



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 17, 2020

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

OR2020-17920

Re: Request for any records, lab reports on 03/05/20 for Case #20-650349 regarding accident. (ORR R038512).

Dear Ms. Grace:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 838820 (APD Req. No. R038512).

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 must release information relating to the blood or breath test results to this requestor pursuant to section 724.018 of the Transportation Code. 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 submitted 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.

¹ We note the Austin Police Department (the "department") received an initial request for the same information from this requestor on April 28, 2020. 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 May 26, 2020.

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)