



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 29, 2017

Ms. Judith N. Benton  
Assistant City Attorney  
City of Waco  
P.O. Box 2570  
Waco, Texas 76702-2570

OR2017-19723

Re: Request for copy of the report made by named individual in 10/2016 or 11/2016 regarding named individual. (LGL-17-124)

Dear Ms. Benton:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 681580.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim the information marked as "552.108" may be withheld from the requestor pursuant to section 552.108(a)(2) of the Government Code. Upon review of your arguments and the information, we conclude you may withhold some of the information marked as "552.108" under section 552.108(a)(2). However, you must release a detailed description of the offense as basic information pursuant to section 552.108(c). Lastly, you must withhold the suspect's date of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at \*3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.). However, because the requestor represents the listed victim, she has a right of access to her client's date of birth and you must release it. See Gov't Code § 552.023(b) (governmental body may not deny access to person to whom information relates, or that person's representative, solely on grounds that information is considered confidential by privacy principles).