



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 5, 2017

Mr. Carlos G. Madrid
Assistant County Attorney
El Paso County
500 East San Antonio, Room 503
El Paso, Texas 79901

OR2017-22753

Dear Mr. Madrid:

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# 684699 (ORR 0371-17-PI and 0380-17-PI).

The El Paso County Sheriff's Office (the "sheriff's office") received two requests for information pertaining to a specified incident. You state you have released some information. 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.

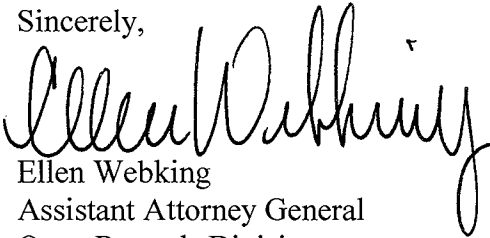
We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2017-10223 (2017). In Open Records Letter No. 2017-10223, we ruled, with the exception of basic information and the DIC-24 and DIC-25 forms, the sheriff's office may withhold the submitted information under section 552.108(a)(1) of the Government Code. In releasing the DIC-24 and DIC-25 forms, the sheriff's office (1) must withhold the public citizen's date of birth under section 552.101 of the Government Code in conjunction with common-law privacy and (2) must withhold the information we have marked under section 552.130 of the Government Code. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. We therefore conclude the sheriff's office must continue to rely on Open Records Letter No. 2016-18868 as a previous determination and withhold the

responsive information in accordance with that decision.¹ See Open Records Decision No. 673 at 6-7 (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,



Ellen Webking
Assistant Attorney General
Open Records Division

EW/tdw

Ref: ID# 684669

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address your remaining arguments against disclosure.