



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 15, 1998

Mr. Richard Brown  
Assistant City Attorney  
City of Dallas  
Office of the City Attorney  
Criminal Law and Police Division  
City Hall  
Dallas, Texas 75201

OR98-1672

Dear Mr. Brown:

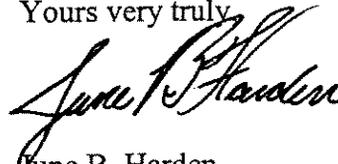
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 116820.

The Dallas Police Department (the "department") received an open records request for all witness statements pertaining to an alleged assault. You submitted to this office as responsive to the request the "Offense Incident Report" pertaining to this matter and contend that, except for the categories of information specifically made public in *Houston Chronicle Publishing Company 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), the requested information is excepted from required public disclosure pursuant to section 552.108 of the Government Code.

Section 552.108(a)(1) of the Government Code excepts from required public disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime." Because you have informed us that the records at issue pertain to a pending criminal investigation and prosecution, we conclude that you have met your burden of establishing that the release of the requested information at this time could interfere with law enforcement or prosecution. The department therefore may withhold the information at issue pursuant to section 552.108(a)(1).

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,



June B. Harden  
Assistant Attorney General  
Open Records Division

JBH/RWP/ch

Ref.: ID# 116820

Enclosures: Submitted documents

cc: Mr. Alex Kanadjian  
9390 N. Central Expressway  
Dallas, Texas 75201  
(w/o enclosures)