



July 24, 2017

7007 0220 0000 5566 9577

Honorable Greg Abbott  
Attorney General of Texas  
Price Daniel Building, 7<sup>th</sup> Floor  
PO Box 12548  
Austin, Texas 78711

**RE: ORR# 2017-13794 T. Dean Malone**  
**Requested Info: All dash cam, body cam and other audio and video recordings**  
**regarding an interaction between police and Alton Anthony Folmar on June 19,**  
**2017**  
**Request Date: July 7, 2017**

Dear General Abbott:

By Correspondence received by the Dallas Police Department (DPD), the above-named person has requested the above-mentioned information. This office represents the legal interest of the City of Dallas and its police department.

DPD failed to request and Attorney General ruling within 10 business days. However, DPD believes that part of the requested information should be protected under section 552.108 of the Texas Government Code because of a compelling reason. Specifically, the release of this information will hurt the interest of a third party, namely the Dallas District Attorney's efforts to prosecute this case. **Please see the enclosed letter from the District Attorney's office asserting its interest in protecting this information.**

In addition, the requested information is subject to a previous ruling request submitted by our office on July 5, 2017 two days prior to DPD receiving this request. Please see the enclosed letter. This information includes all camera footage, body cam and other audio related to an office involved shooting that occurred on June 19, 2017.

Section 552.108, the "law enforcement exception," that provides in relevant part as follows:

(b) An internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution is excepted from the requirements of Section 552 if:

- (1) release of the internal record or notation would interfere with law enforcement or prosecution
- (2) it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation ha did not result in conviction or deferred adjudication.

This Office believes that the information withheld is protected pursuant to Section 552.108. Please confirm whether this Office's interpretation of Section 552.108 of the Texas Government Code is correct.

Respectfully submitted,

*J. Diaz*

J. Diaz  
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c: Requestor without enclosures

Enclosures