



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 18, 2020

Mr. Albert DiMarco
Assistant General Counsel
Texas Department of Public Safety
PO Box 4087
Austin, Texas 78773-0001

OR2020-28924

Dear Mr. DiMarco:

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# 855435 (PIR# 20-2931).

The Texas Department of Public Safety (the "department") received a request for a specified incident report. You state the department has released basic information pursuant to section 552.108(c) of the Government Code. You claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim.

We note the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2020-18033 (2020). In Open Records Letter No. 2020-18033 we determined the department may withhold the information at issue under section 552.108 of the Government Code. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Accordingly, the department may continue to rely on Open Records Letter No. 2020-18033 as a previous determination and withhold the requested information in accordance with that ruling. *See* Open Records Decision No. 673 at 6-7 (2001) (discussing criteria for first type of previous determination).

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,

Kelly McWethy
Assistant Attorney General
Open Records Division

KM/be

Ref: ID# 855435

c: Requestor