



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

November 17, 2016

Mr. Julian W. Taylor, III  
Counsel for the City of Freeport  
The Law Office of Wallace Shaw, P.C.  
P.O. Box 3073  
Freeport, Texas 77542-1273

OR2016-25682

Dear Mr. Taylor:

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# 635297.

The Freeport Police Department (the "department"), which you represent, received a request for policies and procedures for officer-involved shootings. You claim the submitted information is excepted from disclosure under sections 552.103 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information. We have also received and considered comments from the requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released).

You state the submitted information was the subject of two previous requests for information, as a result of which this office issued Open Records Letter Nos. 2016-19122 (2016) and 2016-20677 (2016). In those rulings, we determined the department may withhold the information at issue under section 552.108(a)(1) of the Government Code. You state there has been no change in the law, facts, or circumstances on which the previous rulings were based. Accordingly, we conclude the department may rely on Open Records Letter Nos. 2016-19122 and 2016-20677 as previous determinations and withhold the 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).

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](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,

A handwritten signature in black ink, appearing to read "Claire Morris Sloan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/som

Ref: ID# 635297

Enc. Submitted documents

c: Requestor  
(w/o enclosures)