



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 9, 2022

Ms. Hannah Bell
Assistant Criminal District Attorney
Tarrant County Criminal District Attorney's Office
401 West Belknap
Fort Worth, Texas 76196

OR2022-13187

Dear Ms. Bell:

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# 944730.

The Tarrant County Criminal District Attorney's Office (the "district attorney's office") received a request for certain e-mail communications. You state the district attorney's office released information to the requestor, but made redactions as permitted by section 552.1175(f) of the Government Code without requesting a decision from this office.¹ Pursuant to section 552.1175(g), the requestor has asked this office to review the information redacted by the district attorney's office and render a decision as to whether it is excepted from disclosure under section 552.1175(b) of the Government Code. We have considered the district attorney's office's position and reviewed the information.

Section 552.1175 of the Government Code protects the home address, home telephone number, emergency contact information, date of birth, social security number, and family member information of certain individuals, when that information is held by a governmental body in a non-employment capacity and the individual elects to keep the information confidential. Gov't Code § 552.1175. Section 552.1175 applies, in part, to "an elected public officer." *See id.* § 552.1175(a)(17). Accordingly, to the extent the

¹ Although you raise section 552.117 of the Government Code, we note section 552.1175 of the Government Code is the proper exception to raise for information the district attorney's office holds in a non-employment capacity.

information you redacted relates to elected public officers who elect to restrict access to their information in accordance with section 552.1175(b) of the Government Code, the district attorney's office must continue to withhold the information you redacted under section 552.1175 of the Government Code. Conversely, if the individuals whose information is at issue are not elected public officers or do not elect to restrict access to their information in accordance with section 552.1175(b), the redacted information may not be withheld under section 552.1175 of the Government Code.

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,

Jahnna Ward
Assistant Attorney General
Open Records Division

JW/mo

Ref: ID# 944730

Enc. Submitted documents

c: Requestor
(w/o enclosures)