Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 30, 1997

Ms. Karen A. Hendershot
First Assistant City Attorney
City of Bryan
Legal Department
P.O. Box 1000
Bryan, Texas 77805

OR97-1505

Dear Ms. Hendershot:

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# 107872.

The Bryan Police Department received a request for a particular offense report. You assert that portions of the requested report are excepted from required public disclosure based on 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). Information normally found on the front page of an offense report is generally considered public. *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). We believe the requested information is "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime." We therefore conclude that except for front page offense report information, section 552.108 of the Government Code excepts the requested records from required public disclosure. 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 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,

Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/rho

Ref.: ID# 107872

Enclosures: Submitted documents

cc: Ms. Sheila A. Collins
3630 Rabbit Lane
Brynan, Texas 77808
(w/o enclosures)