



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 27, 1997

Mr. John Steiner
Division Chief
Law Department
City of Austin
P.O. Box 1546
Austin, Texas 78767-1546

OR97-1907

Dear Mr. Steiner:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 108133.

The City of Austin Police Department (the "police department") received a request for records from case # 3729365. You indicate that some of the requested documents will be released to the requestor. However, you claim that the submitted document is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and have reviewed the document 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). The submitted document deals with the detection, investigation, or prosecution of crime and, therefore, comes within the purview of section 552.108. Accordingly, the police department may withhold the document from disclosure pursuant to section 552.108.

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# 108133

Enclosures: Submitted document

cc: Mr. E. Richard Daniel
c/o Intelliquest, Inc.
150 S. Capital of Texas Highway, #2-1
Austin, Texas 78746
(w/o enclosures)