



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 25, 1998

Mr. John Steiner
Division Chief
City of Austin
Norwood Tower - 114 West 7th Street
Austin, Texas 78767-1546

OR98-2022

Dear Mr. Steiner:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 118480.

The City of Austin Police Department has received a request for records pertaining to the death of a named individual. You indicate that, in response to the request, the city has released "basic information." See, *Houston Chronicle Publishing Company 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) ("first page" offense report information is public); Government Code sec. 552.108(c) ("basic information" is public). You seek to withhold the rest of the information implicated in the request under Government Code section 552.108. Subsection (a)(1) of section 552.108 excepts from required public disclosure:

(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if:

(1) release of the information would interfere with the detection, investigation, or prosecution of crime[.]

You say that the requested records pertain to a pending investigation. We have reviewed the records at issue and your arguments. We conclude that, except for "basic information," which must be released, you may withhold the requested records at this time under section 552.108(a)(1).

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,



William M. Walker
Assistant Attorney General
Open Records Division

WMW/ch

Ref: ID# 118480

Enclosures: Submitted documents

cc: Mr. Joseph Preston
Ms. Marie Preston
34 Hickory Loop
Ocala, Florida 34472
(w/o enclosures)