



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 28, 2022

Ms. Robyn Katz  
Assistant City Attorney  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

OR2022-34083

Re: Request for videos, photos, and witness statements for case 2022060267 and 22-0370163.

Dear Ms. Katz:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 982144 (APD Req. No. R087176).

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue.<sup>1</sup> 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. In releasing the DIC-24 form, you must withhold the driver 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). However, as you acknowledge,

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<sup>1</sup> We note the Austin Police Department (the “department”) received an initial request for the same information from this requestor on July 18, 2022. In response to the initial request, the department 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 department in Open Records Letter No. 2016-10001 (2016). Subsequently, the requestor made a second request for the same information on August 22, 2022.

you must release the basic information pursuant to section 552.108(c) of the Government Code.

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)