



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 16, 2020

Mr. Nicholas Toulet  
Assistant City Attorney  
City of Midland  
P.O. Box 1152  
Midland, Texas 79702

OR2020-16190

Dear Mr. Toulet:

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# 832655 (ID# M029780-032620).

The City of Midland (the "city") received a request for basic information from police reports from all incidents occurring at two specified addresses during a certain time period. You claim the requested information is subject to a previous ruling by our office. Alternatively, you claim the requested information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the submitted arguments.

Initially, we note the requestor only seeks basic information. *See* Gov't Code 552.108(c). Accordingly, only basic information is responsive to the request. This ruling does not address the public availability of any information that is not responsive to the request, and the city is not required to release such information in response to this request.

You state, and we agree, the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2020-11110 (2020). In that ruling, we determined: (1) the city must withhold event ID# MP190308137 under section 552.101 of the Government Code in conjunction with section 261.201(a) of the Family Code; (2) the city may withhold the submitted names of individuals under section 552.101 of the Government Code in conjunction with the informer's privilege; and (3) the city must release the remaining information. We understand the law, facts, and circumstances on which the prior ruling was based have not

changed. Therefore, the city may continue to rely on Open Records Letter No. 2020-11110 as a previous determination and withhold or release the requested 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). As we are able to make this determination, we need not address your remaining arguments against disclosure of the requested information.

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,

Deborah Southerland  
Assistant Attorney General  
Open Records Division

DS/gw

Ref: ID# 832655

c: Requestor