



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 21, 2010

Mr. Robert E. Reyna
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

ATTORNEY GENERAL OF TEXAS

OR2010-09055

Dear Mr. Reyna:

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# 383467.

The San Antonio Police Department (the "department") received a request for all documents, photographs, and recordings related to incident number 90915428. You claim that 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 information.

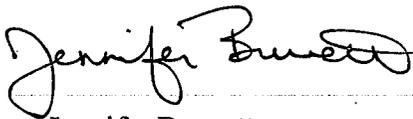
Initially, we note that the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2010-03535A (2010). In that decision, we ruled that the department must release the submitted crash reports, statutory warning, and notice of suspension. We further ruled that, with the exception of basic information, which must be released, the department may withhold some of the remaining information under section 552.108(a)(1) of the Government Code and must withhold other information under section 552.130 of the Government Code. As we have no indication that there has been any change in the law, facts, or circumstances on which the previous ruling was based, we conclude the department may continue to rely on Open Records Letter No. 2010-03535A as a previous determination and withhold or release the submitted information in accordance with that ruling. *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). As our ruling is dispositive, we need not address your argument against 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,



Jennifer Burnett
Assistant Attorney General
Open Records Division

JB/dls

Ref: ID# 383467

Enc. Submitted documents

c: Requestor
(w/o enclosures)