



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 20, 2022

Mr. James Kopp
Assistant City Attorney
City of San Antonio
315 South Santa Rosa, 6th Floor
San Antonio, Texas 78207

OR2022-14545

Re: Request for information pertaining to a specified incident.

Dear Mr. Kopp:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 948880 (Ref. No. W432432).

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 may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review, we find you must release the DIC-24 Statutory Warning and the DIC-25 Notice of Suspension. In releasing the DIC-24 and DIC-25 forms, you must withhold the driver's license information under section 552.130 of the Government Code and the date of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.). Upon review of your arguments and the remaining information, we conclude you may withhold the remaining information under section 552.108(a)(1).² However, you must release the basic information pursuant to section 552.108(c) of the Government Code.

¹ We note the City of San Antonio (the "city") received an initial request for the same information from this requestor on January 18, 2022. In response to the initial request, the city informs us it released basic information to the requestor within five business days and withheld certain information under section 552.108(a)(1) of the Government Code, pursuant to the previous determination this office issued to the city in Open Records Letter No. 2017-02535 (2017). Subsequently, the requestor made another request for the same information on March 1, 2022.

² As our ruling is dispositive, we need not address the applicability of section 1701.661(a) of the Occupations Code to the submitted body worn camera video recording. See generally Occ. Code § 1701.661(a), (e).

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.

c: Requestor