



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 12, 2012

Mr. Stephen A. Cumbie  
Assistant City Attorney  
City of Fort Worth  
1000 Throckmorton Street, 3rd Floor  
Fort Worth, Texas 76102

OR2012-19975

Dear Mr. Cumbie:

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# 473665 (City Request Nos. W020268 and W0020330).

The City of Fort Worth and the Fort Worth Police Department (collectively, the "city") received two requests from different requestors for information pertaining to a specified incident involving two named individuals. You claim the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information. We have also received and considered comments from the second requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released).

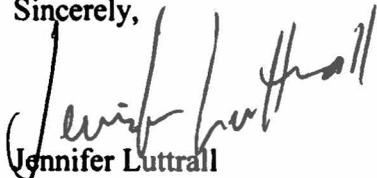
We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2011-15417 (2011). In that ruling, we determined the city must withhold the requested information in its entirety under section 552.101 of the Government Code in conjunction with common-law privacy because the information pertained to a sexual assault investigation and the requestor knew the identity of the victim. In this instance, both requestors know the identity of the victim of sexual assault. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the city must continue to rely on Open Records Letter No. 2011-15417 as a previous determination and withhold the submitted information, in its entirety, 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). 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 Luttrall  
Assistant Attorney General  
Open Records Division

JL/som

Ref: ID# 473665

Enc. Submitted documents

c: Requestor  
(w/o enclosures)