



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

June 20, 1990

Mr. Knox Fitzpatrick
Associate Director
Criminal Justice Division
Office of the Governor
Austin, Texas 78711

OR90-250

Dear Mr. Fitzpatrick:

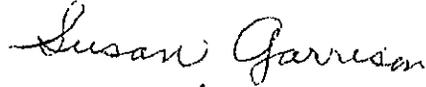
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8228.

You received a request for "all correspondence and documents related to Grant SF 87-BO3-1211 since 11-1-88 to present." At the time this information was requested, District Attorney Richard Barajas of Fort Stockton informed you that a criminal investigation concerning the expenditure of the grant funds was underway. Accordingly, you were concerned about the impact that release of the records might have on the investigation. I recently spoke to Mr. Barajas, who said that the grand jury found no wrongdoing, and there was no longer an active investigation. He had no objection to the release of all the records. This office dealt with the same subject matter in OR90-039, a copy of which is enclosed. The office of the 83rd Judicial District Attorney did not object to the release of any information except for information protected by the informer's privilege. None of the records you have submitted appear to involve the informer's privilege; accordingly, you must release the requested information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a

published open records decision. If you have questions about this ruling, please refer to OR90-250.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/le

Ref.: ID# 8228, 8378

Enclosure: Opinion Ruling OR90-039
Documents Submitted

cc: Fred B. Vogt, M.D.
705 North Second Street
Alpine, Texas 79830