



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 31, 1995

Ms. Sheree L. Rabe
Assistant City Attorney
City of Georgetown
P.O. Box 409
Georgetown, Texas 78627-0409

OR95-317

Dear Ms. Rabe:

You ask 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# 30235.

The City of Georgetown has received a request for all the "paperwork on case #94-9344 (Golden Fried Chicken)." You claim that the case is still under investigation and that prosecution is likely. You also claim that the requested information is excepted from required public disclosure by section 552.108 of the Open Records Act. This office has traditionally held that records relating to active police investigations, other than the information generally found on the first page of the offense report, are excepted from required public disclosure by that section. Open Records Decision No. 611 (1992). Because this case is still under investigation and likely awaiting prosecution, you may withhold the requested information from required public disclosure except for the information generally found on the first page of the offense report, which must be given to the requestor. Open Records Decision No. 127 (1976).

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,

A handwritten signature in black ink that reads "Margaret A. Roll". The signature is written in a cursive style with a large, prominent "M" and "R".

Margaret A. Roll
Assistant Attorney General
Open Government Section

MAR/PIR/rho

Ref.: ID# 30235

Enclosures: Submitted documents

cc: Mr. Austin Hale
Peterson Consulting
111 Congress Avenue, Suite 2200
Austin, Texas 78701
(w/o enclosures)