



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 14, 2018

Ms. Delietrice Henry
Open Records Assistant
City of Plano
P.O. Box 860358
Plano, Texas 75086-0358

OR2018-03578

Dear Ms. Henry:

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# 701820 (#MOSM010918).

The Plano Police Department (the "department") received a request for information pertaining to a specified incident. The department states it released some of the requested information. You claim some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

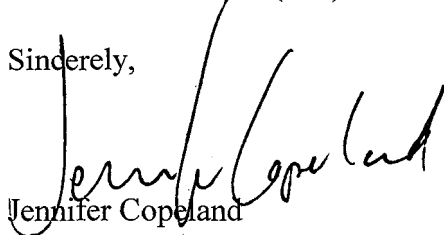
Initially, we note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2012-03328 (2012). In that ruling, we concluded the following: (1) the department must withhold the responsive report from the first requestor under section 552.101 of the Government Code in conjunction with section 261.201 of the Family Code and (2) as to the second requestor, the department must withhold the identifying information of the reporting party under section 552.101 of the Government Code in conjunction with section 261.201(1)(3) of the Family Code, the department must withhold certain information under section 552.130 of the Government Code, and the department must release the remaining information to the second requestor. We note the requestor who submitted the instant request was the second requestor at issue in Open Records Letter No. 2012-03328. 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. 2012-03328 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 argument 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 Copeland
Assistant Attorney General
Open Records Division

JC/gw

Ref: ID# 701820

Enc. Submitted documents

c: Requestor
(w/o enclosures)