



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 14, 2022

Sheriff Ray Sappington
Cooke County Sheriff's Office
300 County Road 451
Gainesville, Texas 76240

OR2022-07513

Re: Request for information pertaining to the arrest of the requestor's client on 10/24/21 and the personnel file of the arresting deputy.

Dear Sheriff Sappington:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 936972.

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. You claim the submitted information may be withheld from public disclosure pursuant to section 552.108(a)(1) of the Government Code on behalf of a law enforcement agency with a law enforcement interest. Further, you inform this office the law enforcement agency objects to the disclosure of the information because it relates to an ongoing criminal case and release would interfere with the case. Upon review, we find you must release the citation. We note the remaining information includes information that may have been filed with a court. Information filed with a court is generally a matter of public record and may not be withheld from disclosure. Gov't Code § 552.022(a)(17). Thus, if the information has been filed with a court, you must release the information. Upon review of your arguments and the remaining information, we conclude you may withhold the remaining information under section 552.108(a)(1) on behalf of the law enforcement agency.¹ However, you must release the basic information pursuant to section 552.108(c) of the Government Code.²

¹ As we are able to make this determination, we do not address your remaining arguments against disclosure or the applicability of section 1701.661(a) of the Occupations Code to the submitted video recordings. *See* generally Occ. Code § 1701.661(a), (e).

² Because the requestor has a right of access to certain information that otherwise would be excepted from release under the Act, the sheriff's office must again seek a decision from this office if it receives a request for this information from a different requestor.

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)