



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 19, 2017

Lieutenant Ricardo Gonzalez
Laredo Police Department
4712 Maher Avenue
Laredo, Texas 78041

OR2017-10942

Dear Lt. Gonzalez:

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# 658564 (COL Ref. No. W007217-030717).

The City of Laredo (the "city") received a request for the audio recording and transcript of a specified 9-1-1 call. The city claims the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

Initially, we note some of the submitted information is not responsive to the instant request because it does not consist of the specified 9-1-1 audio recording or transcript. This ruling does not address the public availability of the non-responsive information, which we have marked, and the city need not release it in response to the request.

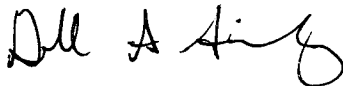
Section 552.108(a)(2) of the Government Code excepts from disclosure information concerning an investigation that did not result in conviction or deferred adjudication. *See* Gov't Code § 552.108(a)(2). A governmental body claiming section 552.108(a)(2) must demonstrate the requested information relates to a criminal investigation that has concluded in a final result other than a conviction or deferred adjudication. *See id.* § 552.301(e)(1)(A) (governmental body must provide comments explaining why exceptions raised should apply to information requested). The city states the submitted responsive information relates to a closed criminal case that did not result in conviction or deferred adjudication. Accordingly, based on the city's representation and our review, we agree section 552.108(a)(2) is

applicable to the submitted responsive information, and the city may withhold it under section 552.108 of the Government Code.

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,



Gerald A. Arismendez
Assistant Attorney General
Open Records Division

GAA/som

Ref: ID# 658564

Enc. Submitted documents

c: Requestor
(w/o enclosures)