



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 21, 2019

Ms. DeAndrea Bradford
Assistant City Attorney
City of Arlington
Mail Stop 04-0200
P. O. Box 1065
Arlington, Texas 76004-1065

OR2019-07866

Dear Ms. Bradford:

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# 756772 (Reference# 72339).

The Arlington Police Department (the "department") received a request for basic information in a specified police report. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note the requestor seeks only basic information. *See Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.—Houston [14th Dist.] 1975) (court delineates law enforcement interests that are present in active cases), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976); *see also* Open Records Decision No. 127 (1976) (summarizing types of information considered to be basic information). We note basic information includes the identity and description of the complainant, but does not include the identity of the victim, unless the victim is the complainant. *See id.* Accordingly, information other than basic information is not responsive to the present request. This ruling does not address the public availability of non-responsive information, and the department is not required to release non-responsive information in response to this request.

Next, we note the responsive information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2019-03008 (2019). In that ruling, we determined, in relevant part, the department must release basic information. There is no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, we conclude the department must continue to rely on Open Records Letter No. 2019-03008 as a previous determination and release the responsive 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 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,



Kelly McWethy
Assistant Attorney General
Open Records Division

KSM/mo

Ref: ID# 756772

Enc. Submitted documents

c: Requestor
(w/o enclosures)