



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 20, 2019

Ms. Michelle Buendia
Assistant City Attorney
City of Dallas
1400 South Lamar, 6 Floor 6W
Dallas, Texas 75215

OR2019-04706

Dear Ms. Buendia:

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# 758146 (ORR# D001303-011419).

The Dallas Police Department (the "department") received a request for information pertaining to a specified incident. You state the department will release some information. You claim the submitted information is excepted from disclosure under sections 552.101, 552.108, and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted representative sample of information.¹

You inform us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2018-21709 (2018). In that ruling, we determined the department: (1) may withhold the information it marked under section 552.108(a)(1) of the Government Code on behalf of the Dallas County District Attorney's Office; (2) must withhold the date of birth it marked under section 552.101 of the Government Code in conjunction with common-law privacy; (3) must withhold the information it marked under section 552.130 of the Government Code; and (4)

¹We assume the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

must release remaining information. You state the law, facts, and circumstances on which the prior ruling was based have not changed. Therefore, the department may continue to rely on Open Records Letter No. 2018-21709 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).

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,



Kieran Hillis
Assistant Attorney General
Open Records Division

KH/jxd

Ref: ID# 758146

Enc. Submitted documents

c: Requestor
(w/o enclosures)