



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 8, 2012

Ms. Angela Hahn
Records Coordinator
City of Brenham
P.O. Box 1059
Brenham, Texas 77834-1059

OR2012-01977

Dear Ms. Hahn:

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# 448809.

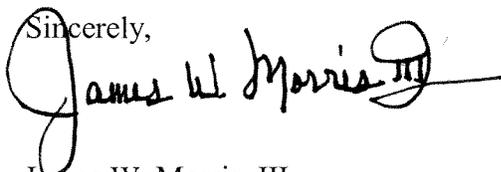
The Brenham Police Department (the "department") received a request for information related to a fatal traffic accident. You claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the information you submitted.

We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2011-13728 (2011). In that ruling, we concluded the department must release the CR-3 accident report pursuant to section 550.065(c)(4) of the Transportation Code and may withhold the remaining information under section 552.108(a)(1) of the Government Code, except for basic information under section 552.108(c), which must be released. There is no indication of any change in the law, facts, and circumstances on which the previous ruling is based. We therefore conclude the department must release or withhold the submitted information in accordance with Open Records Letter No. 2011-13728.¹ See 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 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,


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

JWM/em

Ref: ID# 448809

Enc: Submitted information

c: Requestor
(w/o enclosures)