



April 12, 1999

Mr. Miles K. Risley
Senior Assistant City Attorney
Legal Department
City of Victoria
P.O. Box 1758
Victoria, Texas 77902-1758

OR99-0983

Dear Mr. Risley:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 123266.

The City of Victoria (the "city") received a request for a police report concerning a fire. You assert that the report is protected from disclosure under section 552.108(a)(1) because the incident that is the subject of the report is under investigation. Please note that this office has previously ruled upon these same records in Open Records Letter No. 99-0067 (1999). A copy of that ruling is enclosed. In that ruling, we agreed that section 552.108(a)(1) is applicable to the report, but explained that certain basic incident report information had to be released to the requestor.

As you indicate that the investigation is still ongoing and it appears that no other circumstances have changed since our ruling in Open Records Letter No. 99-0067, you may rely upon that ruling for this report. Thus, you must release the basic information concerning the offense but may withhold the remaining information under section 552.108(a)(1).

If you have questions about this ruling, please contact our office.

Sincerely,

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 123266

encl. Submitted documents; Open Records Letter No. 99-0067 (1999)

cc: Mr. Kiran Dayavan
American Inn
204 E. Rio Grande
Victoria, Texas 77901
(w/o enclosures; w/Open Records Letter No. 99-0067 (1999))