



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 31, 1996

Mr. Ron M. Pigott  
Assistant General Counsel  
Texas Department of Public Safety  
Box 4087  
Austin, Texas 78773-0001

OR96-1999

Dear Mr. Pigott:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101662.

The Texas Department of Public Safety (the "DPS") received a request for a diagram of an automobile accident. You explain that the diagram at issue was prepared by a DPS trooper as part of his investigation of an accident. You have submitted a copy of the diagram to this office for review, and assert that the diagram is excepted from disclosure under section 552.108 of the Government Code.<sup>1</sup>

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 agree that the requested diagram may be withheld from disclosure pursuant to section 552.108.<sup>2</sup>

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

---

<sup>1</sup>We assume that the diagram was not part of the accident report. We note that an accident report must be provided to a requestor who provides two or more of the following: (1) the date of the accident, (2) the name of any person involved in the accident, or (3) the specific location of the accident. *See* Act of May 27, 1995, 74th Leg., R.S., ch. 894, § 1, 1995 Tex. Sess. Law Serv. 4413 (Vernon).

<sup>2</sup>Because the diagram may be withheld from disclosure pursuant to section 552.108, we need not address your section 552.103 argument against disclosure.

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,



Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref.: ID# 101662

Enclosures: Submitted document

cc: Mr. Randy Hopper  
500 S. Taylor, Suite 602, L.B. 263  
Amarillo, Texas 79101  
(w/o enclosures)