



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 29, 2019

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

OR2019-14189

Dear Mr. Sears:

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# 767651 (PIR# 19-1109).

The Texas Department of Public Safety (the "department") received a request for video recordings pertaining to a specified investigation. You state the department will release some information. You state the department does not have information responsive to a portion of the request.¹ Although you take no position regarding whether the submitted information is excepted from disclosure, you state its release may implicate the interests of San Augustine County (the "county"). Accordingly, you state, and provide documentation showing, you notified the county of the request for information. *See* Gov't Code § 552.304 (providing that interested party may submit written comments regarding why information should or should not be released). We have reviewed the submitted information.

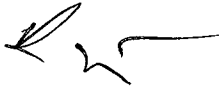
As of the date of this letter, we have not received comments from the county. As no exceptions to disclosure have been raised, the department must release the submitted information.

¹ The Act does not require a governmental body to release information that did not exist when a request for information was received or to prepare new information in response to a request. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 452 at 3 (1986), 362 at 2 (1983).

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,



Kelly McWethy
Assistant Attorney General
Open Records Division

KSM/jxd

Ref: ID# 767651

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)