



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

March 4, 2009

Ms. Monica Ogilvie
Assistant Attorney General
Public Information Coordinator's Office
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2009-02851

Dear Ms. Ogilvie:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code, the Public Information Act (the "Act"). Your request was assigned ID# 339654 (PIR Nos. 09-024151, 09-024266).

The Office of the Attorney General (the "OAG") received a request for the professional and character references provided by Jewell Patricio. The OAG has released some information and asserts a portion of the information is excepted from disclosure under section 552.117 of the Government Code. We have considered the OAG's arguments and have reviewed the submitted information.

Section 552.117(a)(1) excepts from disclosure the home address, home telephone number, social security number, and family member information of a current or former employee of a governmental body who requests that this information be kept confidential under section 552.024. Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made. *See* Open Records Decision No. 530 at 5 (1989). The OAG explains the former OAG employee timely elected to keep her personal information confidential. Therefore, the OAG must withhold the information it marked under section 552.117(a)(1).

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 at (512) 475-2497.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/sdk

Ref: ID# 339654

Enc: Submitted document

c: Requestor
(w/o enclosure)