



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 8, 2016

Mr. Matthew L. Grove
Assistant County Attorney
Fort Bend County
401 Jackson Street, 3rd Floor
Richmond, Texas 77469

OR2016-02988

Dear Mr. Grove:

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# 597300.

The Fort Bend Sheriff's Office (the "sheriff's office") received a request for information pertaining to a named employee, including any internal affairs records, disciplinary records, and his personnel file. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

The sheriff's office informs us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2015-10155 (2015). In Open Records Letter No. 2015-10155 we determined (1) certain information under section 552.101 of the Government Code in conjunction with section 1701.454 of the Occupations Code and common-law privacy must be withheld, (2) certain information under section 552.108(a)(1) of the Government Code may be withheld, (3) certain information under sections 552.102, 552.117(a)(1), 552.130, and 552.136 of the Government Code must be withheld, and (4) the remaining submitted information must be released. We have no indication there has been any change in the laws, facts, and circumstances on which the prior ruling was based. Accordingly, we conclude the sheriff's office must continue to rely on Open Records Letter No. 2015-10155 as a previous determination and withhold or release the submitted information in accordance with that

ruling. *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 information is or is not excepted from disclosure).¹

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,



Katelyn Blackburn-Rader
Assistant Attorney General
Open Records Division

KB-R/bw

Ref: ID#597300

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address the sheriff's office's arguments against disclosure.