



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 25, 2016

Ms. Yahitza Nunez
Assistant Criminal District Attorney
Hays County
712 South Stagecoach Trail, Suite 2057
San Marcos, Texas 78666

OR2016-04575

Dear Ms. Nunez:

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# 599487 (Hays County Ref. No. 15-0769).

The Hays County District Attorney's Office (the "district attorney's office") received a request for information pertaining to the arrest of a named individual. 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 representative sample of information.¹

Initially, you state the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2015-27282 (2015). In Open Records Letter No. 2015-27282, we determined (1) to the extent the district attorney's office determines the requestor intends to use the criminal history record information ("CHRI") for a criminal justice purpose, the district attorney's office must make available to the requestor the CHRI from the submitted information that shows the type of

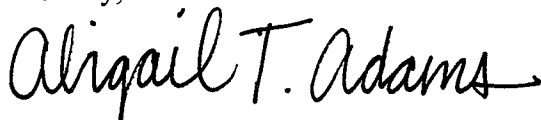
¹We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

allegation made and whether there was an arrest, information, indictment, detention, conviction, or other formal charges and their dispositions; and (2) with the exception of basic information, the district attorney's office may withhold the remaining information under section 552.108(a)(1) of the Government Code. We understand there has been no change in the law, facts, or circumstances on which the prior ruling was based. Thus, the district attorney's office may continue to rely on Open Records Letter No. 2015-27282 as a previous determination and withhold or release the information at issue 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 a 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 address your submitted arguments.

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,



Abigail T. Adams
Assistant Attorney General
Open Records Division

ATA/akg

Ref: ID# 599487

Enc. Submitted documents

c: Requestor
(w/o enclosures)