



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

August 7, 2019

Mr. Mark G. Mann  
Senior City Attorney  
City of Garland  
P.O. Box 469002  
Garland, Texas 75046-9002

OR2019-21720

Re: Request for records related to case number 2019R011817 (GCA19-0445).

Dear Mr. Mann:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 779386.

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 state you have released some information and will redact public citizens' dates of birth pursuant to Open Records Letter No. 2017-22182 (2016).<sup>1</sup> You claim the information you have marked may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the information, we conclude you may withhold the information you have marked under section 552.108(a)(1) of the Government Code.<sup>2</sup>

---

<sup>1</sup>Open Records Letter No. 2017-22182 authorizes the Garland Police Department to withhold the dates of birth of public citizens under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a decision from this office. *See* Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code).

<sup>2</sup>We note the requestor has a right of access to some of the information at issue. *See* Fam. Code § 261.201(k) (parent of child victim of abuse or neglect who is not suspected of abuse or neglect has right of access to information otherwise confidential under section 261.201(a) of the Family Code), (l)(2) (providing any information excepted from required disclosure under the Act or other law must be withheld from disclosure); Gov't Code § 552.023(a) (governmental body may not deny access to person to whom information relates or person's agent on ground that information is considered confidential by privacy principles); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individuals request information concerning themselves).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/open-records-memorandum-rulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor  
(w/o enclosures)