



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 14, 2017

Ms. Claudia Gallardo
Legal Office/TPIA section
County of Harris
1200 Baker Street
Houston, Texas 77002

OR2017-13132

Dear Ms. Gallardo:

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# 662835.

The Harris County Sheriff's Office (the "sheriff's office") received a request for information related to disciplinary actions taken against two named correctional officers. The sheriff's office released information responsive to the request but made redactions under section 552.136 of the Government Code without requesting a decision from this office. *See* Gov't Code § 552.136(c). Pursuant to section 552.136(d), the requestor has asked this office to review the information and render a decision as to whether it is excepted from disclosure under section 552.136(b) of the Government Code. *See id.* § 552.136(d). We have considered the position of the sheriff's office and reviewed the information.

Initially, we note the information at issue consists of correctional officers' Texas Commission on Law Enforcement ("TCOLE") identification numbers.¹ Section 552.002(a)

¹The Texas Commission on Law Enforcement Officer Standards and Education was renamed the Texas Commission on Law Enforcement by the 83rd Legislature. *See* Act of May 6, 2013, 83rd Leg., R.S., ch. 93, § 1.01, 2013 Tex. Gen. Laws 174, 174.

of the Government Code defines “public information” as information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

(1) by a governmental body;

(2) for a governmental body and the governmental body:

(A) owns the information;

(B) has a right of access to the information; or

(C) spends or contributes public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or

(3) by an individual officer or employee of a governmental body in the officer’s or employee’s official capacity and the information pertains to official business of the governmental body.

Gov’t Code § 552.002(a). In Open Records Decision No. 581 (1990), this office determined certain computer information, such as source codes, documentation information, and other computer programming, that has no significance other than its use as a tool for the maintenance, manipulation, or protection of public property is not the kind of information made public under section 552.021 of the Government Code. We understand an officer’s TCOLE identification number is a unique computer-generated number assigned to peace officers for identification in the commissioner’s electronic database, and may be used as an access device number on the TCOLE website. Accordingly, we find the officers’ TCOLE identification numbers in the submitted information do not constitute public information under section 552.002 of the Government Code and need not be released to the requestor. As our ruling is dispositive of the information at issue, and such information is not subject to the Act, we do not consider the applicability section 552.136 of the Government Code to the information at issue.

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 'Joseph Behnke', written over a printed name.

Joseph Behnke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 662835

Enc. Submitted documents

c: Requestor
(w/o enclosures)