



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 18, 2018

Mr. Marc J. Schnall  
Counsel for the City of Selma  
Langley & Banack Inc.  
Trinity Plaza II  
745 East Mulberry, Suite 900  
San Antonio, Texas 78212-3166

OR2018-01186

Dear Mr. Schnall:

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# 698942.

The Selma Police Department (the "department"), which you represent, received a request for information pertaining to a specified case number. You state the department has released some of the requested information. You claim some of the submitted information was not properly requested pursuant to section 1701.661 of the Occupations Code. You also claim the submitted information is subject to a previous determination or, in the alternative, is excepted from disclosure under section 552.130 of the Government Code. We have considered your arguments and reviewed the submitted information.

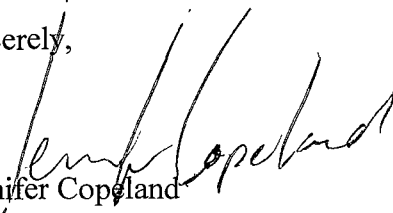
You state, and we agree, the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2016-25109 (2016). In that ruling, we concluded the following: (1) the submitted body worn camera recording was not properly requested pursuant to chapter 1701 of the Occupations Code and it need not be released and (2) the department must withhold the entireties of the responsive video recordings under section 552.130 of the Government Code. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the department must continue to rely on Open Records Letter No. 2016-25109 as a previous determination and withhold or release 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 remaining arguments.

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](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 Copeland  
Assistant Attorney General  
Open Records Division

JC/gw

Ref: ID# 698942

Enc. Submitted documents

c: Requestor  
(w/o enclosures)