



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 9, 2019

Ms. Sandra L. Flores
Public Records Coordinator
City of El Paso
P.O. Box 1890
El Paso, Texas 79950-1890

OR2019-28279

Dear Ms. Flores:

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# 790168 (ORR# 19-1026-10351).

The El Paso Police Department (the "department") received a request for the 9-1-1 call related to case number 19-071002. The department claims the submitted information is excepted from disclosure under sections 552.103 and 552.108 of the Government Code.¹ We have considered the exceptions the department claims and reviewed the submitted information.

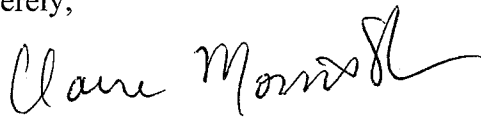
The submitted information was the subject of Open Records Letter No. 2019-13563 (2019). In that ruling, we determined the department may withhold the submitted information under section 552.108(a)(1) of the Government Code. Accordingly, the department may rely on Open Records Letter No. 2019-13563 as a previous determination and withhold 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).

¹ Although the department also raises section 552.101 of the Government Code in conjunction with common-law privacy and constitutional privacy for the submitted information, the department provides no arguments explaining how these doctrines apply to the information at issue. Therefore, we assume the department no longer asserts these doctrines. *See* Gov't Code §§ 552.301, .302.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/jxd

Ref: ID# 790168

Enc. Submitted documents

c: Requestor
(w/o enclosures)