



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 22, 2017

Ms. June B. Harden
Assistant Attorney General
Assistant Public Information Coordinator
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2017-05898

Dear Ms. Harden:

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# 650072 (PIR No. 17-45864).

The Office of the Attorney General (the "OAG") received a request for a specified crime victim's compensation file pertaining to a named victim and information pertaining to a specified incident. The OAG claims the submitted information is excepted from disclosure under sections 552.101 and 552.132 of the Government Code. We have considered the claimed exceptions and reviewed the submitted representative sample of information.¹

Section 552.132 of the Government Code provides in pertinent part as follows:

(a) . . . , in this section, "crime victim or claimant" means a victim or claimant under Subchapter B, Chapter 56, Code of Criminal Procedure, who has filed an application for compensation under that subchapter.

¹We assume the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

(b) The following information held by the crime victim's compensation division of the attorney general's office is confidential:


- (1) the name, social security number, address, or telephone number of a crime victim or claimant; or
- (2) any other information the disclosure of which would identify or tend to identify the crime victim or claimant.

Gov't Code § 552.132(a), (b). Thus, section 552.132 protects a crime victim's or claimant's identifying information. Section 552.132(c) requires release of the crime victim's or claimant's name and the amount of compensation awarded. *Id.* § 552.132(c). The OAG states it has not awarded compensation to the alleged crime victim in the information at issue. Generally, the OAG would only be allowed to withhold the victim's identifying information from public disclosure. However, because the requestor knows the alleged crime victim's identity, withholding only the identifying information would not effectuate the purpose of the statute. Thus, we conclude the submitted information is confidential pursuant to section 552.132 of the Government Code, and the OAG must withhold the submitted information in its entirety on that basis.²

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,



Paige Thompson
Assistant Attorney General
Open Records Division

PT/eb

²As our ruling is dispositive, we need not address your remaining argument against disclosure of the submitted information.

Ref: ID# 650072

Enc. Submitted documents

c: Requestor
(w/o enclosures)