



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 12, 2016

Ms. Amanda Pell
Open Records Specialist
Baytown Police Department
3200 North Main Street
Baytown, Texas 77521

OR2016-08199

Re: Request for police report no. 2016-13667 from 03/09/16; PIR# 6262, 6263

Dear Ms. Pell:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 613648.

After reviewing your arguments and the submitted information, 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 information marked as "552.108" may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. We have considered your arguments and the information and have determined that in accordance with section 552.108(a)(1) you may withhold the information marked as "552.108." Lastly, you must withhold the marked dates of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.). However, we note the requestors have a right of access to their own dates of birth pursuant to section 552.023 of the Government Code. Gov't Code § 552.023((b) (governmental body may not deny access to person to whom information relates solely on grounds that information is considered confidential by privacy principles).

For more information on the cited exception, please refer to the open government information on our website at <https://www.oag.state.tx.us/open/memorulings.shtml>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc: Submitted documents

c: 2 Requestors
(w/o enclosures)