



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 17, 2022

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

OR2022-24571

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# 966316 (Ref. Nos. 22-1541 and 22-1858).

The Texas Department of Public Safety (the "department") received two requests from different requestors for information pertaining to a specified incident. 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 representative sample of information.¹

Initially, we note the requested information was the subject of a previous request for ruling, as a result of which this office issued Open Records Letter No. 2022-13670 (2022). In that ruling, we determined, with the exception of basic information, which must be released, the department may withhold the information at issue under section 552.108(a)(1) of the Government Code on behalf of another law enforcement agency. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Thus, the department may continue to rely on Open Records Letter No. 2022-13670 as a previous determination and withhold or release the information at issue in accordance with said

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.

ruling.² 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 a 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,

Chase D. Young
Assistant Attorney General
Open Records Division

CDY/mo

Ref: ID# 966316

Enc. Submitted documents

c: Requestor
(w/o enclosures)

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