



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 6, 2019

Mr. Jeremy R. Page
Counsel for City of Lancaster
Brown & Hofmeister, L. L. P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081

OR2019-11991

Re: Request for arrest report, audio, video and 911 recordings for incident report case #
19-1312; W11526

Dear Mr. Page:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 771303.

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. Initially, we note you only submitted video recordings. To the extent any additional responsive information existed on the date you received the request, we assume you have released it. If you have not released any such information, you must do so at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible). In this instance, the requestor does not give the requisite information under section 1701.661(a) of the Occupations Code. As the requestor did not properly request the body worn camera recording(s) at issue pursuant to chapter 1701, our ruling does not reach this information and it need not be released. You claim the remaining video recording(s) must be withheld from the requestor in its entirety pursuant to section 552.130 of the Government Code because you lack the technological capability to redact the motor vehicle record information not pertaining to the requestor from

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the recording. Thus, we agree you must withhold the remaining video recording(s) pursuant to section 552.130 of the Government Code.¹

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 document

c: Requestor
(w/o enclosure)

¹We note you did not comply with section 552.301 of the Government Code in requesting a ruling from this office. *See* Gov't Code § 552.301(b). Nonetheless, because sections 552.101 and 552.130 of the Government Code can provide compelling reasons to overcome the presumption of openness, we will consider their applicability to the submitted information. *See id.* §§ 552.007, .302, .352.