



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 7, 2020

Mr. Kevin Bailey
Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702-1152

OR2020-25291

Re: Request for report re injury to child; 09/01/20; M031311

Dear Mr. Bailey:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 855142.

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. In this instance, the requestor does not give the requisite information under section 1701.661(a) of the Occupations Code. As the requestor did not properly request the body worn camera recording(s) at issue pursuant to chapter 1701, our ruling does not reach this information and it need not be released. 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 remaining information, we conclude you may withhold the remaining information under section 552.108(a)(1). However, you must release the basic information pursuant to section 552.108(c) of the Government Code.¹ In releasing the basic information, you must withhold the identity of the reporting party under section 552.101 of the Government Code in conjunction with section 261.201(1)(3) of the Family Code.

¹We note the requestor has a right of access to the information at issue pursuant to section 261.201(k) of the Family Code. *See* Fam. Code § 261.201(k); *but see id.* § 261.201(1)(2). If you receive another request for this information from a different requestor, you must again seek a ruling from this office. *See* Gov't Code §§ 552.301, .302; Open Records Decision No. 673 (2001).

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)