



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 27, 2017

Mr. Alan T. Ozuna
Counsel for the City of Harlingen
Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C.
701 East Harrison, Suite 100
Harlingen, Texas 78550

OR2017-22145

Dear Mr. Ozuna:

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# 677412.

The Harlingen Police Department (the "department"), which you represent, received a request for information pertaining to two specified incidents. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You state the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2016-13424 (2016). In Open Records Letter No. 2016-13424, we determined the department must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 261.201 of the Family Code. You state there has not been a change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the department must rely on Open Records Letter No. 2016-13424 as a previous determination and withhold the identical information in accordance with that ruling.¹ See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not

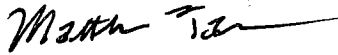
¹As we are able to make this determination, we need not address your arguments against disclosure of this information.

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,



Matthew Taylor
Assistant Attorney General
Open Records Division

MHT/bw

Ref: ID# 677412

Enc. Submitted documents

c: Requestor
(w/o enclosures)