



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 11, 1996

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

OR96-1859

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# 102026.

The City of Georgetown (the "city") received a request for "a copy of entire report on case #96-14985." The requested case record, which you have submitted to this office for review, consists of an offense report and supporting documentation. You state that you have released the first page of the offense report to the requestor. You contend that the remainder of the case report is excepted from disclosure under section 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). We note, however, that information 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). Thus, you must release the type of information that is considered to be front page offense report information, even if this information is not actually located on the front page of the offense report.

We note that the first page of the offense report does not contain the name or description of the individual who was issued a citation for theft. The alleged offender's name and description are public information and must be released to the requestor in accordance with *Houston Chronicle* and Open Records Decision No. 127 (1976). *See also* Open Records Decision No. 644 (1996) (Family Code section 58.007 does not make confidential juvenile law

enforcement records maintained by law enforcement agencies concerning conduct occurring on or after January 1, 1996). We have enclosed a summary of Open Records Decision No. 127 (1976) which lists the types of information that are normally found on the front page of an offense report and are considered public. Section 552.108 provides that you may withhold from disclosure all information other than these types of front page information. Of course, you may choose to release all or part of the information at issue 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 any questions about this ruling, please contact our office.

Yours very truly,


Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 102026

Enclosures: Submitted documents, Summary of Open Records Decision No. 127 (1996)

cc: Ms. Bertha Reyes
1825 Hart
Georgetown, Texas 78626
(w/ enclosure - Summary of Open Records Decision No. 127 (1996))