



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 9, 2020

Mr. Brian Sears
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR2020-22795

Dear Mr. Sears:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 843031 (PIR# 20-1994).

The Texas Department of Public Safety (the "department") received a request for all information regarding the death of a named individual. You state the department will release some of the requested information upon payment of costs. Although the department takes no position regarding whether the submitted information is excepted from disclosure under the Act, the department states its release may implicate the interests of the Clay County Sheriff's Office (the "sheriff's office"). Accordingly, the department states, and provides documentation demonstrating, it notified the sheriff's office of the request and of its right to submit comments to this office as to why the information at issue should not be released. *See* Gov't Code § 552.304 (providing that interested party may submit comments stating why information should or should not be released). We have reviewed the submitted representative sample of information.¹

As of the date of this letter, we have not received any comments from the sheriff's office explaining why any portion of the submitted information should not be released. Thus, the department may not withhold the submitted information based on any interest the sheriff's

¹ We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

office may have in the information. As no exceptions to disclosure are raised, the department must release the submitted information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

James M. Graham
Assistant Attorney General
Open Records Division

JMG/

Ref: ID# 843031

Enc. Submitted documents

c: Requestor
(w/o enclosures)