



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 10, 2019

Ms. Judy Hickman
Assistant Supervisor
Beaumont Police Department
P. O. Box 3827
Beaumont, Texas 77704

OR2019-28518

Re: Request for information pertaining to a specified incident

Dear Ms. Hickman:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 791973.

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 the department will release some of the requested information. 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.¹ 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 We note, and you acknowledge, the department failed to comply with the procedural requirements of section 552.301 of the Government Code in requesting a decision from this office. *See* Gov't Code § 552.301(b), (e). Nonetheless, sections 552.101 and 552.130 of the Government Code can provide compelling reasons to overcome the presumption of openness caused by failure to comply with section 552.301. *See id.* §§ 552.007, .302. Thus, we will address the applicability of these exceptions to the submitted information, notwithstanding the department's violation of section 552.301 in requesting this decision.