



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 29, 2020

Ms. Josi Diaz
Assistant City Attorney
City of Dallas
1400 South Lamar, 6th Floor, 6W
Dallas, Texas 75215

OR2020-02705

Dear Ms. Diaz:

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# 811882 (Reference No. D031418-102319).

The Dallas Police Department (the "department") received a request for a specified report involving a named individual. You claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim.

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. 2019-34840 (2019). In that ruling, we determined the department (1) must withhold the submitted accident report under section 552.101 of the Government Code in conjunction with section 550.065(b) of the Transportation Code, but must release the redacted accident report to the requestor pursuant to section 550.065(c-1) of the Transportation Code; (2) may withhold certain information under section 552.108(a)(1) of the Government Code on behalf of the Dallas County District Attorney's Office; (3) must withhold the submitted dates of birth of living individuals under section 552.101 of the Government Code in conjunction with common-law privacy; (4) must withhold certain motor vehicle record information under section 552.130 of the Government Code; and (5) must release the remaining information. You state the law, facts, or circumstances on which the prior ruling was based have not changed. Thus, the department must continue to rely on Open Records Letter No. 2019-34840 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 "Ashley Crutchfield". The signature is written in a cursive style with a large initial "A".

Ashley Crutchfield
Assistant Attorney General
Open Records Division

AC/be

Ref: ID# 811882

c: Requestor

¹ As our ruling is dispositive, we need not address your argument against disclosure.