



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 11, 1997

Mr. Ron M. Pigott
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR97-1360

Dear Mr. Pigott:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 106670.

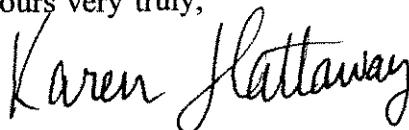
The Department of Public Safety (the "department") received a request for the "[e]ntire contents of the BONE File # N6D-92-031." With the exception of subpoenas issued by the Anderson County District Attorney, you contend that the file is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

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 submitted documents appear to be internal records that come within the purview of section 552.108(b). Thus, we conclude that you may withhold the documents from disclosure pursuant to section 552.108(b). On the other hand, you may choose to release all or part of the information that is not otherwise confidential by law. 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 any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 106670

Enclosures: Submitted documents

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(w/o enclosures)