



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 4, 2020

Mr. Joe D. Gonzales
Bexar County District Attorney
101 West Nueva, 7th Floor
San Antonio, Texas 78205

OR2020-30322

Dear Mr. Gonzales:

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# 857044 (File No. 9028 – BCSO 23041 (S001999, S002000, & S002001)).

The Bexar County Sheriff's Office (the "sheriff's office") received a request for the service photographs of three named officers. You claim the submitted information is excepted from disclosure under sections 552.101, 552.139, and 552.152 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.139(b)(3) of the Government Code provides "a photocopy or other copy of an identification badge issued to an official or employee of a governmental body" is confidential. Gov't Code § 552.139(b)(3). You state the submitted photographs were taken for use as part of the employees' identification badges. Accordingly, we understand the submitted photographs were created specifically for use on identification badges. Therefore, we conclude the sheriff's office must withhold the submitted photographs under section 552.139(b)(3) of the Government Code.¹

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.

¹ As our ruling is dispositive, we need not address your remaining arguments against disclosure.

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,

Britni Ramirez
Assistant Attorney General
Open Records Division

BR/gw

Ref: ID# 857044

Enc. Submitted documents

c: Requestor
(w/o enclosures)