



November 30, 1999

Mr. William R. Pemberton
Attorney at Law
306 North Seventh Street
P.O. Box 1112
Crockett, Texas 75835

OR99-3421

Dear Mr. Pemberton:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID # 131106.

The Crockett Police Department (the “department”), which you represent, received a request for any offense reports relating to specified crimes during a designated time period. You have submitted copies of the responsive reports. You claim that they are excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and have reviewed the information you submitted.

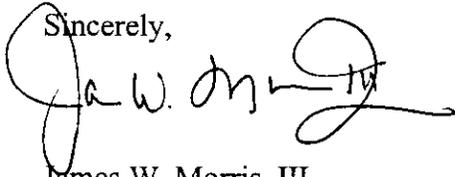
Section 552.108(a)(1) of the Government Code excepts from required public disclosure “[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime[.]” You state that each of the responsive reports pertains to a case that remains under investigation. Based on your representation, we find that most of the information contained in the reports is excepted from disclosure pursuant to section 552.108(a)(1).

However, section 552.108 is inapplicable to basic information about an arrested person, an arrest, or a crime. Gov’t Code § 552.108(c). We believe that such basic information refers to the front page arrest and offense report information, including a detailed description of the offense, held to be public in *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). *See* Open Records Decision No. 127 (1976). The department must release the type of information that is considered to be basic front page arrest and offense report information.

As section 552.108(a) of the Government Code is dispositive, we do not address your claim under section 552.108(b). 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 "James W. Morris, III". The signature is written in a cursive style with a large initial "J" and "M".

James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/cwt

Ref: ID# 131106

Encl. Submitted documents

cc: Mr. Ricky Minton, Jr.
Route 5, Box 646
Crockett, Texas 75835
(w/o enclosures)