



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

September 16, 2013

Sgt. Michael Munson  
Custodian of Records  
Webster Police Department  
217 Pennsylvania Avenue  
Webster, Texas 77598

OR2013-16038

Dear Sgt. Munson:

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# 499604.

The Webster Police Department (the "department") received a request for a specified investigation file, including a recording of the interview with the complainant. You claim 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.

You state the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2013-01620 (2013). In Open Records Letter No. 2013-01620, we determined the department may withhold the requested investigation file under section 552.108(a)(1) of the Government Code, but must release basic information pursuant to section 552.108(c). We have no indication there has been any change in the law, facts, or circumstances on which the prior ruling was based. Accordingly, we conclude the department may rely on Open Records Letter No. 2013-01620 as a previous determination and withhold or release 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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Neal', written in a cursive style.

Tim Neal  
Assistant Attorney General  
Open Records Division

TN/dls

Ref: ID# 499604

Enc. Submitted documents

c: Requestor  
(w/o enclosures)