



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

December 7, 1990

Mr. Paul G. Stuckle
Police Legal Advisor
Assistant City Attorney
Fort Worth Police Department
350 W. Belknap St.
Fort Worth, Texas 76102

OR90-571

Dear Mr. Stuckle:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11062.

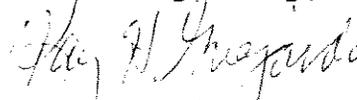
The City of Fort Worth received a request for copies of all police reports of a certain person. You sent for our inspection copies of several offense reports as responsive to this request. You assert that information in the reports which reveals the identity of witnesses or informants is confidential based on sections 3(a)(1), (3), and (8) of the Open Records Act. You also assert that the confidential information is so intertwined with the remainder of the report as to render editing impossible.

We agree that any information that tends to reveal the identity of witnesses or informants may be withheld based on section 3(a)(8). See Houston Chronicle Publishing Co. v. City of Houston, 531 S.W.2d 177 (Tex.Civ App. - Houston [14th Dist.] 1975), writ ref'd n.r.e. per curium, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 333 (1982) (copy enclosed). Accordingly, you may withhold the "witness information" on the first page of the report; the remainder of the first page of the offense report is public information. See Open Records Decision No. 127 (1976) (copy enclosed). You may withhold the narrative summary of one of the reports in its entirety; disclosure of statements contained therein might subject the parties involved to possible intimidation, harassment, or harm the prospects of future cooperation between witnesses and law enforcement. See Open Records Decision No. 297 (1981) (copy enclosed). The narrative summary in the second report, which gives a detailed description of the arrest, does not contain witness

statements; thus, this must be released. See Open Records Decision No. 127. Having resolved this issue based on section 3(a)(8), we need not address the other exceptions to disclosure you raise.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-571.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/le

Ref.: ID# 11062

Enclosure: Open Records Decision Nos. 127, 297
Marked Documents

cc: Robert Briseno Ybarra
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