



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 16, 2017

Mr. M. Matthew Ribitzki
Deputy City Attorney
City of Burleson
141 West Renfro
Burleson, Texas 76028

OR2017-13414

Dear Mr. Ribitzki:

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# 662255 (ORR No. 649/17-0220).

The Burleson Police Department (the "department") received a request for information pertaining to a specified address. The department states it will withhold motor vehicle record information under section 552.130(c) of the Government Code.¹ The department claims some of the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2017-02006 (2017). In that ruling, we determined, in relevant part, (1) the department must release from police report number 16-003163 the information pertaining to the analysis of the requestor's blood specimen under section 724.018 of the Transportation Code and her fingerprints pursuant to section 560.002 of the Government Code, but must withhold the remaining information in

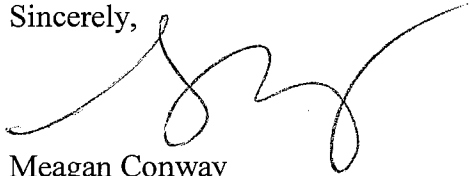
¹Section 552.130(c) of the Government Code allows a governmental body to redact the information described in section 552.130(a) without the necessity of seeking a decision from the attorney general. *See* Gov't Code § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e).

this report under section 552.101 of the Government Code in conjunction with section 261.201(a) of the Family Code; (2) with the exception of the information we have marked under section 552.022(a)(17) of the Government Code and basic information, which the department must release, the department may withhold police report number 16-003874 under section 552.108(a)(1) of the Government Code; however, in releasing the information we have marked in this report under section 552.022(a)(17) of the Government Code, the department must withhold the information we have marked under section 552.101 of the Government Code in conjunction with section 560.003 of the Government Code; and (3) the department must release the remaining information from report number 16-003874. We have no indication there has been a change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the district must rely on Open Records Letter No. 2017-02006 as a previous determination and withhold or release the submitted information in accordance with that ruling.² 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,



Meagan Conway
Assistant Attorney General
Open Records Division

MC/sb

²As we are able to make this determination, we need not address your argument against disclosure of this information.

Ref: ID# 662255

Enc. Submitted documents

c: Requestor
(w/o enclosures)