



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 7, 1998

Ms. Tenley A. Aldredge  
Assistant County Attorney  
Travis County  
P. O. Box 1748  
Austin, Texas 78767

OR98-2382

Dear Ms. Aldredge:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 118724.

Travis County received a request for a particular police report. You indicate that the front page offense report information will be released to the requestor.<sup>1</sup> You contend that the remainder of the police report is excepted from disclosure under section 552.108(a)(2) of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.108(a)(2) excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . 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." You explain that requested police report relates to a criminal case that was dismissed by the Justice of the Peace and, therefore, did not result in conviction or deferred adjudication. Based upon this representation, we conclude that you may withhold the police report from disclosure pursuant to section 552.108(a)(2).

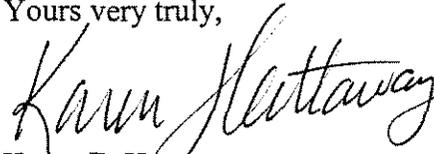
We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

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<sup>1</sup>You acknowledge that information normally found on the front page of an offense report is generally considered public. *See generally* Gov't Code § 552.108(c); *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).

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,



Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 118724

Enclosures: Submitted documents

cc: In Sun Cho  
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Austin, Texas 78754  
(w/o enclosures)