



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 23, 2020

Ms. Karen Strand  
Senior Assistant City Attorney  
City of Mesquite  
P.O. Box 850137  
Mesquite, Texas 75185-0137

OR2020-02116

Re: Request for information pertaining to the arrest of the requestor's client

Dear Ms. Strand:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 810975.

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 Mesquite Police Department (the "department") will redact public citizens' dates of birth pursuant to Open Records Letter No. 2015-24970 (2015) and Federal Bureau of Investigation ("FBI") numbers pursuant to Open Records Letter No. 2012-07334 (2012).<sup>1</sup> 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 submitted body worn camera recordings pursuant to chapter 1701, our ruling does not reach this information and it need not be released. You claim the information you marked as "552.108" in the remaining information may be withheld under section 552.108(a)(1) of the Government Code.<sup>2</sup> Upon review of your arguments and the

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<sup>1</sup> Open Records Letter No. 2015-24970 authorizes the department to withhold public citizens' dates of birth under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a ruling from this office. Open Records Letter No. 2012-07334 authorizes the department to withhold FBI numbers under section 552.101 of the Government Code in conjunction with section 411.083 of the Government Code and federal law without requesting a ruling from this office.

<sup>2</sup> The department also informs us it sent the requestor an estimate of charges pursuant to section 552.2615 of the Government Code. *See* Gov't Code § 552.2615. The estimate of charges required the requestor to provide a deposit for payment of anticipated costs under section 552.263 of the Government Code. *See id.* § 552.263(a). The department informs us it received the required deposit on November 18, 2019. *See id.* § 552.263(e) (if governmental body requires deposit or bond for anticipated costs pursuant to section 552.263, request for information is considered to have been received on date governmental body receives bond or deposit).

information at issue, we conclude you may withhold the information you marked under section 552.108(a)(1).<sup>3</sup> We also agree you must withhold the motor vehicle record information you marked under section 552.130 of the Government Code and you may withhold the social security number you marked under section 552.147 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)

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<sup>3</sup> As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information.