



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 13, 2016

Mr. James McKechnie
Assistant City Attorney
Office of the City Attorney
City of Wichita Falls
P.O. Box 1431
Wichita Falls, Texas 76307

OR2016-01041

Dear Mr. McKechnie:

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# 593887 (ORR# 707).

The Wichita Falls Police Department (the "department") received a request for a report of theft filed by a named individual in August 2015. 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.

Initially, we note the submitted information is not responsive to the instant request for information because it consists of reports of assault filed in July and October, 2015. This ruling does not address the public availability of any information that is not responsive to the request and the department is not required to release such information in response to this request. As we are able to make this determination, we do not address your argument against disclosure of the submitted information.

Next, we note you have not submitted information related to the requested report of theft. To the extent any information responsive to the request existed on the date the department received the request, we assume the department has released it. If the department has not released any such information, it must do so at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

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,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/som

Ref: ID# 593887

Enc. Submitted documents

c: Requestor
(w/o enclosures)