



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 11, 1997

Chief Kenneth R. Yarbrough
Richardson Police Department
P.O. Box 831078
Richardson, Texas 75083-1078

OR97-0522

Dear Chief Yarbrough:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 104373.

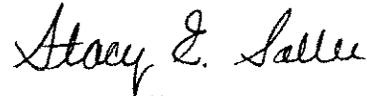
The Richardson Police Department (the "department") received a request for a particular 911 tape. You claim that the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

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). The tape appears to relate to the department's investigation of a crime. Accordingly, we conclude that the department may withhold the requested tape from the requestor based on section 552.108. On the other hand, you may choose to release all or part of the information 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 on as a previous

determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee
Assistant Attorney General
Open Records Division

SES/ch

Ref.: ID# 104373

Enclosures: Submitted audiotape

cc: M.G. Shea
102 North Weatherred
Richardson, Texas 75080-5525
(w/o enclosure)