



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 22, 1996

Ms. Doreen McGookey
Criminal Law and Police Division
501 Police and Courts Building
Dallas, Texas 75201

OR96-1212

Dear Ms. McGookey:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 40572.

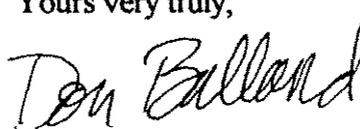
The City of Dallas Police Department (the "city") received a request for information seeking all photographs and reports concerning service number 0632320-D, 7/26/95. It appears that you have already released the photographs, if any, to the requestor and seek to withhold only the requested reports. You claim that the reports are excepted from required public disclosure by sections 552.103 and 552.108 of the Government Code. You have submitted a copy of the reports for our review.

Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." Gov't Code § 552.108; see *Holmes v. Morales*, 39 Tex. Sup. Ct. J. 781, 1996 WL 325601 (June 14, 1996). We note, however, that information normally found on the front page of an offense report is generally considered public. *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). Thus, you must release the type of information that is considered to be front page offense report information, even if this information is not actually located on the front page of the offense report. See Open Records Decision No. 127 (1976) (summarizing the types of information deemed public by *Houston Chronicle*); see also Open Records Decision No. 597 (1991) (basic information in an offense report generally may not be withheld under section 552.103). We therefore conclude that, except for front page offense report information, section 552.108 of the Government Code excepts the requested records from

required public disclosure, although you may choose to release all or part of the information at issue that is not otherwise confidential by law. Gov't Code § 552.007.¹

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.

Yours very truly,



Don Ballard
Assistant Attorney General
Open Records Division

JDB/ch

Ref.: ID# 40572

Enclosure: Submitted documents
Summary of Open Records Decision No. 127 (1976)

cc: Mr. Robert Reagan
Reagan & McLain
1341 West Mockingbird Lane, Suite 216 W
Dallas, Texas 75247
(w/o enclosures; w/ Summary of Open Records Decision No. 127 (1976))

¹ Because we are able to make a determination under section 552.108, we do not address your argument under section 552.103.