



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 6, 1995

Mr. Patrick S. Dohoney
Assistant District Attorney
Office of the Tarrant County
Criminal District Attorney
Justice Center
401 West Belknap
Fort Worth, Texas 76196-0201

OR95-1362

Dear Mr. Dohoney:

You have asked whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 35698.

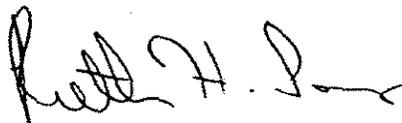
Tarrant County (the "county") received a request for information concerning a bail bond company. You submitted to this office for review the records at issue, which you contend are excepted from disclosure under sections 552.103(a) and 552.108 of the Government Code. We agree that these records may be withheld from disclosure pursuant to section 552.108.

When applying section 552.108, this office distinguishes between cases that are still under active investigation and those that are closed. Open Records Decision No. 611 (1992) at 2. In cases that are still under active investigation, section 552.108 excepts from disclosure all information except that generally found on the first page of an offense report. Open Records Decision No. 127 (1976). The information you provided indicates that there is an ongoing criminal investigation and that the records at issue are part of the investigation file.

Since the records at issue may be withheld pursuant to section 552.108, we need not consider your section 552.103(a) argument. 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 under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/rho

Ref.: ID# 35698

Enclosures: Submitted documents

cc: Mr. Ken Dilanian
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P.O. Box 1870
Fort Worth, Texas 76101
(w/o enclosures)