

LIST OF EXCEPTIONS

Please note that this list is not a comprehensive list of all possible exceptions to disclosure

Yellow= withhold with no AG opinion or notice needed.

Green= Withhold with no AG opinion needed, Notice required.

Blue- Notice required to third parties in addition to requesting AG opinion

1. Dates of birth of members of the public (Gov't Code §552.101 + common-law right to privacy)
2. Arrest probable cause affidavits (Gov't Code §552.101 + Code of Crim Proc. Art 15.26)
3. Social security numbers (Gov't Code §552.147)
4. home address, home telephone number, emergency contact information, social security number, and/or family member information of a public employee or official (Gov't Code §552.024)
5. home address, home telephone number, emergency contact information, social security number, and/or family member information of a peace officer (Gov't Code §552.117 and §552.1175)
6. Juvenile runaway information and criminal suspect information (entire report will be redacted; see exceptions in Family Code) (Gov't Code §552.101 + Family Code §58.008)
7. Juvenile criminal information under court seal (Gov't Code §552.101 + Family Code §28.207(b))
8. Personal financial information (ex. Bank information, retirement information, credit history) (Gov't Code §552.101 + common-law right to privacy)
9. Fingerprints (Gov't Code §552.101 + Gov't Code §560.003)
10. Personal information in motor vehicle records (Gov't Code §552.101 + Transp. Code §730.004)
11. EMS records of treatment of a patient (Gov't Code §552.101 + H&S Code §773.091)
12. Drug/Alcohol test results (Gov't Code §552.101+common law right to privacy)
13. Attempted suicide (entire report will be redacted) (Gov't Code §552.101+common law right to privacy)
14. Individuals' mental or medical history information (includes prescriptions, diagnoses, disabilities, operations, mental health conditions) (Gov't Code §552.101+common law right to privacy)
15. Sexual assault victim information (includes redaction of name, address, phone number of victim of sexual assault and details of the actual assault) (Gov't Code §552.101+common law right to privacy)
16. Accident reports (See list of people entitled in Transp. Code) (Gov't Code §552.101+ Transp. Code §550.065)
17. FBI #s assigned to Criminal defendants by the FBI- (Gov't Code §552.101+ Gov't Code §411.083)
18. Identifying informants of criminal informants (individuals who report criminal activity to police; includes redaction of names, address and phone number) (Gov't Code §552.101+common law informer's privilege)
19. Compilation of criminal history (includes redaction of any summaries of criminal history of individuals ((Gov't Code §552.101+common law right to privacy)
20. TCIC/NCIC criminal history reports ((Gov't Code §552.101+ Gov't Code Ch. 411, Subchapter F)
21. Firearm trace information (Gov't Code §552.101 + Pub. L. No. 112-55)
22. Medical records created by a physician (Gov't Code §552.101+ Occup. Code §159.002)
23. Insurance company/carrier information for an individual (Gov't Code §552.101+common law right to privacy)
24. Death scene photos of individuals (privacy right of deceased's family members; must send them notice) (Gov't Code §552.101+common law right to privacy)
25. Competitive bidding information (bidding still open or will be rebid) (Gov't Code §552.104)
26. Commercial trade secrets (Notice required to third party company) (Gov't Code §552.110)

27. Reports dealing with abuse or neglect of a child (Entire report will be redacted; see exceptions in Family Code) (Gov't Code §552.101+ Family Code §261.201)
28. Concealed handgun license information (only release info allowed by law) (Gov't Code §552.101+Gov't Code §411.192)
29. Polygraph test information & results (Gov't Code §552.101+ Occup. Code §1703.306)
30. Litigation Exception (redact all info relating to any ongoing or threatened civil or criminal litigation in which the City is a party) (Gov't Code §552.103)
31. Ongoing administrative appeal that could end in litigation (Gov't Code §552.103)
32. Attorney Client communications between city and City Attorney's Office (Gov't Code §552.107(1))
33. Ongoing/pending criminal investigations and prosecutions (Basic information will be released in accordance with law unless otherwise confidential) (Gov't Code §552.108(a)(1))
34. Criminal investigations that did not result in convictions or probation (Gov't Code §552.108(a)(2))
35. Firearm serial numbers (Gov't Code §552.108(b)(1))
36. Undercover officer identifying information (Gov't Code §552.108(b)(1))
37. Police procedures, the release of which will be detrimental to officer safety (for example, release of drug or SWAT operation information, Police General or Special Orders relating to safety procedures etc.) (Gov't Code §552.108(b)(1))
38. Driver's license, license plate, VIN numbers and title information regarding motor vehicles (Gov't Code §552.130)
39. Passport information (Gov't Code §552.130)
40. Account numbers or access device numbers (#s or codes that can be used to access services or money) (includes insurance policy #s) (Gov't Code §552.136)
41. Military discharge papers (Gov't Code §552.140 and AG OR Decision 684 (2009))
42. Dates of birth of city employees (Gov't Code §552.102(a))
43. Email addresses for members of the public (Gov't Code §552.137)
44. Body cam video- if Requestor didn't provide the correct information req. in Occ. Code. (Gov't Code §552.101 + Occup. Code §1701.661)
45. Personal information in water accounts (Gov't Code §552.101+ Utility Code 182.052)
46. Direct deposit authorization form (Gov't Code §552.101 + rt to privacy; OR20090684)
47. Form I-9 and attachments (Gov't Code §552.101 + 8 USC 1324a; OR20090684)
48. W2 and w4 forms (Gov't Code §552.101 + 26 USC 6103(a); OR20090684)
49. Certified agenda and tape of executive session (Gov't Code §552.101 + 551.104; OR20090684)
50. Officers' L-2 and L-3 declarations (Gov't Code §552.101 + Occ Code 1701.306; OR20090684)
51. Form DD-214 or other post 9/1/03 military discharge record (OR20090684)
52. Firefighter time sheet or work schedule (Gov't Code §552.159)
53. Identifying info of individual or business entity that applies for state or federal disaster recovery funds (Gov't Code §552.160)
54. Homeland Security-Technical details of particular vulnerabilities of critical infrastructures (Gov't Code §552.101+ Gov't Code §418.181)
55. name, address, telephone number, e-mail address, driver's license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a municipality or county making a humane disposition of the animal under a municipal ordinance (Gov't Code §552.1177)
56. Drafts of policy documents (deliberative process) (Gov't Code §552.111)

57. Sexual harassment investigation information in employment context (release investigation summary and the statement of the accused under *Ellen*, but redact identities of the victims and witnesses of the alleged sexual harassment and their detailed statements) (Gov't Code §552.101 + common-law right to privacy- *Morales v. Ellen*, 840 S.W.2d 519)
58. Business sales tax information Rec'd from Comptroller's Office (Gov't Code §552.101 + Tax Code 321.3022(f))
59. Videos from jail cameras (safety argument) (Gov't Code §552.108(b)(1))
60. Videos or info that reveals locations of home or business security cameras (includes City facilities) (Gov't Code §552.101 + Gov't Code §418.182(a))
61. Identifying information of pet owner in re. Dog or Cat registry program (Gov't Code §552.101 + H&S §826.0311)
62. Certain proprietary information of vendors, contractors, and bidders (Gov't Code §552.1101)
63. home address, home telephone number, emergency contact information, social security number, and/or family member information of:
 - a. a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001
 - b. a current or former United States attorney or assistant United States attorney and the spouse or child of the attorney
 - c. a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services, regardless of whether the caseworker or investigator complies with Section 552.024 or 552.1175, a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department
 - d. a state officer elected statewide or a member of the legislature, regardless of whether the officer or member complies with Section 552.024 or 552.1175
 - e. a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code, regardless of whether the firefighter or volunteer firefighter or emergency medical services personnel comply with Section 552.024 or 552.1175, as applicable (Gov't Code §552.117)
64. The location or physical layout of a family violence shelter center or victims of trafficking shelter center (Gov't Code §552.138)
65. The home address or home telephone number of a member of the board of directors or the board of trustees of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, regardless of whether the board member complies with Section 552.024. (Gov't Code §552.138)