



November 10, 1999

Mr. James J. Savage  
Assistant County Attorney  
Harris County  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002-1700

OR99-3200

Dear Mr. Savage:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 129297.

The Harris County Precinct Four Constable (the “constable”) received a written request for a particular offense report. You state that the constable has released to the requestor the contents of “Exhibit B,” which consists of the first five pages, including a narrative, from the requested offense report.<sup>1</sup> You seek to withhold the remaining two pages of the offense report pursuant to section 552.108(a)(1) of the Government Code.

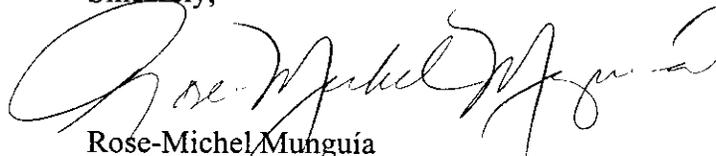
Section 552.108(a)(1) of the Government Code excepts from required public disclosure “[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime.” You state that the requested information “involves the ongoing investigation and prosecution of a case involving an [sic] Burglary of a Habitation charge.” Assuming the investigation or prosecution is still pending, we conclude that you have met your burden of demonstrating the applicability of section 552.108(a)(1) and that pages 6 and 7 of the offense report may be withheld.

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<sup>1</sup>We therefore conclude that the constable has provided the requestor with the “basic information” as required by section 552.108(c) of the Government Code.

We are resolving this matter with this 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 may 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 "Rose-Michel Munguía". The signature is fluid and cursive, with a large initial "R" and "M".

Rose-Michel Munguía  
Assistant Attorney General  
Open Records Division

RMM/RWP/ch

Ref: ID# 129297

Encl. Submitted documents

cc: Mr. Ramesh Kapur  
P.O. Box 635  
Alief, Texas 77441  
(w/o enclosures)