



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 2, 1997

Ms. Judith A. Hunter
City Attorney's Office
City of Georgetown
P.O. Box 409
Georgetown, Texas 78627-0409

OR97-1271

Dear Ms. Hunter:

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# 107406.

The City of Georgetown received a request for certain police reports. Although you have provided the requestor with certain first page information, you contend that the victim's address is excepted under section 552.101 of the Government Code. You also claim that the remainder of the offense report is excepted from disclosure under section 552.108. We have considered the exceptions you claim and have reviewed the documents at issue.

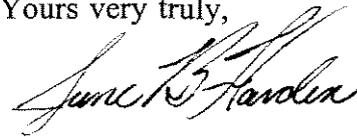
Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters 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 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). Nevertheless, in special circumstances, front page offense report information may also be withheld from disclosure. See Open Records Decision Nos. 297 (1981), 169 (1977). You have informed us of extenuating circumstances that you believe necessitate the withholding of the front page offense report

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. Open Records Decision No. 127 (1976) contains a summary of the types of information deemed public by *Houston Chronicle*.

information that reveals the victim's address. We agree that this information should be withheld from disclosure. In addition to withholding the victim's address, section 552.108 provides that you may also withhold from disclosure all of the other information in the case file that is not the type of information normally found on the front page of an offense report.

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,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/ghg

Ref.: ID# 107406

Enclosures: Submitted documents

cc: Mr. Elroy R. Keim
30068 Live Oak Trail
Georgetown, Texas 78628
(w/o enclosures)