



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 4, 2020

Ms. Meagan T. Scott
Assistant District Attorney
Harris County District Attorney's Office
500 Jefferson, Suite 600
Houston, Texas 77002-1901

OR2020-22399

Dear Ms. Scott:

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# 842150 (Ref. Nos. 2020.05-0035 and 2020.06-0072).

The Harris County District Attorney's Office (the "district attorney's office") received two requests from the same requestor for information pertaining to a specified incident involving a named individual. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information, a portion of which consists of a representative sample.¹

You state the submitted information was the subject of a previous request for a ruling, in response to which this office issued Open Records Letter No. 2020-11411 (2020). In that ruling, we determined that, with the exception of basic information, which must be released, the district attorney's office may withhold certain information under section 552.108(a)(1) of the Government Code and certain information under section 552.108(a)(2) of the Government Code. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Thus, the district attorney's office may continue to rely on Open Records Letter No. 2020-11411 as a previous determination and withhold or release the requested information in accordance with that ruling.² *See* Open Records

¹ We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

² As we are able to make this determination, we need not address your remaining arguments against disclosure of the submitted information.

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).

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,

Blake Brennan
Assistant Attorney General
Open Records Division

BBX/jxd

Ref: ID# 842150

c: Requestor