



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 17, 2019

Ms. Mary King
Criminal Investigations Division
Bastrop County Sheriff's Office
200 Jackson Street
Bastrop, Texas 78602

OR2019-19460

Dear Ms. King:

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# 775654.

The Bastrop County Sheriff's Office (the "sheriff's office") received a request for all records related to a specified incident. You state you have released some information. You claim some of the submitted information is excepted from disclosure under sections 552.101 and 552.117 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You assert and we agree, the submitted information includes body worn camera recordings of sheriff's deputies. Body worn cameras are subject to chapter 1701 of the Occupations Code. Chapter 1701 provides the procedures a requestor must follow when seeking a body worn camera recording. Section 1701.661(a) provides:

A member of the public is required to provide the following information when submitting a written request to a law enforcement agency for information recorded by a body worn camera:

- (1) the date and approximate time of the recording;
- (2) the specific location where the recording occurred; and

(3) the name of one or more persons known to be a subject of the recording.

Occ. Code § 1701.661(a). In this instance, the requestor provided the requisite information under section 1701.661(a) for the body worn camera recordings. Accordingly, we will address the exceptions you claim.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's or driver's license or permit, a motor vehicle title or registration, or a personal identification document issued by an agency of Texas or another state or country is excepted from public release.¹ Gov't Code § 552.130(a). Upon review, we find the submitted video recordings contain information subject to section 552.130. You state the sheriff's office does not have the technological capability to redact the motor vehicle record information from the recordings. Accordingly, the sheriff's office must withhold the submitted recordings in their entirety under section 552.130.² See Open Records Decision No. 364 (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,



Sean McCormick
Attorney
Open Records Division

SMC/eb

¹The Office of the Attorney General will raise mandatory exceptions on behalf of a governmental body. See Open Records Decision Nos. 481 at 2 (1987), 480 at 5 (1987).

²As our ruling is dispositive, we need not address your arguments against disclosure.

Ref: ID# 775654

Enc. Submitted documents

c: Requestor
(w/o enclosures)