



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 29, 1997

Ms. Bonnie Lee Goldstein  
Vial, Hamilton, Koch & Knox, L.L.P.  
1717 Main Street, Suite 4400  
Dallas, Texas 75201-7388

OR97-1961

Dear Ms. Goldstein:

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# 109516.

The City of Cockrell Hill (the "city") received a request for "the complete incident report and full narrative concerning service number 972843." You state that you will provide to the requestor the front page offense report information. You claim that the remainder of 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). Because the document at issue comes within the purview of section 552.108, we conclude that most of the requested information may be withheld under this section.

Although you indicate that you will provide the first page offense report information, we note that you must also release the type of information that is considered to be front page offense report information even if this information is not actually located on the front page of the offense report.<sup>1</sup> Section 552.108 provides that you may withhold the remaining

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<sup>1</sup>The content of the information determines whether it must be released in compliance with *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975),

information from disclosure, although you may choose to release all or part of the information at issue that is not otherwise confidential by law. 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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Vickie Prehoditch  
Assistant Attorney General  
Open Records Division

VDP/alg

Ref.: ID# 109516

Enclosures: Submitted documents

cc: Mr. Steve Dickerson  
4220 Hathaway  
Grand Prairie, Texas 75052  
(w/o enclosures)

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*writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976), 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*.