



September 20 1999

Lieutenant Arturo Valdez
McAllen Police Department
1501 Pecan Blvd
McAllen TX 78501

OR99-2613

Dear Lieutenant Valdez:

You have asked whether certain information is subject to required public disclosure under the TX Public Information Act chapter 552 of the Government Code Your request was assigned ID# 129227

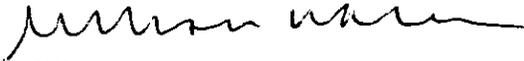
You assert that the requested information is excepted from disclosure based on section 552108 of the Government Code Section 552108 of the Government Code states that information held by a law enforcement agency or prosecutor that deals with the detection investigation or prosecution of crime is excepted from required public disclosure "if release of the information would interfere with the detection investigation or prosecution of crime" Gov't Code § 552108(a)(1) You inform us that the requested information pertains to a pending case We therefore believe that the release of the information "would interfere with the detection investigation or prosecution of crime" *Id*

However section 552108 is inapplicable to basic information about an arrested person an arrest or a crime Gov't Code § 552108(c) We believe such basic information refers to the information held to be public in *Houston Chronicle Publ'g Co v City of Houston* 531 SW2d 177 (Tex Civ App--Houston [14th Dist] 1975) *writ ref'd nre per curiam* 536 SW2d 559 (Tex 1976) Thus with the exception of the basic front page offense and arrest information you may withhold the requested information from disclosure based on section 552108(a)(1) We note that you have the discretion to release all or part of the remaining information that is not otherwise confidential by law Gov't Code § 552007

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,



William Walker
Assistant Attorney General
Open Records Division

WMW/nc

Ref: ID# 129227

Encl. Submitted documents

cc: Ms. Maria Manuela Salinas Garza
Aldama 817
Cerralvo N.L. Mexico
(w/o enclosures)