



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 24, 2017

Ms. Katie Lentz  
Open Records  
Williamson County Sheriff's Office  
508 South Rock Street  
Georgetown, Texas 78626

OR2017-01581

Dear Ms. Lentz:

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# 642952.

The Williamson County Sheriff's Office (the "sheriff's office") received a request for information pertaining to a specified incident. You indicate you will withhold social security numbers pursuant to section 552.147(b) of the Government Code and the dates of birth of public citizens pursuant to Open Records Letter No. 2016-21706 (2016).<sup>1</sup> You claim the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.130 of the Government Code excepts from disclosure information related to a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country. *See* Gov't Code, § 552.130(a)(1). Upon review, we agree portions of the submitted information consist of motor vehicle record information. You state the sheriff's office does not have the technological capability to redact the motor vehicle record

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<sup>1</sup>Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number without the necessity of requesting a decision from this office. *See* Gov't Code § 552.147(b). Open Records Decision No. 2016-21706 allows the sheriff's office to withhold the dates of birth of public citizens under section 552.101 of the Government Code in conjunction with common-law privacy without seeking a ruling from this office.

information from the submitted video recordings. Accordingly, the sheriff's office must withhold the submitted video recordings in their entirety as well as the information you have marked in the submitted documents under section 552.130 of the Government Code. *See* Open Records Decision No. 364 (1983).

Section 552.1175 of the Government Code protects the home address, home telephone number, emergency contact information, date of birth, social security number, and family member information of certain individuals, when that information is held by a governmental body in a non-employment capacity and the individual elects to keep the information confidential.<sup>2</sup> Gov't Code § 552.1175. Upon review, we find the information we have marked consists of personal information of an individual who may be among the types of individuals listed in section 552.1175(a) and who is employed by another law enforcement agency. Thus, if the information we have marked under section 552.1175 relates to an individual to whom section 552.1175 applies and the individual elects to restrict access to the information in accordance with section 552.1175(b), then the sheriff's office must withhold the marked information under section 552.1175 of the Government Code. If the individual at issue is not an individual to whom section 552.1175 applies or if no election is made, the sheriff's office may not withhold the marked information under section 552.1175.

In summary, the sheriff's office must withhold the submitted video recordings in their entirety as well as the information you have marked in the submitted documents under section 552.130 of the Government Code. If the information we have marked under section 552.1175 relates to an individual to whom section 552.1175 applies and the individual elects to restrict access to the information in accordance with section 552.1175(b), then the sheriff's office must withhold the marked information under section 552.1175 of the Government Code. The sheriff's office must release the remaining information.<sup>3</sup>

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/>

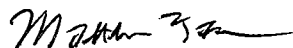
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<sup>2</sup>The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body, but ordinarily will not raise other exceptions. *See* Open Records Decision Nos. 481 (1987), 480 (1987), 470 (1987).

<sup>3</sup>We note the requestor has a right of access to some of the information being released. *See* Gov't Code § 552.023(a) (governmental body may not deny access to person to whom information relates or person's agent on ground that information is considered confidential by privacy principles); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individuals request information concerning themselves).

[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,



Matthew Taylor  
Assistant Attorney General  
Open Records Division

MHT/bw

Ref: ID# 642952

Enc. Submitted documents

c: Requestor  
(w/o enclosures)