ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 22, 2013

Ms. June B. Harden
Assistant Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2013-20447

Dear Ms. Harden:

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# 506661 (PIR No. 13-37142).

The Office of the Attorney General (the "OAG") received a request for information regarding a specified crime victim compensation file. The OAG argues the information is excepted from disclosure under sections 552.101 and 552.132 of the Government Code. We have considered the OAG's claimed exceptions and have reviewed the submitted sample of information.[1] We have also received and considered comments submitted by the requestor. Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released).

Section 552.132 of the Government Code provides in pertinent part as follows:

> (a) . . ., in this section, "crime victim or claimant" means a victim or claimant under Subchapter B, Chapter 56, Code of Criminal Procedure, who has filed an application for compensation under that subchapter.

[1]We assume 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 those records contain substantially different types of information than that submitted to this office.

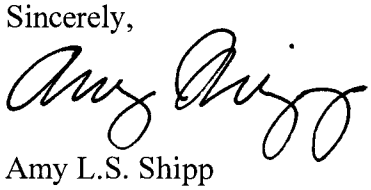
> (b) The following information held by the crime victim's compensation division of the attorney general's office is confidential:
>
> > (1) the name, social security number, address, or telephone number of a crime victim or claimant; or
> >
> > (2) any other information the disclosure of which would identify or tend to identify the crime victim or claimant.

Id. § 552.132(a), (b). Thus, section 552.132 protects a crime victim's or claimant's identifying information. When a crime victim or claimant is awarded compensation, section 552.132(c) requires release of the crime victim's or claimant's name and the amount of compensation awarded. *Id.* § 552.132(c). The OAG states it released the information subject to section 552.132(c). As for the remaining information, generally the OAG would only be allowed to withhold the victim's identifying information from public disclosure. In this instance, however, because the requestor knows the victim's identity, withholding only the identifying information would not effectuate the purpose of the statute. Thus, all of the information is confidential pursuant to section 552.132, and the OAG must withhold all of the information. Because section 552.132 is dispositive, we do not address the OAG's other arguments.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/ag

Ref: ID# 506661

Enc. Submitted documents

c: Requestor
(w/o enclosures)