



November 10, 1999

Mr. Tenley A. Aldredge  
Assistant County Attorney  
County of Travis  
P. O. Box 1748  
Austin, Texas 78767

OR99-3208

Dear Mr. Aldredge:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130157.

Travis County (the "county") received a request from a former deputy constable for his personnel file. You seek to withhold, under section 552.108 of the Government Code, information pertaining to a particular incident in which the requestor was involved.

Section 552.108(a)(1) 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 advise that the incident to which the information at issue relates is subject of criminal investigations by the Texas Rangers, Department of Public Safety, and the Hays County District Attorney's Office. You indicate that these agencies believe that release of the information at issue would interfere with "their continuing detection, investigation and prosecution of the underlying crime." Based on your representations, we conclude that you may, except as noted below, withhold the information in question under section 552.108(a)(1).

Please note that section 552.108 does not except from required public disclosure "basic information about an arrested person, an arrest, or a crime." Gov't Code § 552.108(c).

Because you have raised no other exception to disclosure, the county must release these types of information in accordance with *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).

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,



William Walker  
Assistant Attorney General  
Open Records Division

WMW/ljp

Ref: ID# 130157

Encl. Submitted documents

cc: Mr. Lonnie Plank  
500 Mariah Drive  
Kyle, Texas 78640  
(w/o enclosures)