



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 20, 2017

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

OR2017-16248

Dear Ms. Buendia:

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# 667483 (ORR# 2016-25783).

The Dallas Police Department (the "department") received a request for 14 categories of information related to an officer involved in a specified incident. You state you will release some information. You claim the requested information is subject to a previous determination. We have considered your arguments.

You inform us the responsive information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2017-07520 (2017). In that ruling, we determined the department 1) must continue to rely on Open Records Letter No. 2016-28048 (2016) as a previous determination and withhold or release the identical information in accordance with that ruling, 2) may withhold the marked information under section 552.108(a)(1) of the Government Code on behalf of the Dallas County Criminal District Attorney's Office (the "district attorney's office"), 3) must withhold the dates of birth of living public citizens under section 552.101 of the Government Code in conjunction with common-law privacy, and 4) must release the remaining information. You state the law, facts, and circumstances on which the prior ruling was based have not changed. Accordingly, we conclude the department must continue to rely on Open Records Letter No. 2017-07520 as a previous determination and withhold or release the

identical 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).

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,



Kelly McWethy
Assistant Attorney General
Open Records Division

KSM/sb

Ref: ID# 667483

c: Requestor