

REQUEST FOR INFORMATION

I. The Request

On November 6, 2020, the City of Abilene received request 20-2437 from Sharon Edwards. The request is enclosed as Exhibit A. Please note that our offices were closed on November 11, 2020, in honor of Veterans Day.

Included as Exhibit B is representative sample of the information we have responsive to this request. Because both the Attorney General's Office and Texas case law have determined that not all records in the possession of a governmental entity are public information subject to disclosure, we respectfully request an Attorney General's Opinion on this particular information.

II. Background Facts

**THIS INFORMATION IS BEING REDACTED PURSUANT TO
GOVERNMENT CODE SECTION 552.301(e-1).**

III. Reasons for Non-Disclosure

Texas Government Code Section 552.108(a)(1)

The pertinent provision of Texas Government Code Section 552.108(a) reads:

(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from the requirements of Section 552.021 if:

(1) release of the information would interfere with the detection, investigation, or prosecution of crime;

Confidentiality of Sensitive Crime Scene Images

A sensitive crime scene image is confidential and may only be released to certain individuals such as the deceased's next of kin, one authorized by the deceased's next of kin, a person conducting research, or a person with an interest in an expressive work. Tex. Gov't Code § 552.2085(c), (d). A "sensitive crime scene image" is defined as follows:

a photograph or video recording taken at a crime scene, contained in or part of a closed criminal case, that depicts a deceased person in a state of dismemberment, decapitation, or similar mutilation or that depicts the deceased person genitalia.

Tex. Gov't Code §552.1085(6).

IV. Conclusion

For the stated reasons, the City requests the Office of the Attorney General issue an opinion that, pursuant to such statutes, the requested information is exempt from disclosure.

Respectfully Submitted,

By:



Kelley K. Messer
Kelley K. Messer
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