



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 11, 1997

Ms. Leah Curtis Morris
Law Offices of Harold F. Curtis, Jr.
2708 Washington Street
Greenville, Texas 75401

OR97-1792

Dear Ms. Morris:

On behalf of the City of Greenville (the "city"), you ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 108002.

The city received a request for "offense report # 97-27605." You claimed that the marked information in the report is excepted from disclosure under sections 552.101, 552.108, and 552.117 of the Government Code. We have considered the exceptions you claim and have reviewed the offense report at issue.

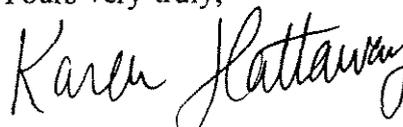
Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters 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 information that reveals the victim complainant's home address and telephone number. We agree that this information must be withheld from disclosure. Of course, the remaining front page information must be released. In addition to withholding the victim

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*.

complainant's home address and telephone number, section 552.108 provides that you may also withhold from disclosure all of the other information that you have marked.²

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 any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 108002

Enclosures: Submitted documents

²Because we are able to resolve this matter under section 552.108, we do not address your other arguments against disclosure.