



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 4, 2010

Ms. Donna L. Clarke  
Assistant Criminal District Attorney  
Lubbock County Criminal District Attorney's Office  
P.O. Box 10536  
Lubbock, Texas 79408-3536

OR2010-11782

Dear Ms. Clarke:

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# 393923.

The Lubbock County Juvenile Justice Center (the "county") received a request for specified information pertaining all employees. We understand you have released some of the responsive information. You claim that portions of the submitted information are excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim and reviewed the submitted information.<sup>1</sup>

Initially, we note that you have marked portions of the submitted information that are not responsive to the instant request for information because that information does not consist of the specific information requested. This ruling does not address the public availability of any information that is not responsive to the request, and the county is not required to release that information in response to the request.

Section 552.117(a)(1) of the Government Code excepts from disclosure the home address, home telephone number, social security number, and family member information of a current or former official or employee of a governmental body who requests that this information be kept confidential under section 552.024 of the Government Code. *See Gov't Code* § 552.117(a)(1). Whether a particular piece of information is protected by section 552.117

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<sup>1</sup>We 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.

must be determined at the time the request for it is made. *See* Open Records Decision No. 530 at 5 (1989). Thus, information may only be withheld under section 552.117(a)(1) on behalf of an official or employee who made a request for confidentiality under section 552.024 prior to the date of the governmental body's receipt of the request for the information. Information may not be withheld under section 552.117(a)(1) on behalf of an official or employee who did not timely request under section 552.024 that the information be kept confidential. You do not inform us whether all of the employees at issue have requested confidentiality for their home addresses and home telephone numbers under section 552.024. If the employees at issue made requests for confidentiality under section 552.024 prior to the date on which the request for information was made, the county must withhold their home addresses and home telephone numbers pursuant to section 552.117(a)(1). If the employees at issue did not make timely requests for confidentiality, their home addresses and home telephone numbers may not be withheld based on section 552.117.

In summary, this ruling does not address the non-responsive information. If the employees at issue made requests for confidentiality under section 552.024 prior to the date on which the request for information was made, the county must withhold their home addresses and home telephone numbers pursuant to section 552.117(a)(1) of the Government Code. The remaining information must be released.

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](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,



Laura Ream Lemus  
Assistant Attorney General  
Open Records Division

LRL/jb

Ref: ID# 393923

Enc. Submitted documents

c: Requestor  
(w/o enclosures)