



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 10, 2017

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

OR2017-18153

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# 677038.

The City of Temple (the "city") received a request for information pertaining to as specified incident report. You claim the requested information is subject to a previous determination. We have considered your argument and reviewed the submitted information.


You state, and we agree, the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2017-14872 (2017). In that ruling, we concluded that (1) as the requestor did not properly request the body worn camera recordings at issue pursuant to chapter 1701 of the Occupations Code, our ruling did not reach this information and it need not be released and (2) the city must withhold the remaining information under section 552.101 of the Government Code in conjunction with section 58.007(c) of the Family Code. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the city must continue to rely on Open Records Letter No. 2017-14872 as a previous determination and withhold 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). As we are able to make this determination, we need not address your arguments against 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,



Jennifer Coveland
Assistant Attorney General
Open Records Division

JC/sb

Ref: ID# 677038

Enc. Submitted documents

c: Requestor
(w/o enclosures)