



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

May 6, 1997

Mr. Gary W. Smith  
City Attorney  
City of Greenville  
2821 Washington  
P.O. Box 1049  
Greenville, Texas 75403-1049

OR97-1032

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# 105441.

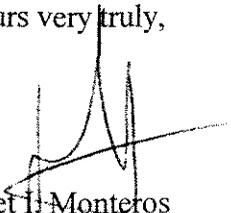
The City of Greenville (the "city") received an open records request for a complete copy of offense # 9709052. You seek to withhold the requested information pursuant to section 552.108 of the Government Code.

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 most of the requested information may be withheld under this section.

We note, however, that information normally found on the front page of an offense report is generally considered public, and it appears that you will release this information under "Exhibit B" to the requestor upon payment of a copying fee. *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). 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 read 'Janet Monteros', written over a horizontal line.

Janet Monteros  
Open Records Division  
Office of the Attorney General

JIM/alg

Ref: ID# 105441

Enclosures: Submitted documents

cc: Ms. Brenda Lewis  
P.O. Box 512  
Wolfe City, Texas 75496  
(w/o enclosures)