



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 26, 1996

Mr. Ron M. Pigott
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR96-1281

Dear Mr. Pigott:

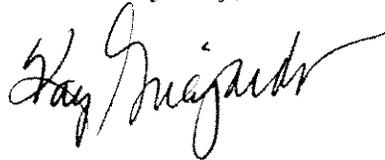
You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 100252.

The Texas Department of Public Safety (the "department") received a request for information concerning an investigation of The Meadows Apartments in Freeport, Texas, Richard Lee, the EGAL Company and former employees of the City of Freeport. You assert that the requested information is excepted from required public disclosure based on section 552.108 of the Government Code. You inform us that the Texas Rangers are currently investigating allegations concerning the people and businesses referenced in the request. We have reviewed the information at issue, a preliminary report of the investigation.

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 therefore conclude that section 552.108 of the Government Code excepts the requested records from required public disclosure. On the other hand, you may choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

We are resolving this matter with this 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 may 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,

A handwritten signature in black ink, appearing to read "Kay Guajardo". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/rho

Ref.: ID# 100252

Enclosures: Submitted documents

cc: Ms. Rivka Gewirtz
Staff Writer
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Clute, Texas 77631
(w/o enclosures)