



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 18, 2012

Ms. Lillian Guillen Graham  
Assistant City Attorney  
City of Mesquite  
P.O. Box 850137  
Mesquite, Texas 75185-0137

OR2012-07475

Dear Ms. Graham:

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# 454095.

The Mesquite Police Department (the "department") received a request for information pertaining to a specified arrest of the requestor and another named individual. You state the department will release some of the requested information. You claim that portions of the submitted information are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You have marked a Federal Bureau of Investigation ("FBI") number you seek to withhold. In Open Records Letter No. 2012-07334 (2012), this office issued a previous determination authorizing the department to withhold FBI numbers under section 552.101 of the Government Code in conjunction with section 411.083 of the Government Code without requesting a decision from this office when requests for such numbers are not made by individuals or entities who are authorized to obtain them under chapter 411 of the Government Code. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). We understand the request for the FBI number is not made by an

individual or entity who is authorized to obtain it under chapter 411 of the Government Code.<sup>1</sup> As such, the department must withhold the marked FBI number in accordance with the previous determination issued in Open Records Letter No. 2012-07334. The remaining information must be released.<sup>2</sup>

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,



Sarah Casterline  
Assistant Attorney General  
Open Records Division

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<sup>1</sup>We note that an individual may obtain his own criminal record history information from DPS. *See* Gov't Code § 411.083(b)(3).

<sup>2</sup>We note the information to be released includes the requestor's driver's license number, which the department would be required to withhold from the general public under section 552.130(a)(1) of the Government Code. *See* Gov't Code § 552.130(a)(1). Because section 552.130 protects personal privacy, the requestor has a right of access to her driver's license number under section 552.023 of the Government Code. *See id.* § 552.023(a). We note section 552.130(c) of the Government Code authorizes a governmental body to redact information protected by section 552.130(a)(1) without the necessity of requesting a decision under the Act. *See id.* § 552.130(c). Thus, if the department receives another request for this same information from a person who would not have a right of access to the requestor's driver's license number, section 552.130(c) authorizes the department to redact her driver's license number. We further note the information being released contains the requestor's social security number. Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act. The requestor, however, has a right of access to her own social security number. *See generally id.* § 552.023(b).

Ref: ID# 454095

Enc. Submitted documents

c: Requestor  
(w/o enclosures)