



May 10, 1999

Ms. Tracy B. Calabrese  
Senior Assistant City Attorney  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

OR99-1255

Dear Ms. Calabrese:

You have asked whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 123913.

The City of Houston (the "city") received a request for four items of information. You state that the city will release to the requestor items 2, 3 and 4, but seek to withhold from required public disclosure the first requested item, a video of a certain robbery, based on section 552.108 of the Government Code.

Section 552.108 of the Government Code states that information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from required public disclosure "if release of the information would interfere with the detection, investigation, or prosecution of crime." Gov't Code § 552.108(a)(1). You inform us that the requested information pertains to a pending case and explain how release of the video would interfere with law enforcement. We therefore agree that the release of the information "would interfere with the detection, investigation, or prosecution of crime." *Id.* Accordingly, the city may withhold the requested video from the requestor based on section 552.108(a)(1) of the Government Code.

We are resolving this matter with this 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 may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', written in a cursive style.

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref.: ID# 123913

encl. Submitted documents

cc: Mr. Scott D. Levy  
4100 Greenbriar, No. 133  
Houston, Texas 77098  
(w/o enclosures)