



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 7, 2016

Mr. Ron W. McGaha
Assistant Chief of Police
Corsicana Police Department
200 North 12th Street
Corsicana, Texas 75110

OR2016-12933

Dear Mr. McGaha:

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# 613218.

The Corsicana Police Department (the "department") received a request for two requests from the same requestor for the probable cause affidavits and all video and audio recordings associated with two specified incidents. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note the submitted information consists of incident reports related to the specified incidents. This information is not responsive to the requests for probable cause affidavits and video and audio recordings related to the specified incidents. This ruling does not address the public availability of any information that is not responsive to the request, and the department need not release such information.¹

Next, we note you have not submitted any information responsive to the request. You provide no indication that information responsive to the request exists or that the department seeks to withhold responsive information. To the extent information responsive to the

¹As we make this determination, we need not consider your argument under section 552.108 against disclosure.

request exists, we presume the department has released it. If not, the department must do so at this time. *See* Gov't Code §§ 552.301, .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes that no exceptions apply to the requested information, it must release the information as soon as possible).

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, 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,

A handwritten signature in black ink, appearing to read "JB" with a stylized flourish extending to the right.

Joseph Behnke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 613218

Enc. Submitted documents

c: Requestor
(w/o enclosures)