



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 17, 2019

Mr. Albert Dimarco
Assistant General Counsel
Texas Department of Public Safety
P O Box 4087
Austin, Texas 78773-0001

OR2019-10251

Re: Request for complete police report, witness statements, dash/body cam, 911 calls etc regarding accident involving named individual at named location; ORR 19-1241, 19-1296;

Dear Mr. Dimarco:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 767820.

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 submitted information may be withheld from public disclosure pursuant to section 552.108(a)(1) of the Government Code on behalf of another law enforcement agency with a law enforcement interest.¹ Further, you inform this office the other law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Thus, we conclude you may withhold the submitted information pursuant to section 552.108(a)(1) on behalf of

¹We note you did not comply with section 552.301 of the Government Code in requesting this decision. See Gov't Code § 552.301(e). Nonetheless, the need of a governmental body, other than the governmental body that failed to timely seek an open records decision, to withhold information under section 552.108 of the Government Code can provide a compelling reason sufficient to overcome the presumption of openness. See Open Records Decision NO. 586 (1991).

the other law enforcement agency. However, you must release the basic information pursuant to section 552.108(c) of the Government Code.

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)