



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 12, 1998

Mr. Jason C. Marshall  
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.  
1800 Lincoln Plaza  
500 North Akard  
Dallas, Texas 75201

OR98-2411

Dear Mr. Marshall:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 118752.

The City of Coppell (the "city") received a request for a copy of an incident report. Except for the first page of the report, which you say has been released to the requestor as "basic information," you seek to withhold the requested report under section 552.108 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[.]

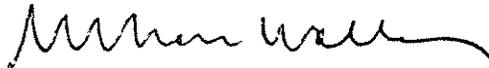
You advise that the case to which the requested report pertains is currently under investigation and has not yet proceeded to trial. Based on your representations, we conclude that you may generally withhold the requested information under section 552.108(a)(1).

Section 552.108 does not, however, except from required public disclosure "basic information about an arrested person, an arrest, or a crime." Gov't Code § 552.108(c). Because you have raised no other exception to disclosure, the city must release these types of information in accordance with *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). *See also*, Open Records Decision No. 127 (1976) (listing basic information made public under *Houston Chronicle*). The remaining portions of the requested information may be withheld under 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 Walker  
Assistant Attorney General  
Open Records Division

WMW/ch

Ref: ID# 118752

Enclosures: Submitted documents

cc: Ms. Regina Grim  
128 Cherrypark Drive  
Coppell, Texas 75019  
(w/o enclosures)