



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

May 20, 2020

Ms. P. Armstrong  
Assistant City Attorney  
City of Dallas  
1400 South Lamar, 6<sup>th</sup> Floor, 6W  
Dallas, Texas 75215

OR2020-14123

Re: Request for case nos. 000236-2020; 20-0004613; ORR D000647-010720

Dear Ms. Armstrong:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 828967 (ORR# D000647-010720).

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. The [] states it is withholding some of the requested information pursuant to sections 552.130(c) and 552.136(c) of the Government Code and Open Records Letter Nos. 2011-17075 (2011) and 2017-09757 (2017), and Open Records Decision No. 684 (2009).<sup>1</sup> You claim the information you marked under section 552.108(a)(1) of

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<sup>1</sup> 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 pursuant to section 552.130(e). *See id.* § 552.130(d), (e). Section 552.136 of the Government Code permits a governmental body to withhold the information described in section 552.136(b) without the necessity of seeking a decision from this office. *See id.* § 552.136(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.136(e). *See id.* § 552.136(d), (e). Open Records Letter No. 2011-17075 is a previous determination issued to the [] authorizing it to withhold, under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code, an originating telephone number of a 9-1-1 caller furnished to the [] by a service supplier established pursuant to chapter 772 of the Health and Safety Code without the necessity of requesting an attorney general decision. Open Records Letter No. 2017-09757 authorizes the [] to withhold dates of birth of members of the public under section 552.101 of the Government Code in conjunction with common-law privacy without the necessity of requesting an attorney general's decision. *See Gov't Code* § 552.301(a); Open Records Decision No. 673 at 7-8 (2001). Open Records Decision No. 684 is a previous determination to all governmental bodies authorizing them to withhold certain categories of information, including an e-mail address of a member of the public under section 552.137 of the Government Code, without the necessity of seeking a decision from this office.

the Government Code may be withheld from public disclosure pursuant to that section on behalf of a law enforcement agency with a law enforcement interest.<sup>2</sup> Further, you inform this office the 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 marked pursuant to section 552.108(a)(1).

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>2</sup> You acknowledge, and we agree, you did not comply with the requirements of section 552.301 of the Government Code. *See* Gov't Code § 552.301(b), (e). Nevertheless, third-party interests can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301.