



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 22, 1997

Mr. Dan T. Saluri  
Assistant City Attorney  
City of Lubbock  
P.O. Box 2000  
Lubbock, Texas 79457

OR97-0904

Dear Mr. Saluri:

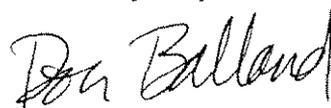
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 105569.

The Lubbock Police Department (the "department") received an open records request for a particular police report. You state that the you have released to the requestor all of the "front page offense report information" in accordance with *Houston Chronicle Publishing Company 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). You seek to withhold the remaining portions of the requested information pursuant to 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). Because the information you seek to withhold comes within the purview of section 552.108, we conclude that the information at issue may be withheld under this section. Although section 552.108 authorizes the department to withhold the remaining information from disclosure, you may choose to release all or part of the information at issue that is not otherwise confidential by law. See 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 upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Don Ballard  
Assistant Attorney General  
Open Records Division

JDB/RWP/alg

Ref.: ID# 105569

Enclosures: Submitted documents

cc: Mr. Frank SoRelle  
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1001 Main Street, Suite 803  
Lubbock, Texas 79401  
(w/o enclosures)