



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 13, 1996

Mr. Ron Pigott
Texas Department of Public Safety
5805 N. Lamar Boulevard
Box 4087
Austin, Texas 78773-0001

OR96-2089

Dear Mr. Pigott:

You have asked whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID#102383.

The Texas Department of Public Safety (the "department") received a request for "all files, records and any other documents in the possession of the Bryan Police Department pertaining to the analysis of any controlled substances seized from" a particular individual. You state that you have previously explained to the requestor that the department is not privy to the Bryan Police Department's files. However, you state that the department has information that concerns the seizure and analysis of a controlled substance involving the individual in question. You assert that this requested information is excepted from required public disclosure pursuant to section 552.108 of the Government Code. You have submitted for our review a copy of the information you believe is responsive, which you have labeled "Exhibit B."

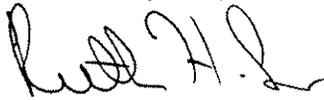
Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." *See Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). We have reviewed the information submitted to this office, and conclude that it is excepted from disclosure in its entirety.¹

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

¹We note that information normally found on the front page of an offense report is public and must be disclosed. *See generally 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). However, there is no front page offense report information in the records submitted to this office.

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/SAB/ch

Ref: ID# 102383

Enclosures: Submitted documents
Summary of Open Records Decision No. 127 (1976)

cc.: Mr. Walter Reaves, Jr.
Law Offices of Walter M. Reaves, Jr.
P.O. Box 55
West, Texas 76691
(w/o enclosures)