



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 3, 2019

Mr. Gabriel A. Rodriguez
Assistant City Attorney
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR2019-00164

Dear Ms. Rodriguez:

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# 744597 (CCPD File No. GCan3).

The Corpus Christi Police Department (the "department") received a request all records related to police report number 1804040004. You claim the requested information is excepted from disclosure under sections 552.101, 552.108, and 552.152 of the Government Code. We have considered the exceptions you claim.

The department informs us the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2018-24603 (2018). In that ruling, we determined the department: (1) need not release the submitted body worn camera recordings that were not properly requested pursuant to chapter 1701 of the Occupations Code; (2) to the extent the information at issue is identical to the information previously requested and ruled upon, the department must rely on Open Records Letter No. 2018-15063 as a previous determination and withhold or release the identical information in accordance with that ruling; (3) may withhold the information it marked under section 552.108(a)(1) of the Government Code; (4) must withhold the additional date of birth we marked under section 552.101 of the Government Code in conjunction with common-law privacy; (5) must withhold the motor vehicle record information it marked and the additional motor vehicle record information we marked under section 552.130 of the Government Code; and (6) must release the remaining information. We have no indication there has been

any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we conclude the department may rely on Open Records Letter No. 2018-24603 as a previous determination and withhold or release the identical 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).

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,

A handwritten signature in cursive script, appearing to read "D. Michelle Case".

D. Michelle Case
Assistant Attorney General
Open Records Division

DMC/gw

Ref: ID# 744597

c: Requestor