



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 3, 2019

Ms. Cary Grace  
Assistant City Attorney  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

OR2019-33896

Re: Request for full incident report, 911 recordings, body cam footage, CAD report, CFS, photos re GO# 2019-2191247 on 08/07/19 (R024934)

Dear Ms. Grace:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 801880 (R024934).

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.<sup>1</sup> Thus, we are addressing your claims in a memorandum opinion. In this instance, the requestor does not give the requisite information under section 1701.661(a) of the Occupations Code. 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. You claim the remaining information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review of your arguments and the remaining information, we conclude you may withhold the remaining information under section 552.108(a)(1). However, as you acknowledge, you must release the basic information pursuant to section 552.108(c) of the Government Code.

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<sup>1</sup> We note the Austin Police Department (the "department") received an initial request for the same information from this requestor on August 13, 2019. In response to the initial request, the department informs us it released basic information to the requestor within five business days and withheld certain information under section 552.108(a)(1) of the Government Code, pursuant to the previous determination this office issued to the department in Open Records Letter No. 2016-10001 (2016). Subsequently, the requestor made a second request for the same information on September 27, 2019.

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)