



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 11, 2017

Mr. Ron G. MacFarlane, Jr.  
Counsel for the City of Cedar Hill  
The MacFarlane Firm, P.C.  
400 East Royal Lane, Suite 290  
Irving, Texas 75039

OR2017-00744

Dear Mr. MacFarlane:

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# 641015.

The Cedar Hill Police Department (the "department"), which you represent, received a request for the personnel file of a named officer and the internal affairs investigation file related to a specified complaint. We understand the department will release some information. You claim the submitted information is excepted from disclosure under sections 552.117, 552.130, and 552.147 of the Government Code.<sup>1</sup> We have considered the exceptions you claim and reviewed the submitted information.

Section 552.117(a)(2) of the Government Code excepts from public disclosure the home address, home telephone number, emergency contact information, and social security number of a peace officer, as well as information that reveals whether the peace officer has family members, regardless of whether the peace officer complies with sections 552.024 and 552.1175 of the Government Code. *See* Gov't Code § 552.117(a)(2). Section 552.117(a)(2) applies to peace officers as defined by article 2.12 of the Code of Criminal Procedure. Accordingly, the department must withhold the information you have

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<sup>1</sup>Although you raise section 552.101 of the Government Code as an exception to disclosure for the social security numbers at issue, we note section 552.147 is the proper exception to raise.

marked, as well as the additional information we have marked, under section 552.117(a)(2) of the Government Code.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or a personal identification document issued by an agency of this state or another state or country is excepted from public release. *Id.* § 552.130. Upon review, we find the department must withhold the motor vehicle record information you have marked, as well as the additional information we have marked, under section 552.130 of the Government Code.

Section 552.147 of the Government Code provides that "[t]he social security number of a living person is excepted from" required public disclosure under the Act. *Id.* § 552.147(a). Upon review, we agree the department may withhold the social security numbers you have marked under section 552.147(a) of the Government Code.

In summary, the department must withhold the information you have marked and we have marked under section 552.117(a)(2) of the Government Code. The department must withhold the information you have marked and we have marked under section 552.130 of the Government Code. The department may withhold the social security numbers you have marked under section 552.147(a) of the Government Code. The remaining information must be released.

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](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,



Britni Ramirez  
Assistant Attorney General  
Open Records Division

BR/som

Ref: ID# 641015

Enc. Submitted documents

c: Requestor  
(w/o enclosures)