



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 25, 2012

Mr. Scott A. Durfee
Assistant General Counsel
Office of the District Attorney
Harris County
1201 Franklin, Suite 600
Houston, Texas 77002

OR2012-05859

Dear Mr. Durfee:

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# 451790.

The Harris County District Attorney's Office (the "district attorney's office") received a request for (1) information pertaining to any investigation of a grand jury ordered by the district attorney's office, and (2) payment information related to the purchase of Accurint services by the district attorney's office.¹ You state that all responsive information related to item two of the request has been produced. 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.

We note the submitted information was previously the subject of a request for information from the district attorney's office, in response to which this office issued Open Records Letter No. 2012-05815 (2012). In the previous ruling, we concluded that the district attorney's office may withhold information pertaining to any investigation of members of a specified grand jury under section 552.108(a)(2) of the Government Code. As you do not

¹You state the district attorney's office received clarification from the requestor regarding the request. See Gov't Code § 552.222 (providing that if request for information is unclear, governmental body may ask requestor to clarify request).

indicate there has been any change in the law, facts, and circumstances on which the previous ruling is based, we conclude the district attorney's office must withhold the submitted information on the basis of Open Records Letter No. 2012-05815. *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)).

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,



Cindy Nettles
Assistant Attorney General
Open Records Division

CN/dls

Ref: ID# 451790

Enc. Submitted documents

c: Requestor
(w/o enclosures)