



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

November 13, 2015

Ms. Elizabeth Lutton  
Legal Advisor  
Dallas County Sheriff's Department  
133 North Riverfront Boulevard, LB-31  
Dallas, Texas 75207

OR2015-23950

Dear Ms. Lutton:

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# 587072.

The Dallas County Sheriff's Department (the "department") received a request for information pertaining to "non-U.S. citizens" booked into the department's jail, during a specified period of time.<sup>1</sup> You state you have released some information to the requestor. You claim the submitted information is not subject to the Act. In the alternative, you claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered your arguments and reviewed the submitted representative sample of information.<sup>2</sup>

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<sup>1</sup>You state the requestor modified her request. *See* Gov't Code § 552.222(b) (governmental body may communicate with requestor to clarify or narrow request); *see also* *City of Dallas v. Abbott*, 304 S.W. 3d 380,387 (Tex, 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

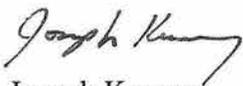
<sup>2</sup>We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

You argue the submitted information is contained in the Adult Information System (the "AIS") and, thus, consists of judicial records not subject to the Act. The Act applies only to information "written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business" by a governmental body. Gov't Code § 552.002(a)(1). However, the Act's definition of "governmental body" does not include the judiciary. *Id.* § 552.003(1)(B). Information "collected, assembled, or maintained by or for the judiciary" is not subject to the Act but instead is "governed by rules adopted by the Supreme Court of Texas or by other applicable laws and rules." *Id.* § 552.0035(a); *cf.* Open Records Decision No. 131 (1976) (applying statutory predecessor to judiciary exclusion under Gov't Code § 552.003(1)(B) prior to enactment of Gov't Code § 552.0035). You state the AIS is an electronic computer database maintained by the sheriff's office on behalf of the Dallas County (the "county") judiciary regarding criminal offenses and offenders in the county, and the database includes citizenship information. You indicate the submitted information is maintained by the sheriff's office to assist the county judiciary in the tracking of criminal cases and criminal defendants. Based on your representations, we conclude the submitted information is information collected, assembled, or maintained by or for the judiciary. Thus, the submitted information is not subject to the Act and need not be released under the Act.<sup>3</sup>

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,



Joseph Keeney  
Assistant Attorney General  
Open Records Division

JDK/dls

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<sup>3</sup>As our ruling is dispositive, we need not address your argument against disclosure.

Ref: ID# 587072

Enc. Submitted documents

c: Requestor  
(w/o enclosures)