



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 15, 2015

Ms. Judith N. Benton
Assistant City Attorney
Legal Services Department
City of Waco
P.O. Box 2570
Waco, Texas 76702-2570

OR2015-26330

Dear Ms. Judith N. Benton:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 590619 (City Ref. Nos. LGL-15-319 & LGL-15-345).

The City of Waco (the "city") received two requests from different requestors for information pertaining to a specified incident. You claim the requested information is excepted from disclosure under sections 552.101, 552.108, and 552.152 of the Government Code. We have considered the exceptions you claim.

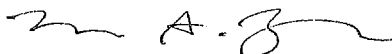
You state the requested information was the subject of previous requests for information, as a result of which this office issued Open Records Letter Nos. 2015-19700 (2015), 2015-19588 (2015), and 2015-16352 (2015). In Open Records Letter No. 2015-19700, we determined with the exception of the marked court-filed document subject to section 552.022(a)(17), the city may withhold the submitted information under section 552.108(a)(1) of the Government Code. In Open Records Letter No. 2015-19588, we determined the city may withhold the submitted information under section 552.108(a)(1) of the Government Code. In Open Records Letter No. 2015-16352, we determined (1) the city may withhold certain information under sections 552.108(a)(1) and 552.108(b)(1) of the Government Code; (2) the city must withhold certain information under section 552.101 of the Government Code in conjunction with section 143.089(g) of the Local Government Code, under section 552.101 of the Government Code in conjunction with federal law and chapter 411 of the Government Code, under section 552.152 of the Government Code, and under section 552.130 of the Government Code; and (3) the city must release the remaining information.

We have no indication there has been any change in the law, facts, or circumstances on which the previous rulings were based. Accordingly, we conclude the city may rely on Open Records Letter Nos. 2015-19700, 2015-19588, and 2015-16352 as previous determinations and withhold or release the identical information in accordance with those rulings. See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we need not consider your arguments against disclosure.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Nicholas A. Ybarra
Assistant Attorney General
Open Records Division

NAY/bhf

Ref: ID# 590619

Enc. Submitted documents

c: 2 Requestors