



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 11, 2020

Ms. Josi Diaz
Assistant City Attorney
City of Dallas
1400 South Lamar Street, 6 Floor. 6W
Dallas, Texas 75215

OR2020-13225

Re: Request for ORR# D005455

Dear Ms. Diaz:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 829676.

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 indicate you will withhold information pursuant to section 552.130(c) of the Government Code.¹ You also claim the information you have marked under section 552.108(a)(1) may be withheld from public disclosure pursuant to that section on behalf of another law enforcement agency with a law enforcement interest.² Further, you inform this office the other law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Thus, we conclude you may withhold the information you have marked pursuant to section 552.108(a)(1) on behalf of the other law enforcement agency.

¹ Section 552.130(c) of the Government Code allows a governmental body to redact the information described in section 552.130(a) without the necessity of seeking a decision from the attorney general. *See* Gov't Code § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e).

² We note you did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301(e). Nonetheless, the need of a governmental body, other than the governmental body that failed to timely seek an open records decision, to withhold information under section 552.108 of the Government Code can provide a compelling reason sufficient to overcome the presumption of openness. *See* Open Records Decision No. 586 (1991)

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)