



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 8, 2022

Ms. Cecilia Gamez  
Crime Records Bureau  
McAllen Police Department  
P.O. Box 220  
McAllen, Texas 78505

OR2022-38094

Dear Ms. Gamez:

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# 990909 (ORR# 76889).

The McAllen Police Department (the "department") received a request for case number 16-70396. The department claims the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions the department claims and reviewed the submitted information.

The department states the submitted information was the subject of previous requests for information, as a result of which this office issued Open Records Letter Nos. 2016-24143 (2016) and 2018-15234 (2018). In the prior rulings, we determined with the exception of the basic information, which must be released, the department may withhold the submitted information under section 552.108(a)(2) of the Government Code. The department informs us there has been no change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the department may rely on Open Records Letter Nos 2016-24143 and 2018-15234 as previous determination and withhold or release the information in accordance with those rulings. *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).

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,

Tim Neal  
Assistant Attorney General  
Open Records Division

TN/pt

Ref: ID# 990909

Enc. Submitted documents

c: Requestor  
(w/o enclosures)