



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 29, 1996

Mr. Sam A. Lindsay  
City Attorney  
City of Dallas  
501 Police & Courts Building  
Dallas, Texas 75201

OR96-1967

Dear Mr. Lindsay:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101563.

The City of Dallas Police Department (the "department") received five requests for information relating to an investigation of a former department officer for solicitation of murder. Each requestor seeks the audio and video tapes created during the investigation. Three of the requestors seek additional information: One requestor also seeks any transcripts of the tapes. Another requestor also seeks the "investigative documents." Another requestor also seeks "all internal police department documents and memorandum that make mention of [the officer], excluding employment application, offense reports and off-duty job cards." You assert that the requested information is excepted from required public 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. Section 552.108 provides that you may withhold the remaining requested information from disclosure, although 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 may 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,



Todd Reese  
Assistant Attorney General  
Open Records Division

RTR/rho

Ref.: ID# 101563

Enclosures: Submitted documents

cc: Ms. Kay Vinson  
KDFW-TV News  
400 North Griffin Street  
Dallas, Texas 75202  
(w/o enclosures)

Ms. Heather Ishimaru  
WFAA-TV  
606 Young Street  
Dallas, Texas 75202-4810  
(w/o enclosures)

Ms. Christi O'Connor  
KTVT  
P.O. Box 2495  
Fort Worth, Texas 76113  
(w/o enclosures)

Mr. Rick Roberts  
KRLD News Radio  
1080 Ballpark Way  
Arlington, Texas 76011  
(w/o enclosures)

Mr. Todd Bensman  
Dallas Morning News  
Communications Center  
Dallas, Texas 75265  
(w/o enclosures)