



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 12, 2014

Ms. Nan Rodriguez
Deputy City Attorney
City of Temple
2 North Main, Suite 308
Temple, Texas 76501

OR2014-02673

Dear Ms. Rodriguez:

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# 513720.

The City of Temple (the "city") received a request for transcripts and audio recordings of all internal affairs investigations involving four named officers. You claim the requested information is excepted from disclosure under sections 552.101, 552.103, and 552.108 of the Government Code, and subject to a previous determination of this office. We have considered your submitted arguments.

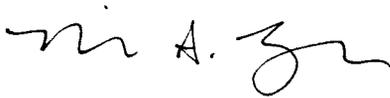
You inform us the requested information is the subject of a previous ruling issued by this office. In Open Records Letter No. 2013-11736 (2013), this office determined, in part, the city must withhold certain information under section 552.101 of the Government Code in conjunction with section 143.089(g) of the Local Government Code. We have no indication the law, facts, and circumstances upon which the previous ruling was based have not changed. Therefore, we agree the city must continue to rely on our ruling in Open Records Letter No. 2013-11736 as a previous determination and withhold the requested 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). As our

ruling is dispositive for the requested information, we need not consider your remaining 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.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 "N. A. Ybarra". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Nicholas A. Ybarra
Assistant Attorney General
Open Records Division

NAY/ac

Ref: ID# 513720

c: Requestor