



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 27, 2022

Ms. Josi Diaz
Assistant City Attorney
City of Dallas
1400 Botham Jean Boulevard
Dallas, Texas 75215

OR2022-12001

Re: Reference No. D044425

Dear Ms. Diaz:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 943846.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.¹ Thus, we are addressing your claims in a memorandum opinion. You claim the submitted information must be withheld from the requestor pursuant to section 552.101 of the Government Code. The requestor in this case knows the identity of the victim in the report at issue. To protect the privacy of the individual to whom the information at issue relates, you must withhold the submitted

¹ You acknowledge you failed to comply with the procedural requirements of section 552.301 of the Government Code in requesting a decision from this office. *See* Gov't Code § 552.301(b), (e). However, the needs of a governmental body, other than the governmental body that failed to timely seek an open records decision, to withhold information under section 552.108 of the Government Code can provide a compelling reason sufficient to overcome the presumption of openness. *See* Open Records Decision Nos. 586 (1991). Because you inform us, and provide documentation showing, the Dallas County District Attorney's Office objects to the release of the information at issue, we consider whether you may withhold the information under section 552.108 on behalf of the Dallas County District Attorney's Office. Additionally, because section 552.101 of the Government Code can provide a compelling reason to overcome the presumption of openness, we consider its applicability to the information. *See* Gov't Code §§ 552.007, .302, .352.

information in its entirety under section 552.101 of the Government Code in conjunction with common-law privacy.²

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)

² As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information 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).