



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 11, 1997

Ms. Tamara Armstrong
Assistant County Attorney
Travis County
P.O. Box 1748
Austin, Texas 78767

OR97-0331

Dear Ms. Armstrong:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 103638.

Travis County (the "county") received a request for a police report that also contains a victim's statement. You contend that the information at issue is excepted from disclosure under 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). However, the type of information normally found on the front page of an offense or arrest report is generally considered to be public information. See generally *Houston Chronicle Publ'g 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).

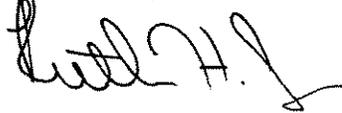
We have reviewed the information at issue and conclude that prior to releasing the front page offense report information to the public, you must redact identifying information about the victim. The identity of the victim is protected from public disclosure on the basis of the victim's common-law privacy interests. *See Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668, 685 (Tex. 1976), *cert. denied*, 430 U.S. 930 (1977). Thus, the de-identified front page offense report information is public.¹

¹We note that the requestor is the parent of the victim and is aware of the victim's identity.

The remaining information may be withheld from disclosure under section 552.108 of the Government Code.

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/ch

Ref.: ID# 103638

Enclosures: Submitted documents

cc: Ms. Kathy Harris
c/o Tamara Armstrong
Assistant County Attorney
P.O. Box 1748
Austin, Texas 78767
(w/o enclosures)