



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 11, 1998

Ms. Kristi Taylor
Assistant City Attorney
Nieman & Barnes, L.L. P.
P. O. Box 777
Lewisville, Texas 75067

OR98-2169

Dear Ms. Taylor:

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# 117971.

The Lewisville Police Department (the "department"), which you represent, received an open records request for a particular arrest report. You state that you have released to the requestor the first page of the requested report. You seek to withhold the remaining requested information pursuant to section 552.108 of the Government Code.¹

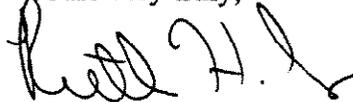
The only remaining portion of the arrest report that has not been released to the requestor is entitled "Details of Arrest." The details of an arrest are among the categories of information that were specifically held to be public in *Houston Chronicle Publishing Company v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975), writ *ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976). See also Open Records Decision No. 127 (1976) (summarizing *Houston Chronicle*). Because the "Details of Arrest" contains only information that is public under *Houston Chronicle*, we conclude that this document must be released to the requestor in its entirety.²

¹We note that you have submitted to this office additional records that fall outside the ambit of the open records request. This ruling addresses only whether the arrest report is subject to required public disclosure.

²In reaching this conclusion, we assume that the two juvenile "witnesses" identified in the narrative were in fact acting as agents of the department in a "sting" operation. If this assumption is incorrect, the department must withhold the names of the juveniles pursuant to section 58.007(c) of the Family Code.

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 "Ruth H. Soucy". The signature is fluid and cursive, with the first name "Ruth" being the most prominent.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/RWP/ch

Ref.:ID # 117971

cc: Mr. Tandee Bywater
1902 S. Highway 121, Apt. # 80-4
Lewisville, TX 75067
(w/o enclosures)