



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 15, 2017

Ms. Sylvia McClellan
Assistant City Attorney
Criminal Law and Police Section
City of Dallas
1400 South Lamar
Dallas, Texas 75215

OR2017-03415

Dear Ms. McClellan:

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# 651622 (ORR Nos. 2016-23786, 2016-24738, and 2016-24739).

The Dallas Police Department (the "department") received three requests for information pertaining to a specified incident. You claim the requested information is subject to a previous determination. We have considered your argument.

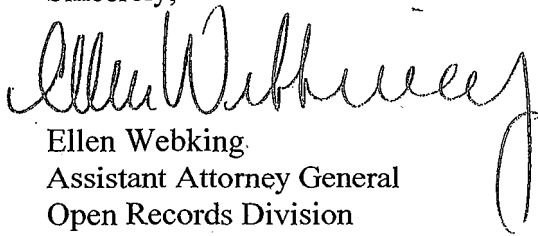
You state the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2017-02037 (2017). In that ruling, we ruled: (1) as the first requestor did not properly request the body worn camera recordings at issue pursuant to chapter 1701, the improperly requested body worn camera recordings need not be released; and (2) with the exception of basic information, which must be released, you may withhold the submitted information under section 552.108(a)(1) of the Government Code on behalf of the Dallas County District Attorney's Office (the "district attorney's office"). Because you inform us the district attorney's office still seeks to withhold the information, we conclude there has been no change in the law, facts, or circumstances on which the previous ruling was based. Therefore, the department must continue to rely on Open Records Letter No. 2017-02037 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 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, 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,



Ellen Webking
Assistant Attorney General
Open Records Division

EW/bw

Ref: ID# 651622

c: 3 Requestors