ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 22, 2009

Mr. Reg Hargrove
Assistant Attorney General
Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2009-18130

Dear Mr. Hargrove:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 366004 (PIR No. 09-26365).

The Office of the Attorney General (the "OAG") received a request for information pertaining to a specified person's application for compensation under the Crime Victims' Compensation Program and his records of payments from January 1, 2009 to the date of the request. The OAG states the named person did not receive compensation and argues the submitted information is excepted from disclosure under sections 552.132 and 552.136 of the Government Code. We have considered the OAG's claimed exceptions and have reviewed the submitted information.

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.
>
> (b) The following information held by the crime victim's compensation division of the attorney general's office is confidential:

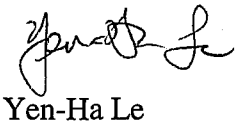
> (1) the name, social security number, address, or telephone number of a crime victim or claimant; or
>
> (2) any other information the disclosure of which would identify or tend to identify the crime victim or claimant.

Gov't Code § 552.132. Generally, the OAG would only be allowed to withhold the claimant's identifying information from public disclosure. In this instance, however, because the requestor knows the identity of the claimant, withholding only the identifying information would not effectuate the purpose of the statute. Accordingly, we agree the OAG must withhold the submitted information pursuant to section 552.132 of the Government Code. Because section 552.132 is dispositive, we do not address the OAG's other argument.

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, toll free, at (888) 672-6787.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/sdk

Ref: ID# 366004

Enc: Submitted documents

c: Requestor
(w/o enclosures)