



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 10, 2020

Mr. L. Brian Narvaez
Counsel for the City of McKinney
Brown & Hofmeister, L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081

OR2020-19844

Dear Mr. Narvaez:

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# 840275 (McKinney No. P015121).

The City of McKinney (the "city"), which you represent, received a request for a specified 9-1-1 call recording. You claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered your arguments.

You inform us the submitted information was the subject of previous requests for information, in response to which this office issued Open Records Letter Nos. 2020-05123 (2020) and 2020-15787 (2020). We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, the city may continue to rely on Open Records Letter Nos. 2020-05123 and 2020-15787 as previous determinations and withhold or release the submitted information in accordance with those rulings.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 prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

¹ As we are able to make this determination, we need not address your argument against disclosure of this 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,

Amy Shipp
Assistant Attorney General
Open Records Division

ALS/jxd

Ref: ID# 840275

c: Requestor