



November 23, 1999

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

OR99-3374

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# 129912.

Travis County (the "county") received a request for an incident report. You claim that the requested information is excepted from disclosure under sections 552.103, 552.108, and 552.130 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 represent that the requested information pertains to a pending prosecution. Based on your representations, we conclude that, except as noted below, you may withhold the requested information under section 552.108(a)(1).

Section 552.108 does not except from required public disclosure "basic information about an arrested person, an arrest, or a crime." Gov't Code § 552.108(c); *see also* Open Records Decision No. 127 (1976) (summarizing what is "basic information"). We note that the exception set out in section 552.103, which you also claimed, does not, absent a special showing which you have not made here, protect "basic information." *See* Open Records Decision No. 597 (1991).

To the extent, however, that the "basic information" here includes licence plate and VIN numbers from vehicles involved in the reported incident, that information must be withheld under section 552.130, which provides in relevant part as follows:

(a) Information is excepted from [required public disclosure] if the information relates to:

(1) a motor vehicle operator's or driver's license or permit issued by an agency of this state; [or]

(2) a motor vehicle title or registration issued by an agency of this state[.]

Except for the information protected by section 552.130, you must release "basic information" from the requested report. Otherwise, you may withhold the report under section 552.108(a)(1). Having disposed of this request under sections 552.108 and 552.130, we need not further address your section 552.103 claim.

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,



William Walker
Assistant Attorney General
Open Records Division

WMW/ljp

Ref: ID# 129912

Encl. Submitted documents

cc: Ms. Donna Rosenberg
2404 Westlake Drive
Austin, Texas 78746
(w/o enclosures)