



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 19, 2019

Mr. Robert Carroll
Senior Assistant City Attorney
City of Odessa
P.O. Box 4398
Odessa, Texas 79760-4398

OR2019-32643

Re: Request for video for Case # 19-0018334 on 05/10/19. (ORR P000446-071119)

Dear Mr. Carroll:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 802404.

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. Initially, we note the requestor only asks for body worn camera recordings. This ruling does not address the public availability of any information that is not responsive to the request and you are not required to release such information in response to this request. Next, we note the requestor does not give the requisite information under section 1701.661(a) of the Occupations Code for a portion of the body worn camera recording(s). As the requestor did not properly request the body worn camera recording(s) at issue pursuant to chapter 1701, our ruling does not reach this information and it need not be released. Upon review of your arguments and the remaining information, we conclude you must withhold the remaining information pursuant to section 552.101 of the Government Code in conjunction with section 1701.661(f) of the Occupations Code.¹

¹ We note you did not comply with section 552.301(b) of the Government Code and section 1701.662(a) of the Occupations Code in requesting a ruling from this office. *See* Gov't Code § 552.301(b); Occ. Code § 701.661(a). 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* Gov't Code §§ 552.007, .302, .352.

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)