



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 27, 2012

Ms. Jordan Hale
Public Information Coordinator
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2012-15408

Dear Ms. Hale:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Texas Government Code. Your request was assigned ID# 468245 (Attorney General PIR No. 12-34024).

The Office of the Attorney General (the "OAG") received a request for information related to four open records letter rulings issued by the OAG's Open Records Division. You state that most of the information that is responsive to this request has been made available to the requestor. You claim that some of the remaining responsive information is excepted from disclosure under section 552.101 of the Texas Government Code. We have considered your arguments and reviewed the submitted information.

Section 552.101 of the Government Code excepts from public disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Tex. Gov't Code § 552.101. This section encompasses the common-law right to privacy, which protects information that is 1) highly intimate or embarrassing, such that its release would be highly objectionable to a reasonable person, and 2) not of legitimate concern to the public. *Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976). This office has found that information which identifies victims of sexual abuse is excepted from disclosure under the common-law right to privacy. Tex. Att'y Gen. ORD-440 (1986), ORD-393 (1983), ORD-339 (1982). Some of the responsive information which you have submitted identifies a victim of sexual abuse. This information, which you have marked, is protected under the common-law right to privacy and therefore must be withheld under

section 552.101 of the Texas Government Code. The remainder of the responsive information must be released to the requestor.

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,



James A. Person III
Assistant Attorney General
General Counsel Division

JAP/sdk

Ref: ID# 468245

Enc. Submitted documents

c: Requestor
(w/o enclosures)