



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 10, 1998

Ms. Sharon R. Sela  
Assistant City Attorney  
Criminal Law and Police Division  
City of Dallas  
Municipal Building  
Dallas, Texas 75201

OR98-1434

Dear Ms. Sela:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 115994.

The Dallas Police Department (the "department") received a request for all 911 calls from a particular address, for the period from August 1994 to the date of the request. The requestor also asked for all police reports pertaining to those calls. You apparently have provided most of the information requested. However, you assert that one of the police reports that is responsive to the request is protected from disclosure under section 552.108. A copy of that report was sent to this office for review.

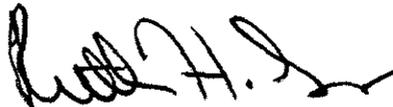
Section 552.108(a)(1) provides an exception from disclosure for information that is held by a law enforcement agency or prosecutor and that deals with the detection, investigation, or prosecution of crime, when release of such information would interfere with the detection, investigation, or prosecution of crime. However, section 552.108(c) provides that basic offense report information is not protected from disclosure under section 552.108. Basic information is the type of information that is generally included on the front page of an offense report, including a detailed description of the offense. *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177, 186-87 (Tex. Civ. App.--Houston [15th Dist.] 1975), *writ ref'd n.r.e. per curiam*, S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976).

You assert that there is an ongoing investigation concerning the offense that it is the basis of the report. Since there is an ongoing investigation, we agree that you have shown that release of the report, except for the public front page information, would interfere with

the investigation or prosecution of crime. Open Records Decision No. 216 (1978) at 3. Thus, you must release the front page offense report information, but the remaining portions of the report may be withheld from disclosure under section 552.108. We also note that the city has discretion to release all or part of the remaining information 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 upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref: ID# 115994

Enclosures: Submitted documents

cc: Mr. James Tillery  
314 AnnaRose Drive  
Dallas, Texas 75232  
(w/o enclosures)