



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 1, 2009

Ms. Pamela Smith
Assistant General Counsel
5805 North Lamar Boulevard
P.O. Box 4087
Austin, Texas 78773-0001

OR2009-07452

Dear Ms. Smith:

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# 344513 (DPS OR 09-0555).

The Department of Public Safety (the "department") received a request for information related to a specified individual. You state that you have released some of the requested information. You are withholding Texas driver's license numbers pursuant to the previous determination set forth in Open Records Letter No. 2001-2047. *See* Open Records Decision No. 673 at 7-8 (2001) (listing elements of second type of previous determination under section 552.301(a)). You claim that some of the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.¹

Section 552.108(a)(1) of the Government Code excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime . . . if . . . release of the information would interfere with the detection, investigation, or prosecution of crime." Gov't Code § 552.108(a)(1). A governmental body claiming section 552.108 must reasonably explain how and why the release of the requested information would interfere with law enforcement. *See id.*

¹We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.