



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 25 1997

Mr. Gary W. Smith
City Attorney
City of Greenville
P.O. Box 1049
Greenville, Texas 75403-1049

OR97-0965

Dear Mr. Smith:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 105514.

The City of Greenville (the "city") received an open records request for a complete copy of offense # 9681354. You seek to withhold from disclosure information that identifies a witness and a witness statement pursuant to section 552.108 of the Government Code. You have marked the information you wish to withhold.

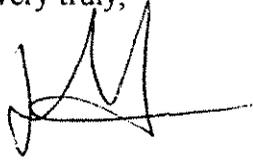
Section 552.108 of the Government Code excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." Gov't Code § 552.108; *see Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). Because the information at issue comes within the purview of section 552.108, we conclude that it may be withheld under this section.

Although section 552.108 authorizes you to withhold the remaining information from disclosure, you may choose to release all or part of the information at issue that is not otherwise confidential by law. *See* 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,

A handwritten signature in black ink, appearing to be 'JM' with a long horizontal stroke extending to the right.

Janet I. Monteros
Open Records Division
Office of the Attorney General

JIM/glg

Ref.: ID# 105514

Enclosures: Submitted documents

cc: Mr. Jerry Grady
P.O. Box 204
Greenville, Texas 75403-0204
(w/o enclosures)