



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 26, 2019

Mr. S. Anthony Safi  
Counsel for the El Paso Independent School District  
Mounce, Green, Meyers, Safi, Paxson & Galatzan, PC  
P.O. Box 1977  
El Paso, Texas 799999-1977

OR2019-17477

Dear Mr. Safi:

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# 772193 (W001861-041619).

The El Paso Independent School District (the "district"), which you represent, received a request for information pertaining to specified complaints involving the requestor's clients. You state you have released some information. You claim some of the submitted information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We understand the requestor to assert a right of access to the submitted complaint pursuant to section 614.023 of the Government Code. Section 614.023 of the Government Code provides:

- (a) A copy of a signed complaint against a law enforcement officer of this state or a fire fighter, detention officer, county jailer, or peace officer appointed or employed by a political subdivision of this state shall be given to the officer or employee within a reasonable time after the complaint is filed.

*Id.* § 614.023(a). Section 614.021(a)(3) provides that, except as provided by subsection (b), subchapter B of Chapter 614 applies to a peace officer under article 2.12 of the Code of Criminal Procedure or other law who is appointed or employed by a political subdivision of

this state. *Id.* § 614.021(a)(3). We note the police officer of a school district falls within the scope of section 614.021(a)(3) and that subsection (b) does not apply in this instance. *Id.* § 614.021(a). The responsive information consists of a signed complaint against district police officers that was filed with the district's police department. We note the requestor represents the officers at issue. Thus, as you acknowledge, the requestor has a right of access to the complaint pursuant to section 614.023(a) of the Government Code. Although you contend the marked portion of the complaint is excepted from disclosure under section 552.103 of the Government Code, as a general rule, statutes governing the release of specific information prevail over the general exceptions to disclosure found in the Act. Attorney General Opinion DM-146 at 4 (1992); *see also* Open Records Decision Nos. 613 at 4 (1993) (exceptions in Act cannot impinge on statutory right of access to information), 451 (1986) (specific statutory right of access provisions overcome general exceptions to disclosure under the Act). Accordingly, the district must release the submitted information pursuant to section 614.023(a) of the Government Code.

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](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,



Paige Lay  
Assistant Attorney General  
Open Records Division

PS/be

Ref: ID# 772193

Enc. Submitted documents

c: Requestor  
(w/o enclosures)