



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 17, 2019

Mr. Ryan Brooke
Assistant City Attorney
City of Lubbock
P.O. Box 2000
Lubbock, Texas 79457

OR2019-35641

Dear Mr. Brooke:

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# 810154 (Ref. No. 2607).

The Lubbock Police Department (the "department") received a request for information pertaining to a specified incident. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

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. 2019-32544 (2019). In that ruling, we determined 1) to the extent the department holds any of the submitted information solely as an agent of the grand jury, such information consists of records of the judiciary that are not subject to disclosure under the Act and the department is not required to release that information in response to the instant request; 2) the department must release the submitted court-filed documents pursuant to section 552.022(a)(17) of the Government Code but must withhold motor vehicle record information not belonging to the requestor's clients under section 552.130 of the Government Code; 3) the department must release the accident report to this requestor pursuant to section 550.065(c) of the Transportation Code; and 4) with the exception of the basic information, which must be released, the department may withhold the remaining information under section 552.108(a)(1) of the Government Code. You state the law, facts, or circumstances on which the prior ruling was based have not changed. Thus, the university must continue to rely on Open Records Letter No.

2019-32544 as a previous determination and withhold or release the information at issue in accordance with that ruling.¹ *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 <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,

A handwritten signature in black ink, appearing to read 'Meredith L. Coffman', with a long horizontal line extending to the right.

Meredith L. Coffman
Assistant Attorney General
Open Records Division

MLC/mo

Ref: ID# 810154

c: Requestor

¹ As our ruling is dispositive, we need not address your remaining arguments against disclosure of this information.