



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

November 27, 1996

Ms. Roxann Pais  
Assistant City Attorney  
Criminal Law and Police Division  
Office of the City Attorney  
Dallas, Texas 75201

OR96-2269

Dear Mr. Smith:

You have asked if certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 102229.

The Dallas Police Department ("the department") received a request for information concerning a particular juvenile who is awaiting trial on murder charges. You contend the information at issue is excepted from disclosure pursuant to section 552.108 of the Government Code.

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*, 924 S.W.2d 920 (Tex. 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.<sup>1</sup>

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<sup>1</sup>Please note that this office recently issued Open Records Decision No. 644 (1996) (enclosed), which concludes that "[s]ection 58.007 of the Family Code does not make confidential juvenile law enforcement records concerning conduct occurring on or after January 1, 1996, that are maintained by law enforcement agencies." As the conduct in this situation occurred after January 1, 1996, and the records at issue are held by a law enforcement agency, the information at issue is not made confidential under section 58.007.

We have enclosed a summary of the type of information that is generally public and must be released. Section 552.108 provides that you may withhold the remaining information from 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.

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,



Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/SAB/ch

Ref.: ID# 102229

Enclosures: Submitted documents  
Open Records Decision No. 644 (1996)  
Summary of Open Records Decision No. 127

cc: Ms. Nancy Hannah  
750 N. St. Paul # 1680  
Dallas, Texas 75401  
(w/o submitted documents; w/Open Records Decision No. 644 (1996) and  
Summary of Open Records Decision No. 127)