



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 16, 1995

Ms. Annette Jones
Police Legal Advisor
City of Waco
P.O. Box 2570
Waco, Texas 76702-2570

OR95-1248

Dear Ms. Jones:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 36815.

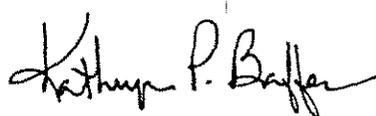
The Waco Police Department (the "department") received an open records request for the amounts of money stolen during the course of three recent aggravated robberies. You inform us that the department's investigations of each of the robberies are pending at this time. You explain that because the "primary officer" who initially responded to the scene of one of the robberies has already reported to the media the amount of money stolen during the course of that respective robbery, the department will confirm that amount as it is reflected in the initial offense report.

With regard to the amounts stolen during the other two robberies, you suggest that the dollar amounts may be withheld from the public under section 552.108 of the Government Code because the requested information is not specifically identified as being among the categories of public information typically found on the front page of an offense report. 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 curiam*, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976). We need not reach this particular issue, however, because even if the dollar amounts could be deemed as being within the categories of public information, this office has previously determined that first page offense report information may be withheld pursuant to section 552.108 upon a showing that the release of the information would unduly interfere with law enforcement or crime prevention. Open Records Decision No. 508 (1988).

In this instance we believe that you have demonstrated how the release of the requested dollar amount may interfere with legitimate law-enforcement interests. Accordingly, we conclude that the department may withhold the requested information at this time pursuant to section 552.108.

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 under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kathryn P. Baffes
Assistant Attorney General
Open Records Division

KPB/RWP/rho

Ref.: ID# 36815

Enclosures: Submitted documents

cc: Ms. Marla Pierson
Waco Tribune
P.O. Box 2588
Waco, Texas 76702-2588
(w/o enclosures)