



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 19, 2014

Ms. Sarah R. Martin  
Assistant City Attorney  
Legal Division  
City of Arlington Police Department  
P.O. Box 1065, Mail Code 04-0200  
Arlington, Texas 76004-1065

OR2014-04608

Dear Ms. Martin:

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# 517235 (PD Ref. No. 13878).

The Arlington Police Department (the "department") received a request for the blood alcohol test results related to a specified case number. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

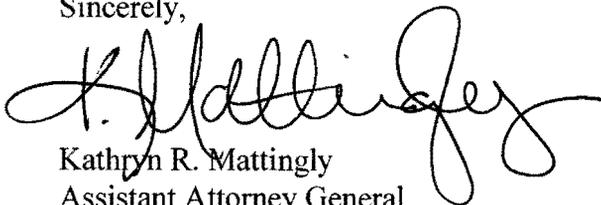
The submitted information consists of information pertaining to the analysis of a blood specimen obtained by a peace officer. Section 724.018 of the Transportation Code provides that, on the request of the person who has given a specimen at the request of a peace officer, full information concerning the analysis of the specimen must be made available to that person or the person's attorney. Transp. Code § 724.018; *see also id.* §§ 724.011 (person arrested for offense alleged to have been committed while person was operating motor vehicle while intoxicated is deemed to have consented to taking of specimens of person's breath or blood for analysis to determine alcohol concentration), .012(b) (describing circumstances under which peace officer shall require taking of specimen of person's breath or blood if officer arrests person for offense involving operation of motor vehicle and person refuses officer's request to submit to taking of specimen voluntarily). We find that "full information" under section 724.018 refers to the results of the analysis of the specimen, and

includes the submitted "Forensic Blood Alcohol Report." Here, the requestor is the individual who submitted a blood specimen. Although you seek to withhold the information at issue under section 552.108 of the Government Code, a specific statutory right of access prevails over general exceptions to disclosure under the Act. *See* Open Records Decision No. 451 at 4 (1986) (specific statutory right of access provisions overcome general exceptions to disclosure under statutory predecessor to Act). Thus, the department must release the submitted information 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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](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,



Kathryn R. Mattingly  
Assistant Attorney General  
Open Records Division

KRM/bhf

Ref: ID# 517235

Enc. Submitted documents

c: Requestor  
(w/o enclosures)