



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 14, 1997

Mr. Thomas P. Cate
P.O. Box 216
Lytle, Texas 78052

OR97-0355

Dear Mr. Cate:

On behalf of the City of Lytle (the "city"), 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# 104082.

The city received a request for its police department's manual. You assert that portions of that manual that pertain to use of force or pursuit are excepted from public disclosure based on Government Code section 552.108.

Section 552.108 of the Government Code 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. We have examined the submitted portions of the manual. We agree that the marked portions are "[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." Accordingly, the city may withhold the information from public disclosure based on section 552.108.

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 cursive script that reads "Kay Guajardo".

Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/rho

Ref.: ID# 104082

Enclosures: Submitted documents

cc: Mr. Reagon Clamon
The Medina Valley Times and
Castroville News Bulletin
407 Paris
Castroville, Texas 78009
(w/o enclosures)