



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 19, 1997

Ms. Marcelle Sattiewhite Jones
Assistant City Attorney
City of Arlington
P.O. Box 231
Arlington, Texas 76004-0231

OR97-2515

Dear Ms. Jones:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 110268.

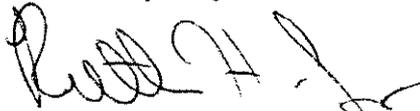
The City of Arlington (the "city") received a request for information pertaining to a private residence in Arlington, at 3403 Littlestone. You state that the city has issued several citations for violations of municipal ordinances against the owner of the property and that these citations are pending in municipal court. You assert that sections 552.103(a) and 552.108 protect the requested information from disclosure. Section 552.108(a)(1) provides an exception for information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime if release would interfere with the detection, investigation, or prosecution of crime. We agree that the department has shown the applicability of section 552.108(a)(1) of the Government Code to the information at issue, since it involves a pending case. *See* Open Records Decision No. 216 (1978) at 3 (release of information during pending criminal case would interfere with prosecution of crime and law enforcement interests).

However, you must release to the requestor front page offense report information. Section 552.108(c) provides that "basic information about an arrested person, an arrest, or a crime" is not excepted from disclosure. Front page offense report information must generally be disclosed, since this type of information provides basic information about the allegations. *See generally 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) (front page offense report information is generally considered public). We note that the city also has discretion to

release all or part of the information at issue that is not otherwise made confidential by law.¹
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,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 110268

Enclosure: Submitted document

cc: Ms. Lissa P. Lucas
5201 Firewood Drive
Arlington, Texas 76016
(w/o enclosure)

¹We need not address your section 552.103(a) argument, since the information is protected from disclosure under section 552.108. We note that front page offense report information must also be disclosed under section 552.103(a).