



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 4, 2019

Mr. Nathan Brown
Assistant City Attorney
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

OR2019-30983

Re: Request for Case# 19-41887; PD Control# 3837-19

Dear Mr. Brown:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 802965.

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.¹ You claim the body worn camera recording must be withheld from the requestor. Upon review of your arguments and the submitted information, we conclude you must withhold the body worn camera recording pursuant to section 552.101 of the Government Code in conjunction with section 1701.661(f) of the Occupations Code. You must withhold the marked motor vehicle record information in accordance with section 552.130 of the Government Code. Lastly, you must withhold the marked date(s) of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open->

¹ We note you did not comply with section 552.301 of the Government Code in requesting a ruling from this office. See Gov't Code § 552.301(b). Nonetheless, because section 552.101 of the Government Code can provide a compelling reason to overcome the presumption of openness, we will consider its applicability to the submitted information. See *id.* §§ 552.007, .302, .352.

NAME - Page 2

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)