



November 29, 1999

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

OR99-3399

Dear Ms. Aldredge:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 129895.

The Travis County Sheriff's Office (the "sheriff") received a written request for a particular offense report, including photographs, involving an instance of alleged domestic violence. You contend the requested records are excepted from required public disclosure pursuant to sections 552.103 and 552.108(a)(1) of the Government Code. We have reviewed the information submitted and considered your claims.

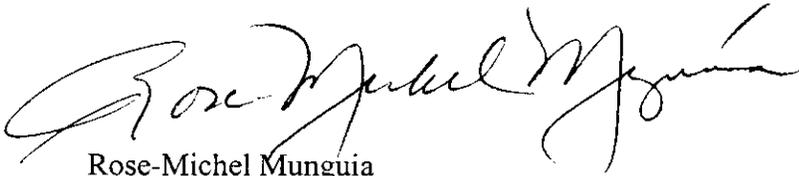
Section 552.108(a)(1) of the Government Code excepts from required public disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime." Because you state that the requested information involves an ongoing prosecution of the case with the Travis County Attorney's Office, we conclude that you have met your burden of demonstrating the applicability of section 552.108(a)(1) and that most of the requested information may be withheld.

Section 552.108 does not, however, except from required public disclosure "basic information about an arrested person, an arrest, or a crime." Gov't Code § 552.108(c). The sheriff 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).<sup>1</sup>

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,



Rose-Michel Munguia  
Assistant Attorney General  
Open Records Division

RMM/RWP/jc

Ref.: ID# 129895

Encl.: Submitted documents

cc: Mr. Corey Montminy  
1108 Sublet Avenue  
Copperas Cove, Texas 76522  
(w/o enclosures)

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<sup>1</sup>Because we resolve your request under section 552.108, we need not otherwise address the applicability of the other exception you raised, except to note that "basic information" may not be withheld from the public pursuant to section 552.103 of the Government Code. *See* Open Records Decision No. 597 (1991).