



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 1, 2015

Mr. J. David Dodd, III
Counsel for the City of Kaufman
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Ross Tower
500 North Akard
Dallas, Texas 75201

OR2015-20616

Dear Mr. Dodd:

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# 581617 (Kaufman File Reference # 72657).

The Kaufman Police Department (the "department"), which you represent, received a request for photographs pertaining to a specified investigation. You claim the submitted information is excepted from disclosure under sections 552.103 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, we note the requestor only seeks the photographs pertaining to the investigation specified in the request. Accordingly, the submitted information is not responsive to the instant request for information because it does not consist of photographs related to the specified investigation. This ruling does not address the public availability of non-responsive information, and the department need not release non-responsive information to the requestor.

Next, we note the department has not submitted any information responsive to the request for photographs. To the extent the department maintained responsive photographs when the department received the request for information, we assume this information has been released. If the department has not released such information, it must do so at this time. *See* Gov't Code §§ 552.301, .302; *see also* Open Records Decision No. 664 (2000) (if

governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

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,

A handwritten signature in cursive script that reads "Abigail T. Adams".

Abigail T. Adams
Assistant Attorney General
Open Records Division

ATA/akg

Ref: ID# 581617

Enc. Submitted documents

c: Requestor
(w/o enclosures)