



November 15, 1999

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

OR99-3241

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#130508.

The Travis County Sheriff's Office received a request for Offense Report No. 99-23279 (the "report"). You have submitted a copy of the report to this office. You claim that the report is excepted from disclosure under sections 552.103, 552.108 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.¹

Section 552.108(a)(1) of the Government Code excepts from required public disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime[.]" You state that the requested report relates to an ongoing investigation and that a criminal prosecution by the Travis County Attorney's Office is pending. Based upon your representations, we find that most of the information contained in the report is excepted from disclosure pursuant to section 552.108(a)(1).

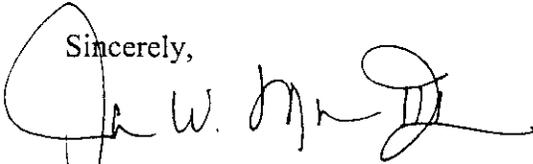
However, section 552.108 is inapplicable to basic information about an arrested person, an arrest, or a crime. Gov't Code § 552.108(c). We believe such basic information refers to the information held to be public in *Houston Chronicle Publ'g Co. v. City of Houston*,

¹Because this office believes that section 552.108 of the Government Code is dispositive of this matter, this letter does not address your arguments regarding sections 552.103 and 552.130 of the Government Code.

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* Open Records Decision No. 127 (1976). Thus, you must release the type of information that is considered to be front page offense report information.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 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.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Morris, III". The signature is written in a cursive style with a large initial "J" and "M".

James W. Morris, III
Assistant Attorney General
Open Records Division

JMW/ljp

Ref: ID# 130508

Encl. Submitted documents

cc: Mr. John T. Johnson
Attorney at Law
55 Waugh Drive, Suite 505
Houston, Texas 77007
(w/o enclosures)

²Generally, front page offense report information is not excepted from public disclosure under section 552.103. Open Records Decision No. 362 (1983).