



February 15, 1999

Mr. Don Hatcher, Chief
Leander Police Department
P.O. Box 319
Leander, Texas 78646-0319

OR99-0448

Dear Mr. Hatcher:

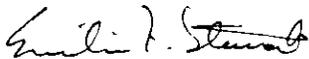
You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID # 122297.

The City of Leander (the “city”) received a request for a police report identified by Case No. 9811-015. You submit to this office information responsive to the request and assert that section 552.108 of the Government Code exempts from disclosure the requested information. You state that you have disclosed the basic information about the crime as required by section 552.108(c) of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.108(a) exempts from disclosure “[i]nformation 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; [or] (2) it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication.” You state that the requested offense report relates to a pending criminal investigation. Based upon this representation, we conclude that the release of the offense report would interfere with the detection, investigation, or prosecution of crime. *See 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) (court delineates law enforcement interests that are present in active cases).

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.

Sincerely,



Emilie F. Stewart
Assistant Attorney General
Open Records Division

EFS\nc

Ref: ID# 122297

Enclosures: Submitted documents

cc: Mr. Norman Conger
c/o Don Hatcher
Leander Police Department
P.O. Box 319
Leander, Texas 78646-0319
(w/o enclosures)