



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 5, 2011

Mr. Kenneth W. Findley
Assistant Chief of Police
Deer Park Police Department
2911 Center Street
Deer Park, Texas 77536-4942

OR2011-04677

Dear Mr. Findley:

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# 418095 (Request #66).

The Deer Park Police Department (the "department") received a request for information pertaining to a specified arrest. You claim that the requested information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You inform us the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2011-02772 (2011). In that ruling, we concluded the department must withhold the requested information under section 552.101 of the Government Code in conjunction with section 261.201 of the Family Code. You do not indicate there has been any change in the law, facts, and circumstances on which the previous ruling is based. We therefore conclude the department must rely on Open Records Letter No. 2011-02772 as a previous determination and dispose of the submitted information in accordance with that ruling.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 do not address your other arguments 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,



Paige Lay
Assistant Attorney General
Open Records Division

PL/eeg

Ref: ID# 418095

Enc. Submitted documents

cc: Requestor
(w/o enclosures)