



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 16, 2020

Ms. June B. Harden
Assistant Attorney General
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2020-31479

Dear Ms. Harden:

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# 859320 (PIR# R00005839).

The Office of the Attorney General (the "OAG") received a request for information pertaining to a named individual, a specified incident, and the crime victims' compensation fund. The OAG states it will release information in accordance with section 552.132(c) of the Government Code. The OAG claims the submitted information is excepted from disclosure under section 552.132 of the Government Code. We have considered the claimed exception and reviewed the submitted representative sample of information.¹

Section 552.132 of the Government Code provides:

(a) Except as provided by Subsection (d), in this section, "crime victim or claimant" means a victim or claimant under Subchapter B, Chapter 56, Code of Criminal Procedure, who has filed an application for compensation under that subchapter.

(b) The following information held by the crime victim's compensation division of the attorney general's office is confidential:

(1) the name, social security number, address, or telephone number of a crime victim or claimant; or

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.

(2) any other information the disclosure of which would identify or tend to identify the crime victim or claimant.

(c) If the crime victim or claimant is awarded compensation under Section 56.34, Code of Criminal Procedure, as of the date of the award of compensation, the name of the crime victim or claimant and the amount of compensation awarded to that crime victim or claimant are public information and are not excepted from [required public disclosure].

See Gov't Code § 552.132. Thus, section 552.132 protects a crime victim's or claimant's identifying information. When a crime victim or claimant is awarded compensation, section 552.132(c) requires release of the crime victim's or claimant's name and the amount of compensation awarded. *Id.* § 552.132(c). As previously noted, the OAG states it will release the information subject to section 552.132(c) to the requestor. As for the remaining information, generally, the OAG would only be allowed to withhold the victim's identifying information from public disclosure. In this instance, however, because the requestor knows the victim's identity, withholding only the identifying information would not effectuate the purpose of the statute. Thus, all of the information is confidential pursuant to section 552.132, and the OAG must withhold all of the information at issue on that basis.

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,

Matthew Taylor
Assistant Attorney General
Open Records Division

MT/jxd

Ref: ID# 859320

Enc. Submitted documents

c: Requestor
(w/o enclosures)