

Thomas D. Collinsworth

August 13, 2020

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

To Whom It May Concern:

On July 28, 2020, I requested from the Lewisville Police Department “a copy of the file that matches license plate numbers to the four-digit number found printed on the back of police vehicles and a copy of the file that matches the name of the officers to the vehicles they are assigned to” with undercover officer information redacted. The police department provided such a document (titled “Lewisville Police Fleet Operations”) but also redacted all license plate numbers on all vehicles citing TX Gov Code §552.130 as their reasoning. I wish to appeal that decision.

The cited code itself only mentions a “driver's license or permit” and a “motor vehicle title or registration” as being protected from being released. If license plate numbers were equivalent, then police officers would never need to say “license and registration” after pulling someone over.

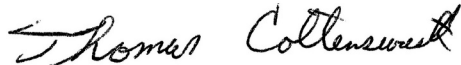
I believe the department is relying on Open Records Decision No. 684 and Open Records Letter Ruling OR2009-06046 to include license plate numbers in the definition of TX Gov Code §552.130. However, the language of both documents make it clear that this inclusion of license plate numbers is only for citizen privacy, not for records on public personnel. ORD-684 mentions excluding from release “a Texas license plate number, the portion of a photograph that reveals a Texas license plate number, and the portion of any video depicting a discernible Texas license plate number. [...] This decision does not apply to motor vehicle information in a peace officer's accident report [...] (concerning release of information relating to motor vehicle accidents).” Since it would be only or mostly citizen license plates in these situations (e.g. a peace officer's dash camera recording), then the intent of the ruling is to protect private citizen information from being released in a Texas Public Information Act request unless they are directly involved in and the release is related to a motor vehicle accident. This is further supported by the fact that OR2009-06046, a ruling on the El Paso Police Department involving an officer shooting, only mentioned withholding license plate information on photographs, videos, and incident reports. Again, this is information that would be comprised mostly, if not entirely, of private vehicles that got caught up, through no fault of their own actions, in a police incident. Clearly, the intention of these rulings is to protect citizens from having their private information released to the public/media when they were neither the potential criminal nor victim of a crime. Just how many people would expect their personal phone numbers and email addresses to generally not be available on a government website viewable by the public but would expect the official phone numbers and email addresses of government employees to be easily accessible to the public, the same logical should apply to license plate numbers.

While 730 of the Transportation Code could be broadly interpreted to include license plate numbers, though this is never specifically mentioned in the statute, as a reason to deny the information requested, keep in mind that the intent of this law is to “protect the interest of an individual in the individual's *personal* privacy by prohibiting the disclosure and use of *personal* information contained in motor vehicle records, except as authorized by the individual or by law.” (Emphasis added.) Again, there has to be a distinction between personal information being protected and government information being wrongly withheld from the public. The license plate numbers of

vehicles purchased with our taxes dollars falls in the latter unless there is a unique justification and the Lewisville Police Department has provided none.

Since the vehicles I requested information on should be registered to the Lewisville Police Department and unless giving the police vehicle's license plate number would somehow divulge personal information on an officer (other than their name as that falls under public information defined by law unless they are undercover), there is no reason to deny releasing such information under the Texas Public Information Act for vehicles that aren't part of an undercover program. Also, I request that the Vehicle Identification Number ("VIN") of the police vehicles that aren't undercover be released as well as such information shouldn't provide any personal information and thus that information should also be disclosed in the document they provided.

Sincerely,

A handwritten signature in black ink that reads "Thomas Collinsworth". The signature is written in a cursive style with a large initial 'T' and 'C'.

Thomas D. Collinsworth

Enc. Lewisville Police Fleet Operations



Lewisville Police Fleet Operations

PATROL DIVISION						
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
4100			2017	Ford	Interceptor SUV	Capt. P. Barron
4101			2017	Ford	Interceptor SUV	Capt. M. Moore
4102			2014	Ford	Interceptor SUV	Patrol Sgt.
4102						
4103			2014	Ford	Interceptor SUV	Patrol Sgt.
4103						
4104			2016	Ford	Interceptor SUV	J. Robey
4105			2017	Ford	Interceptor SUV	S. Menz
4105						
4106			2018	Chevy	Tahoe	Capt. Carter
4107			2018	Chevy	Tahoe	Capt. M. Lane
4108			2019	Chevy	Tahoe	Patrol Sgt.
4108						
4109			2016	Ford	F-350	
4110			1997	Ford	F-250	
4110						
4111			2019	Chevy	Tahoe	
4111						
4112						
4113			2018	Chevy	Tahoe	
4114			2019	Chevy	Tahoe	
4115			2017	Ford	Interceptor SUV	
4115						
4116			2020			
4116						
4117			2018	Chevy	Tahoe	
4118			2019	Chevy	Tahoe	
4119			2016	Ford	Interceptor SUV	
4120			2018	Chevy	Tahoe	
4121			2016	Ford	Interceptor SUV	
4122			2019	Chevy	Tahoe	
4123			2018	Chevy	Tahoe	
4124			2016	Ford	Interceptor SUV	
4125			2019	Chevy	Tahoe	

4126				2016	Ford	Interceptor SUV	
4127				2016	Ford	Interceptor SUV	
4128				2018	Chevy	Tahoe	
4129				2017	Ford	Interceptor SUV	
4130				2020	Chevy	Tahoe	
4131				2017	Ford	Interceptor SUV	
4132				2018	Chevy	Tahoe	
4133				2017	Ford	Interceptor SUV	
4134				2016	Ford	Interceptor SUV	
4135				2016	Ford	Interceptor SUV	
4136				2019	Chevy	Tahoe	
4137				2019	Chevy	Tahoe	
4138							
4139							
4140							

TRAFFIC UNIT

UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
4201			2009	Chevy	Tahoe	T. Thomas
4202			2016	Ford	Interceptor SUV	L. Noble
4203			2019	Kawasaki	Pro FXT EPS	Range
4204			2019	Kawasaki	Pro FXT EPS	Range
4205			2007	Kustom	Smart	
4206			2006	Kustom	Smart	
4207			2015	Home-made	Trailer	PD / Pool
4208			1995	Kawasaki	Mule	Range
4210			2010	Metal Specialties Mfg	MD-1200	
4212			2016	Chevy	Tahoe	M. Larkin
4213			2014	Ford	Interceptor	C. Chi
4214			2016	Ford	Interceptor SUV	M. Rosales
4215			2017	Ford	Interceptor SUV	B. Shelton
4220			2012	Chevy	Caprice	
4221			2016	Ford	Interceptor SUV	J. Montoya
4222			2014	Ford	Interceptor	J. Persinger
4223			2019	Chevy	Tahoe	M. Skloss
4224			2016	Ford	Interceptor SUV	C. Holleman

SPECIAL OPERATIONS

UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
			2008			
			2015			
			2015			
			2016			
			2009			
			2009			
			2007			
			2013			
			2011			
			2014			
			2007			
			2013			
			2012			
			2009			
SCHOOL RESOURCE OFFICER						
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
5220			2013	Ford	Interceptor	E. Rollins
5221			2014	Ford	Interceptor	C. Herring
5222			2013	Ford	Interceptor	M. Bender
5223			2013	Ford	Interceptor	R. Lee
5224			2015	Ford	Interceptor	A. Rock
5225			2014	Ford	Interceptor	M. Tiberghien
5226			2019	Chevy	Tahoe	C. Flores
5227			2019	Chevy	Tahoe	J. Guy
5228			2019	Chevy	Tahoe	N. Pennington
NEIGHBORHOOD RESOURCE OFFICER						
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
5240			2017	Ford	Interceptor SUV	M. Hull
5241			2016	Ford	Interceptor SUV	G. Hopper
5242			2016	Ford	Interceptor SUV	R. Roberts
5243			2016	Ford	Interceptor SUV	JT. Flores

SWAT						
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
5260			2014	Ford	Interceptor SUV	J. Wolk
5261			2017	Farber	4300 SBA 4X2	SWAT
5262			1999	Dodge	Ram-2500 Van	SWAT
5263			2014	Ford	550 Lenco G3	SWAT
5264			2011	Ford	Crown Vic	Range
5265			2004	Farber	RV	Negotiator/ Admin
STREET CRIME UNIT						
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
5270			2018	Toyota	RAV4 SUV/Hybrid	Sgt K. Naffziger
5271			2018	Toyota	Camry/Hybrid	A. Fredrick
5272			2018	Toyota	Camry/Hybrid	R. Limon
5273			2018	Ford	Fusion/Hybrid	E. Villalvazo
5274			2018	Ford	Fusion/Hybrid	D. Nicaud
5275			2008	Ford	Taurus	M. Popick
5232			2014	Ford	Interceptor	Street Crime
5233			2009	Ford	Crown Vic	Street Crime
5234			2020	Chevy	Tahoe	Gang

CRIMINAL INVESTIGATION DIVISION						
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
7310			2015	Ford	Interceptor	A. Sherwood
7311			2016	Ford	Interceptor	S. Schaffer
7312			2011	Ford	Crown Vic	J. Ell
UNIT	TXLP	VIN	YEAR	MAKE	MODEL	ASSIGNED
5103			2008	Dodge	Charger	M. Owen
5104			2016	Dodge	Durango	C. Clements
5113			2008	Ford	Fusion	Street Crime / CID
5122			2009	Ford	Fusion	PIC
5130			2016	Ford	Fusion/Hybrid	E. Smith
5131			2016	Ford	Fusion/Hybrid	A. Hinson
5132			2016	Dodge	Durango	C. Kautz
5133			2009	Toyota	Corolla	J. Schutz

