



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 7, 1997

Ms. Stephanie F. Lippard
Legal Assistant to Elizabeth Elam
Fielding, Barrett & Taylor, L.L.P.
3400 Bank One Tower
500 Throckmorton Street
Fort Worth, Texas 76102-3821

OR97-1042

Dear Ms. Lippard:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 106201.

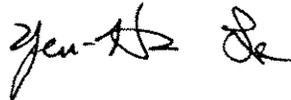
The City of Burleson (the "city"), which you represent, received a request for case report numbers 91-15627 and 95-18022. You claim that the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted 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). We note, however, that information normally found on the front page of an offense report or an arrest report is generally considered public.¹ *Houston Chronicle Publ'g 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). Having determined that the requested information deals with the detection, investigation, or prosecution of crime, we conclude that, except for front page offense report information, section 552.108 of the Government Code excepts the requested records from required public disclosure. You may choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

¹The content of the information determines whether it must be released in compliance with *Houston Chronicle*, not its literal location on the first page of an offense report. We have enclosed Open Records Decision No. 127 (1976), which contains a summary of the types of information deemed public by *Houston Chronicle*, for your convenience.

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,

A handwritten signature in black ink, appearing to read "Yen-Ha Le". The signature is fluid and cursive, with a large initial "Y" and "L".

Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/rho

Ref.: ID# 106201

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

cc: Mr. Danny Colbert
4604 Crosstimbers Rd.
Burlison, Texas 76028
(w/ Summary of Open Records Decision No. 127 (1976))