



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 11, 2020

Mr. Thomas L. McMillian
Assistant City Attorney
City of Amarillo
200 Southeast 3rd Avenue, 4th Floor
Amarillo, Texas 79101

OR2020-04101

Re: Request for Case# 2019-524338; ORR# 19-2960

Dear Mr. McMillian:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 811414.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.¹ Thus, we are addressing your claims in a memorandum opinion. You claim the submitted information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the submitted information and have determined that in accordance with section 552.108(a)(1) you may withhold the submitted information. However, as you acknowledge, you must release the basic information pursuant to section 552.108(c) of the Government Code.²

¹ We note the Amarillo Police Department (the "department") received an initial request for the same information from this requestor on November 8, 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. 2019-05295 (2019). Subsequently, the requestor made a second request for the same information on November 14, 2019.

² We note the requestor has a special right of access to some of the information being released in this instance. See Gov't Code § 552.023(b) (governmental body may not deny access to person to whom information relates, or that party's representative, solely on grounds that information is considered confidential by privacy principles). Because such information is confidential with respect to the general public, if the department receives another request for this information from a different requestor, then the department should again seek a ruling from this office.

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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)