



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 1, 2017

Ms. Charla Thomas
Deputy City Attorney
City of Temple
2 North Main Street, Suite 308
Temple, Texas 76501

OR2017-17222

Dear Ms. Thomas:

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# 675509.

The Temple Police Department (the "department") received a request for a specified case. You claim 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.

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. 2017-13326 (2017). In that ruling, we determined (1) pursuant to section 1701.661 of the Occupations Code, our ruling did not reach the submitted body worn camera recording and the department was not required to release it, and (2) with the exception of basic information, which must be released, the department may withhold the remaining information under section 552.108(a)(1) of the Government Code. You state the law, facts, and circumstances on which the prior ruling was based have not changed. Accordingly, we conclude the department may continue to rely on Open Records Letter No. 2017-13326 as a previous determination and withhold or release the identical information in accordance with that ruling.¹ See Open Records Decision No.

¹As we are able to make this determination, we need not address your argument against disclosure of the submitted information.

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,



Paige Thompson
Assistant Attorney General
Open Records Division

PT/eb

Ref: ID# 675509

Enc. Submitted documents

c: Requestor
(w/o enclosures)