheld under section 552.108. If the arrest warrants have not been filed with the court, the city may withhold them under section 552.108.

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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee
Assistant Attorney General
Open Records Division

SES/ch

Ref.: ID# 101049

Enclosures: Submitted documents

cc: Mr. Mason D. Harrison
304 West Street
Georgetown, Texas 78626
(w/o enclosures)