



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 21, 2010

Mr. Jeri C. Carter
Public Information and Open Records Manager
City of Dallas
1500 Marilla Street, 4ES
Dallas Texas 75201

Mr. Warren M. S. Ernst
Chief of the General Counsel Division
City of Dallas
1500 Marilla Street, Room 7DN
Dallas, Texas 75201

OR2010-10837

Dear Mr. Carter & Mr. Ernst:

This office received a request for review of the redaction of certain information subject to the Public Information Act (the "Act"), chapter 552 of the Government Code. The request for review was assigned ID# 387968.

The City of Dallas (the "city") received a request for information from a specified personnel file. The city released some information responsive to the request. As permitted by section 552.024(c)(2) of the Government Code, the city redacted certain information it determined to be subject to section 552.117 of the Government Code without requesting a decision from this office. Pursuant to section 552.024(c-1), the requestor has asked this office to review the redacted information and render a decision as to whether this information is excepted from disclosure under section 552.117. We have considered the city's position and reviewed the redacted information.

Section 552.117(a)(1) excepts from disclosure the home address, home telephone number, social security number, and family member information of a current or former employee of a governmental body who requests that this information be kept confidential under section 552.024. Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made. *See* Open Records Decision

No. 530 at 5 (1989). The submitted documents indicate the employee whose personnel file is at issue timely elected to keep his personal information confidential. Having reviewed the city's redactions, we find the city redacted some information that is not confidential under section 552.117, such as dates of birth and certain identification numbers. Because this information is not excepted from disclosure, it must be released to the requestor. We have marked this information accordingly. The remaining information redacted pursuant to section 552.117 is confidential and must be withheld from disclosure.¹

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 http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,


Karen Hattaway
Assistant Attorney General
Open Records Division

KEH/sdk

Ref: ID# 387674

Enc. Submitted documents
Open Records Decision No. 684 (2009)

c: Requestor
(w/o enclosures)

¹We note this office recently issued Open Records Decision No. 684 (2009), a previous determination to all governmental bodies, which authorizes the withholding of ten categories of information, including Texas driver's license numbers under section 552.130 of the Government Code, without the necessity of requesting an attorney general decision.