



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 25, 2010

Mr. David K. Walker
County Attorney
Montgomery County
Open Records Division
207 West Phillips, Suite 100
Conroe, Texas 77301

OR2010-02812

Re: Request for all arrest records, booking photos, including information and photos of any and all tattoos on 4 named individuals

Dear Mr. Walker:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 376690 (Montgomery County ORR #2010-0393).

After reviewing your arguments and the submitted information pertaining to two of the four specified persons, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim the requested information may be withheld from the requestor. A request to compile an individual's criminal history implicates this person's privacy. We have concluded such a compilation is highly embarrassing information and is generally not of legitimate concern to the public. Therefore, to the extent you maintain law enforcement records depicting the named individual as a suspect, arrestee, or criminal defendant, you must withhold the requested information under section 552.101 of the Government Code in conjunction with common-law privacy. To the extent information concerning the other 2 people exists, we assume you have released it. *See* Gov't Code §§ 552.301, .302.

For more information on the cited exception, as well as information on the rights and obligations of governmental bodies and requestors, please refer to open government information contained on the Office of the Attorney General website at www.oag.state.tx.us. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

cc: Requestor
(w/o enclosures)