



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 21, 2017

Ms. Dawn Roberts  
Assistant City Attorney  
Arlington Police Department  
Mail Stop 04-0200  
P.O. Box 1065  
Arlington, Texas 76004-1065

OR2017-29003

Re: Request for police report # 2017-02220994 regarding domestic violence involving named individuals. (ORR 48642)

Dear Ms. Roberts:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 696159.

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 dates of birth must be withheld from the requestor pursuant to section 552.101 of the Government Code. Upon review of your arguments and the information, we conclude 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, the requestor has a right of access to her client's date of birth, and you must release it to the requestor. 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).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/og/memorulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: Requestor  
(w/o enclosures)