



January 21, 2015

Ms. P. Armstrong
Assistant City Attorney
Criminal Law and Police Section
City of Dallas
1400 South Lamar
Dallas, Texas 75215

OR2015-01164

Dear Ms. Armstrong:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 550708 (DPD ORR# 2014-11049).

The Dallas Police Department (the "department") received a request for seven categories of information regarding all investigations by the department's Public Integrity Unit from August 27, 2014, until the date of the present request. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.¹

Initially, we note the requestor seeks only the basic information pertaining to the specified incidents. *See* Gov't Code § 552.108(c); Open Records Decision No. 127 (1976) (summarizing types of information considered to be basic information). We note basic information includes, among other things, the identity of the arrestee, a detailed description of the offense, the identification and description of the complainant, the premises involved, the time of occurrence of the crime, the property involved, and the names of the investigating

¹We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

officers. See ORD 127 at 3-4. Therefore, to the extent the involved employees are arrestees, their identities are responsive to the present request. The department has submitted information beyond what constitutes basic information. Thus, the portions of the submitted documents that do not consist of basic information are not responsive to the present request. This ruling does not address the public availability of any information that is not responsive to the request, and the department is not required to release that information in response to the request. Thus, we only address your arguments for the requested basic information.

You assert the requested basic information is excepted from disclosure under section 552.108 of the Government Code. Section 552.108(a)(1) of the Government Code excepts from disclosure “[i]nformation 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[.]” Gov’t Code § 552.108(a)(1). However, section 552.108 is inapplicable to basic information about an arrested person, an arrest, or a crime. *Id.* § 552.108(c). Basic information refers to the information 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 ORD 127. Thus, the department may not withhold the requested basic information under section 552.108(a)(1) of the Government Code. As no other exceptions to disclosure have been raised, the department must release the requested information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Rustam Abedinzadeh
Assistant Attorney General
Open Records Division

RA/dls

Ref: ID# 550708

Enc. Submitted documents

c: Requestor
(w/o enclosures)