



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 12, 2019

Ms. S. McClellan
Assistant City Attorney
Criminal Law and Police Section
City of Dallas
1400 S. Lamar, 6th Floor 6W
Dallas, Texas 75215

OR2019-09928

Dear Ms. McClellan:

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# 767373 (Ref. No. D003511-2019).

The Dallas Police Department (the "department") received a request for a specified incident report. You claim the requested information is subject to a prior ruling from this office. We have considered the submitted argument.

You state the requested information was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2019-06270 (2019). In that ruling, we determined 1) with the exception of basic information, the department may withhold the submitted information under section 552.108(a)(1) of the Government Code, and 2) in releasing basic information, the department must withhold the marked information under section 552.101 of the Government Code in conjunction with common-law privacy. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Thus, the department may continue to rely on Open Records Letter No. 2019-06270 as a previous determination and withhold or release the information at issue 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 a 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 black ink, appearing to read 'Meredith L. Coffman', with a long horizontal flourish extending to the right.

Meredith L. Coffman
Assistant Attorney General
Open Records Division

MLC/jxd

Ref: ID# 767373

c: Requestor