



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 6, 2017

Mr. Ricardo Gonzalez
Lieutenant
City of Laredo Police Department
4712 Maher Avenue
Laredo, Texas 78041

OR2017-14973

Dear Mr. 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# 665118.

The Laredo Police Department (the "department") received a request for information related to a specified incident. The department released information responsive to the request but states it made redactions as permitted by section 552.136 of the Government Code without requesting a decision from this office.¹ *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. We have considered the department's position and reviewed the information at issue.

Section 552.136 of the Government Code provides, "[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." *Id.* § 552.136(b).

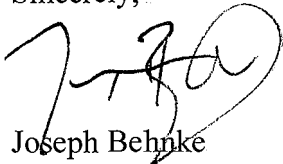
¹We note the department also sought to withhold some of the unreleased information pursuant to section 552.108 of the Government Code. The department requested a ruling from this office pursuant to section 552.301 of the Government Code in correspondence dated April 4, 2017. *See* Gov't Code § 552.301(b), (e). This office issued Open Records Letter No. 2017-08236 (2017) in correspondence dated April 18, 2017, in response to the department's April 4, 2017, request for a ruling.

Section 552.136(a) defines “access device” as “a card, plate, code, account number, personal identification number, electronic serial number, mobile identification number, or other telecommunications service, equipment, or instrument identifier or means of account access that alone or in conjunction with another access device may be used to . . . obtain money, goods, services, or another thing of value [or] initiate a transfer of funds other than a transfer originated solely by paper instrument.” *Id.* § 552.136(a). You have marked personal identification numbers, which you state “would provide access to secured database information.” Upon review, we find you have not demonstrated the information you marked consists of access device numbers for purposes of section 552.136. Accordingly, the department may not withhold the information you marked under section 552.136 of the Government Code on that basis.

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,



Joseph Behnke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 665118

Enc. Submitted documents

c: Requestor
(w/o enclosures)