



June 1, 1999

Mr. Michael Bostic
Assistant City Attorney
Office of the City Attorney
Municipal Building
Dallas, Texas 75201

OR99-1496

Dear Mr. Bostic:

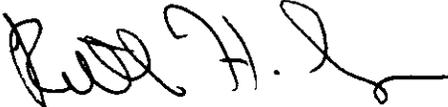
You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 124540.

The City of Dallas (the "city") received a request for all information concerning an arrest. You state that the requested information pertains to a pending criminal prosecution and that it is protected from disclosure under section 552.108 of the Government Code. Section 552.108(a)(1) provides an exception from disclosure for information that is held by a law enforcement agency or prosecutor and that deals with the detection, investigation, or prosecution of crime, when release of such information would interfere with the detection, investigation, or prosecution of crime. As you state that the information at issue pertains to a pending criminal prosecution, we agree that you have shown the applicability of section 552.108(a)(1) to all but the front page offense and arrest information.

Section 552.108(c) provides that basic offense report information is not protected from disclosure under section 552.108. Basic information is the type of information that is generally included on the front page of an offense or arrest report. *Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177, 186-87 (Tex. Civ. App.--Houston [15th Dist.] 1975), *writ ref'd n.r.e. per curiam*, S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976). You must release the front page offense and arrest report information. The remaining information at issue may be withheld from disclosure 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruth H. Soucy". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 124540

Encl. Submitted documents

cc: Ms. Stacy Harris
2730 Cottonwood Lane
Balch Springs, Texas 75180
(w/o enclosures)