



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 28, 2022

Mr. Joe Zapata  
Administrative Manager  
Houston Police Department  
1200 Travis, 10th Floor  
Houston, Texas 77002-6000

OR2022-08942

Dear Mr. Zapata:

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# 939669 (Ref. Nos. P023743-011422, P024061-012022, P024036-012022, R051162-011022, and R052452-012022).

The Houston Emergency Center and the Houston Police Department (collectively, the "city") received five requests from three requestors for information pertaining to a specified incident. The city claims the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the claimed exception.

The city states the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2022-04293 (2022). In that ruling, we determined the city may withhold the information it indicated under section 552.103 of the Government Code, and with the exception of the basic information, which must be released, the city may withhold the remaining information under section 552.108(a)(1) of the Government Code. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the city may rely on Open Records Letter No. 2022-04293 as a previous determination and withhold or release the requested information in accordance with that ruling.<sup>1</sup> 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

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<sup>1</sup> As we are able to make this determination, we need not address the city's argument against disclosure of the requested information.

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,

Katie Stallcup  
Assistant Attorney General  
Open Records Division

AKS/mo

Ref: ID# 939669

c: 3 Requestors