



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 7, 2019

Mr. John Saenz
Crime Records Office
McAllen Police Department
P.O. Box 220
McAllen, Texas 78501

OR2019-28060

Re: Request for eight categories of information pertaining to case # 2019-51118

Dear Mr. Saenz:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 790580 (PIR# 52785).

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 of the requested information. You inform us you have no information responsive to a portion of the request.¹ You claim the 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 the recording. Thus, we agree you must withhold the video recording(s) pursuant to section 552.130 of the Government Code.

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)

¹ The Act does not require a governmental body that receives a request for information to create information that did not exist when the request was received. See *Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 563 at 8 (1990), 555 at 1-2 (1990), 452 at 3 (1986), 362 at 2 (1983).