



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 24, 2009

Mr. Richard J. Miller
Bell County Attorney
P.O. Box 1127
Belton, Texas 76513

OR2009-16738

Dear Mr. Miller:

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# 368886.

Bell County (the "county") received a request for information relating to the recent incident at Fort Hood. You claim that the submitted recordings of 911 calls are excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the information you submitted.

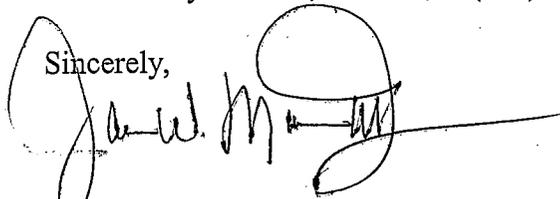
We note that the requested information was the subject of previous requests, as a result of which this office issued Open Records letter No. 2009-16425 (2009). In the previous ruling, we concluded that the county may withhold the responsive portion of the requested information under section 552.108(a)(1) of the Government Code and need not release the remaining information, which does not appear to be related to the Fort Hood incident and thus is not responsive to the previous requests. You do not indicate that there has been any change in the law, facts, and circumstances on which the previous ruling is based. We therefore conclude that the county may continue to rely on our ruling in Open Records Letter No. 2009-16425.¹ See Gov't Code § 552.301(a); Open Records Decision No. 673 at 6-7 (2001) (listing elements of first type of previous determination under Gov't Code § 552.301(a)).

¹As we are able to make this determination, we need not address your exceptions to 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 http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Morris, III", with a long horizontal line extending to the right.

James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/cc

Ref: ID# 368886

c: Requestor