



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 15, 1997

Mr. Kevin D. Pagan  
Assistant City Attorney  
City of McAllen  
P.O. Box 220  
McAllen, Texas 78505-0220

OR97-0839

Dear Mr. Pagan:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your requests were assigned ID# 105693 and ID# 105694.

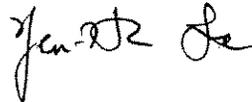
The City of McAllen (the "city") received two requests for a copy of a 911 call made February 17, 1997, concerning a homicide. You claim that the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

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). The requested information appears to relate to the city's investigation of a crime. Accordingly, we conclude that the city may withhold the requested information from the requestors based on section 552.108.

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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/rho

Ref.: ID# 105693 and ID# 105694

Enclosure: Submitted audiotape

cc: Mr. Saul Garza  
KRGV-TV  
P.O. Box 5  
Weslaco, Texas 78599-0005  
(w/o enclosure)

Ms. Bonnie Dreker  
KGBT-TV  
9201 W. Expressway 83  
Harlingen, Texas 78522  
(w/o enclosure)