



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 18, 2013

Ms. Judy Hickman  
Records Division  
Beaumont Police Department  
P.O. Box 3827  
Beaumont, Texas 77704-3827

OR2013-18138

Dear Ms. Hickman:

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# 502822.

The Beaumont Police Department (the "department") received a request for all police reports, 9-1-1 calls, motor vehicle reports, and driving histories related to a specified auto accident. You state the department does not maintain motor vehicle reports or driving records.<sup>1</sup> You state you will release the driver's crash report, 9-1-1 call, and one of the requested videos to the requestor. You claim the remaining requested information is excepted from disclosure under sections 552.101 and 552.147 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.147 of the Government Code excepts the social security number of a living individual from public disclosure. *See Gov't Code* § 552.147. You inform us, and we agree, the video recordings on the submitted compact discs contain the social security number of a living person. Because the department also states it does not possess the technological capability to redact this information from this video recording, we agree the department may

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<sup>1</sup>The Act does not require a governmental body to release information that did not exist when a request for information was received or to prepare new information in response to a request. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos. 605 at 2 (1992), 452 at 3 (1986), 362 at 2 (1983).

withhold the submitted video recordings in their entirety under section 552.147 of the Government Code.<sup>2</sup> *See* Open Records Decision No. 364 (1983).

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,



Tim Neal  
Assistant Attorney General  
Open Records Division

TN/dls

Ref: ID# 502822

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>2</sup>As our ruling is dispositive, we need not address your argument against disclosure under section 552.101 of the Government Code.