



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 2, 2012

Mr. Gregory A. Alicie  
Open Records Specialist  
Baytown Police Department  
3200 North Main Street  
Baytown, Texas 77521

OR2012-15675

Dear Mr. Alicie:

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# 471413.

The Baytown Police Department (the "department") received requests from five requestors for information related to a specified case number. You state social security numbers will be redacted pursuant to section 552.147(b) of the Government Code.<sup>1</sup> You claim other responsive information is excepted from disclosure under sections 552.1175 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the information you submitted.

Section 552.1175 of the Government Code protects information related to a peace officer, as defined by article 2.12 of the Code of Criminal Procedure. *See Gov't Code* § 552.1175(a)(1). Section 552.1175 provides in part:

(b) Information that relates to the home address, home telephone number, emergency contact information, or social security number of an individual to whom this section applies, or that reveals whether the individual has family members is confidential and may not be disclosed to the public under this chapter if the individual to whom the information relates:

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<sup>1</sup>Section 552.147(b) 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.

(1) chooses to restrict public access to the information; and

(2) notifies the governmental body of the individual's choice on a form provided by the governmental body, accompanied by evidence of the individual's status.

*Id.* § 552.1175(b). You seek to withhold information related to an employee of another law enforcement agency. You state the individual concerned is a peace officer who has chosen to restrict access to the information at issue under section 552.1175(b). Based on your representations, we agree the department must withhold the information you have marked under section 552.1175 of the Government Code.

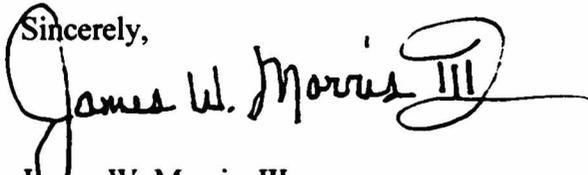
Section 552.130 of the Government Code excepts from disclosure information related to a motor vehicle title or registration issued an agency of this state or another state or country. *See id.* § 552.130(a)(2). We agree the department must withhold the motor vehicle information you have marked under section 552.130 of the Government Code.

In summary, the department must withhold the information you have marked under sections 552.1175 and 552.130 of the Government Code. The rest of the submitted 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,

A handwritten signature in black ink that reads "James W. Morris III". The signature is written in a cursive style with a large, stylized initial "J".

James W. Morris, III  
Assistant Attorney General  
Open Records Division

JWM/bhf

Ref: ID# 471413

Enc: Submitted documents

c: 5 Requestors  
(w/o enclosures)