



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 9, 2014

Mr. Brandon S. Shelby
City Attorney
City of Sherman
P.O. Box 1106
Sherman, Texas 75091

OR2014-18127

Dear Mr. Shelby:

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# 539522 (Sherman Ref. No. OR-1542, SPD# 113).

The Sherman Police Department (the "department") received a request for a specified police report.¹ The department states it will release some of the requested information. The department claims the submitted information is excepted from disclosure under sections 552.130 and 552.148 of the Government Code. We have considered the exceptions the department claims and reviewed the submitted information.

The department states the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2014-12515 (2014). In Open Records Letter No. 2014-12515, we determined the department must withhold the information at issue under section 552.101 of the Government Code in conjunction with section 58.007 of the Family Code. We have no indication the law, facts,

¹We note the department sought and received clarification of the information requested. See Gov't Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); see also *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or over-broad request for public information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

or circumstances on which the prior ruling was based have changed. Accordingly, the department must continue to rely on Open Records Letter No. 2014-12515 as a previous determination and withhold the submitted information in accordance with that ruling. *See* Open Records Decision No. 673 at 6-7 (2001) (discussing criteria for first type of previous determination).

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,



David L. Wheelus
Assistant Attorney General
Open Records Division

DLW/bhf

Ref: ID# 539522

Enc. Submitted documents

c: Requestor
(w/o enclosures)