



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 22, 2012

Mr. Hyatte O. Simmons
General Counsel
Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-0163

OR2012-09660

Dear Mr. Simmons:

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# 456862 (DART ORR 8944 and 8969).

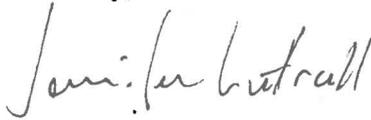
Dallas Area Rapid Transit ("DART") received two requests from different requestors for a specified surveillance video related to the homicide of a named individual. You claim the submitted information is excepted from disclosure pursuant to section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You inform us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2012-02136 (2012). In that ruling, we concluded DART must withhold the information at issue under section 552.101 of the Government Code in conjunction with section 58.007 of the Family Code. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, DART must continue to rely on Open Records Letter No. 2012-02136 as a previous determination and withhold 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).

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 Luttrall
Assistant Attorney General
Open Records Division

JL/som

Ref: ID# 456862

Enc. Submitted documents

c: 2 Requestors
(w/o enclosures)