



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

July 5, 2011

Ms. YuShan Chang  
Assistant City Attorney  
City of Houston  
P.O. Box 368  
Houston, Texas 77001-0368

OR2011-09419

Dear Ms. Chang:

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# 422602 (GC No. 18490).

The City of Houston (the "city") received a request for "the policies and procedures used by the Office of the Inspector General to perform investigations under the auspices of Executive Order 1-39." You state you will release some information to the requestor. You claim some of the submitted information is excepted from disclosure pursuant to section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You inform us the submitted information was subject to a previous request for information, in response to which this office issued Open Records Letter No. 2009-05998 (2009). In that decision, we ruled the city's police department may withhold portions of the Standard Operating Procedures for the Office of the Inspector General under section 552.108(b)(1) of the Government Code and must release the remaining information. As we have no indication that the law, facts, or circumstances on which the prior ruling was based have changed, the city may continue to rely on that ruling as a previous determination and continue to treat any previously ruled upon information in accordance with that prior 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 we are able to make this determination, we do 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](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# 422602

Enc. Submitted documents

c: Requestor  
(w/o enclosures)