



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 11, 2016

Ms. Doris "Dot" Preusse
Records Supervisor
City of Pflugerville
P.O. Box 679
Pflugerville, Texas 78691

OR2016-00770

Dear Ms. Preusse:

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# 593910 (ORR# W003444-101915).

The Pflugerville Police Department (the "department") received a request for the mug shot and security camera recordings pertaining to a specified incident. You state you have released some information. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

Initially, we note the request seeks a mug shot and security camera recordings. Thus, the submitted incident reports are not responsive to this request. This ruling does not address the public availability of nonresponsive information and the department need not release nonresponsive information in response to this request.

We note you have not submitted the requested security camera recordings. To the extent any recordings responsive to this portion of the request existed on the date the department received the instant request, we assume the department has released it. If the department has

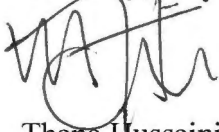
¹Although you raise section 552.101 of the Government Code, you make no arguments to support this exception. Therefore, we assume you have withdrawn your claim this exception applies to the submitted information. See Gov't Code §§ 552.301, .302.

not released any such information, it must do so at this time. *See* Gov't Code §§ 552.301(a), .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 black ink, appearing to read 'Thana Hussaini', written over a circular stamp or mark.

Thana Hussaini
Assistant Attorney General
Open Records Division

TH/som

Ref: ID# 593910

Enc. Submitted documents

c: Requestor
(w/o enclosures)