



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 25, 1998

Mr. Kevin D. Pagan
Assistant City Attorney
City of McAllen
P.O. Box 220
McAllen, Texas 78505-0220

OR98-2023

Dear Mr. Pagan:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 118594.

The City of McAllen received a request for offense report information. You have submitted, as responsive to the request, a copy of the offense report for case number 98-020905.¹ You 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 information is excepted from required public disclosure pursuant to section 552.108(a)(1) of the Government Code.

Section 552.108(a)(1) excepts from required public disclosure:

(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if:

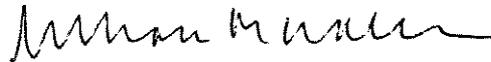
(1) release of the information would interfere with the detection, investigation, or prosecution of crime;

¹The requestor asked for case numbers "98-20904," "98-20891," and "98-20905." You have submitted only number 98-020905 as responsive. Please note that this ruling applies only to the information you submitted as responsive.

Because you have informed us that the records at issue pertain to a pending criminal investigation, 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. Therefore, except for "front page" offense report information specifically made public by *Houston Chronicle Publishing Company, supra*, you may withhold the requested information at this time 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 upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



William M. Walker
Assistant Attorney General
Open Records Division

WMW/ch

Ref: ID# 118594

Enclosures: Submitted documents

cc: Ms. Melissa Ann Perez
220 South 25th, Apt #34
Edinburg, Texas 78539
(w/o enclosures)