



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 22, 1997

Mr. G. M. Cox
Chief of Police
City of Corsicana
200 North 12th St.
Corsicana, Texas 75110

OR97-2354

Dear Mr. Cox:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 110823.

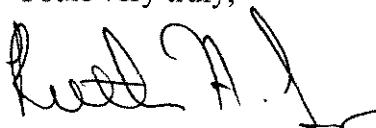
The Corsicana Police Department (the "department") received a request for an "unaltered copy" of police report #96043916. You state that the requestor seeks the "named, but unarrested and uncharged suspect information [that] was obliterated." You assert that the "obliterated" information is excepted from required public disclosure pursuant to sections 552.101 and 552.108 of the Government Code.

Section 552.108(a)(2) provides that information is excepted from disclosure if "it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication." In this instance, the named suspect was not charged with a crime. We agree that the marked information may be withheld from disclosure under 552.108(a)(2). However, section 552.108(c) provides that "basic information about an arrested person, an arrest, or a crime" is not excepted from disclosure. You must therefore provide the requestor with front page offense report information, since this type of information provides basic information about the allegations. We note that the location of the information on the first page of an offense report is not determinative of whether the information is front page public information. The department must release front page information even if it is not actually located on the first page of the report. *See generally 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) (front page offense report information is generally considered public).¹

¹You also raised section 552.101 as an exception to disclosure. We note, however, that the basic offense report information does not contain information that is confidential under 552.101. We also note that the department has the

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,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/SAB/ch

Ref: ID# 110823

Enclosures: Submitted documents

cc.: Mr. W. Lee Johnson
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(w/o enclosures)