



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 10, 1997

Ms. Vicki D. Blanton  
Assistant City Attorney  
City of Dallas  
Municipal Building  
Dallas, Texas 75201

OR97-0046

Dear Ms. Blanton:

You have asked whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 102857.

The City of Dallas (the "city") received requests for the supplements to an offense report. You contend that the information requested is excepted from disclosure pursuant to section 552.108 of the Government Code, which 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).

You have submitted to this office for review representative samples of the information you contend is excepted from disclosure.<sup>1</sup> We agree that most of the information at issue is excepted from disclosure pursuant to section 552.108. However, included in the information you submitted to this office is front page offense report information. The type of information normally found on the front page of an offense or arrest report is generally considered public and must be released. *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*

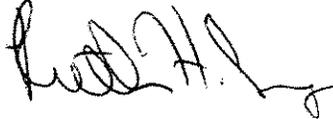
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<sup>1</sup>We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See Open Records Decision No. 499 (1988), 497 (1988)*. Here, we do not address any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

Records Decision No. 127 (1976) at 5. The city may withhold from disclosure the records at issue except for the type of information that is considered to be public as front page offense or arrest report information. For your convenience, we have enclosed a summary showing the types of information that are generally public as first page offense or arrest report information.<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 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# 102857

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

cc: Ms. Eileen M. Birnbaum  
Cowles & Thompson  
901 Main Street, Suite 4000  
Dallas, Texas 75202-3793  
(w/summary of Open Records Decision No. 127(1976))

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<sup>2</sup>We also note that the city has discretion to release all or part of the information at issue that is not otherwise confidential by law. Gov't Code § 552.007.