

Account Numbers

- The Town may exclude account numbers of individuals other than myself, including water account numbers and credit card numbers.

Note: This information cannot be released per *section 552.136 of the Texas Government Code*.

Body-Worn Camera Recordings Taken in Private Space or Showing Certain Misdemeanors

- The Town may exclude any recording from a body-worn camera that includes any portion (i) made in a private space as defined by state law or (ii) involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest *unless* written authorization has been provided by the person(s) who is/are the subject of that portion of the recording or, if a person is deceased, from the authorized representative of the deceased.

Note: This information is confidential under *section 1701.661(f) of the Texas Occupations Code*.

Note: If written authorization is provided by all persons who are the subject(s) of a video described in (ii) above, the Town *will not* exclude information on that basis.

Child Abuse or Neglect

- The Town may exclude any records of alleged child abuse or neglect, including sexual assault of a child, indecency with a child, child neglect, child endangerment, and/or injury to a child.

Note: This information is confidential under *section 261.201 of the Texas Family Code*.

Concealed Handgun Licensees

- The Town may exclude any information about concealed handgun licensees.

Note: This information must be withheld under *section 411.192 of the Texas Government Code*.

Criminal History Information

- The Town may exclude results of checks for criminal history record information maintained in state and local criminal history record information systems.

Note: This information is confidential pursuant to *28 C.F.R. § 20.21(c)(1)* and *Chapter 411 Texas Government Code*.

- The Town may exclude compilations of an individual's criminal history.

Note: This information is protected by *Common Law Privacy* as described in *Open Records Decision No. 565 (1990)* (*citing United States Dep't of Justice v. Reporters Comm. for Freedom of the Press, 489 U.S. 749 (1989)*).

Critical Infrastructure, Risk Assessment, and Disaster/Emergency Planning Information

The Town may exclude information relating to the Town's disaster planning and emergency management vulnerabilities, risk assessments, and response plan and process that is confidential under **Chapter 418 of the Texas Government Code**.

This information includes data collected regarding special needs individuals; staffing, tactical, and communication information reflected in records related to preventing, detecting, responding, and investigation acts of terrorism or related criminal activity; risk or vulnerability assessments of persons or property, including critical infrastructure, to acts of terrorism or related criminal activity; information more than likely to assist in construction or assembly of explosive, chemical, biological, radiological, or nuclear weapons, including data regarding location of materials more than likely to be used in construction or assembly of such a weapon and unpublished information regarding potential detection of or vaccine for biological agents or toxins; details of encryption codes or security keys for public communications systems; non-financial information in records prepared for the United States; information identifying technical details of particular vulnerabilities of critical infrastructure to acts of terrorism; and security system information, including access codes and passwords. Note: This information is confidential pursuant to *sections 418.175 through 418.182 of the Texas Government Code*.

Note: Financial information in reports to the United States or regarding costs of security systems is not confidential and will not be excluded.

Dates of Birth

- The Town may exclude dates of birth.
Note: This information is confidential pursuant to the doctrine of *Common Law Privacy*. See *Att’y Gen. of Tex. v. Town of Dallas, No. 03-13-00546-CV, 2015 WL 3394061 (Tex. App.—Austin May 22, 2015) (mem. op.)*.

Death Scene and Sensitive Crime Scene Images

- The Town may exclude death-scene images and images that depict any portion of a deceased person’s body as well as images that depict a deceased person in a state of dismemberment, decapitation, or similar mutilation or that depict genitalia of the deceased.

Note: This information is confidential under **section 552.1085 of the Texas Government Code** and the doctrine of **Constitutional Privacy**. See *Nat’l Archives & Records Admin. v. Favish, 541 U.S. 157 (2004)*.

Juvenile Records

- The Town may exclude confidential juvenile law enforcement records.
Note: This information cannot be released per **section 58.008 of the Texas Family Code and former section 51.14 of the Texas Family Code**.

Medical and Mental Health Information

- The Town may exclude medical records, information taken from medical records, confidential medical information such as specific medical or mental conditions and prescribed medicines, and information disclosing a mental illness.
Note: This information is confidential pursuant to **section 159.002 of the Texas Occupations Code Section** and the doctrine of *Common Law Privacy*.
- The Town may exclude confidential records of the identity, evaluation, or treatment of a patient by emergency medical services personnel.
Note: This information is made confidential by **section 773.091 of the Texas Health and Safety Code**. To comply with the statute, the Town will release information revealing the presence, nature of injury or illness, age, sex, occupation, and Town of residence of a patient receiving emergency medical services.

Motor Vehicle Records

- The Town may exclude confidential driver’s license and motor vehicle information.
Note: This information must be withheld under **section 552.130 of the Texas Government Code**.

Peace Officer Images

- The Town may exclude a peace officer’s photograph unless the officer (i) has given written consent, (ii) has been charged with an offense by indictment or information, (iii) is a party in a hearing or case before hearing examiner or in arbitration, or (iv) is introduced as evidence in a judicial proceeding.
Note: This information cannot be released per **section 143.090 of the Texas Government Code**.

Pending Criminal Investigation/Prosecution

- The Town may exclude detailed records dealing with the detection, investigation, or prosecution of crime if release would interfere with detection, investigation, or prosecution of crime.
Note: This information may be protected under **section 552.108 of the Texas Government Code**.
To comply with state law, in requests involving incident reports or investigative files, the Town will release basic information about the arrested person, arrest, or crime in accordance with the holding in *Houston Chronicle Publ’g Co. v. Town of Houston, 531 S.W.2d 177 (Tex. Civ. App.—Houston [14th Dist.] 1975), writ ref’d n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976)* as discussed and applied in **Open Records Decision No. 127 (1976)**.

Personal Financial Information

- The Town may exclude an individual's personal financial information that does *not* relate to a financial transaction with the Town. Examples - bank account balance, information pertaining to personal mortgages, and personal financial liens.

Note: This information is confidential pursuant to the doctrine of ***Common Law Privacy***.

Note: Personal financial information involving transactions with the Town, such as an employee's salary or Town-paid benefits, is not protected by privacy and will not be excluded.

Personal Information of Public Employees

- The Town may exclude the home address, telephone number, family member information, and emergency contact information of (i) any peace officer, (ii) members of an attorney's office, including the Town Attorney's Office, with jurisdiction that includes any criminal law or child protective service matters, and (iii) any other Town employee who is not a peace officer but who made an election to keep such information confidential prior to the date my request was received.

Note: This information must be withheld under ***section 552.117 of the Texas Government Code***.

- The Town may exclude public employees' dates of birth.

Note: This information must be withheld in accordance with ***Tex. Comptroller of Pub. Accounts v. Att'y Gen. of Tex., 2010 WL 4910163 (Tex. Dec. 3, 2010)***.

Polygraph Examination

- The Town may exclude information obtained as a result of a Polygraph Examination.

Note: This information is confidential pursuant to ***section 1703.306 of the Texas Occupations Code***.

Security Codes

- The Town may exclude security gate codes for the Air Operations Area of municipal airports.

Note: This information is confidential pursuant to ***section 418.182 of the Texas Government Code***.

Test Items

- The Town may exclude test items, which consist of interview and promotional questions and exercises with objectively correct answers or that gauge technical knowledge of the test taker.

Note: This information may be protected pursuant to ***section 552.122 of the Texas Government Code***.

Victims of Sexual Assault

- The Town may exclude records that would reveal the identity of victims of sexual assault, which may include addresses and names of relatives.

Note: This information is confidential pursuant to the doctrine of ***Common Law Privacy***.

Victims of and Witnesses to Sexual Harassment

- The Town may exclude records that would reveal the identity of victims of and witnesses to sexual harassment, which may include addresses, names of relatives, and specifics regarding job titles or duties.

Note: This information is confidential pursuant to the doctrine of ***Common Law Privacy***.