



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 9, 2022

Mr. Bill Delmore  
Assistant District Attorney  
Montgomery County  
207 West Phillips, Second Floor  
Conroe, Texas 77301

OR2022-16572

Dear Mr. Delmore:

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# 952931.

The Montgomery County District Attorney's Office (the "district attorney's office") received a request for information, including the name, age, sex, and race, related to the members of the grand jury that indicted a named individual. The district attorney's office states it is releasing some of the requested information. The district attorney's office claims some of the submitted information is excepted from disclosure under sections 552.101 and 552.107 of the Government Code. We have considered the exceptions the district attorney's office claims and reviewed the submitted information.

Initially, we note the requestor excluded certain types of information from the scope of the request, including home addresses, social security numbers, and dates of birth. Accordingly, these types of information are not responsive to the request for information. This ruling does not address the public availability of any information that is not responsive to the request and the district attorney's office is not required to release that information in response to the request.

Section 552.107(2) of the Government Code allows a governmental body to withhold information if "a court by order has prohibited disclosure of the information." Gov't Code § 552.107(2). The district attorney's office seeks to withhold the names of the grand jurors at issue under section 552.107(2) of the Government Code. The district attorney's office states, and has submitted documentation demonstrating, the 418th Judicial Court of Montgomery County has issued a Standing Order Sealing and Prohibiting Disclosure of Information Regarding Persons Impaneled on Grand Juries that makes confidential, among other items, the name of a person impaneled on a grand jury of the court. Therefore, we

agree a court, by order, has prohibited disclosure of the information at issue. Accordingly, the district attorney's office must withhold the names of the grand jurors under section 552.107(2) of the Government Code.<sup>1</sup> The district attorney's office must release the remaining information.

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,

Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/jxd

Ref: ID# 952931

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup> As our ruling is dispositive, we need not address your remaining argument against disclosure of this information.