



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

February 12, 2016

Mr. Vance Hinds  
Assistant County & District Attorney  
Ellis County Sheriff's Office  
109 South Jackson Street  
Waxahachie, Texas 75165

OR2016-03467

Dear Mr. Hinds:

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# 598487.

The Ellis County Sheriff's Office (the "sheriff's office") received a request for all policies regarding the use of physical or deadly force. You claim portions of the submitted information are 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 a ruling, as a result of which this office issued Open Records Letter No. 2015-01213 (2015). In that ruling, we determined the sheriff's office may withhold certain information under section 552.108(b)(1) of the Government Code and must release the remaining information. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Thus, the sheriff's office may continue to rely on Open Records Letter No. 2015-01213 as a previous determination and withhold or release the information previously ruled on in accordance with that ruling.<sup>1</sup> *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 a prior attorney general ruling, ruling is

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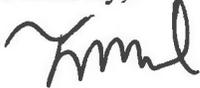
<sup>1</sup>As our ruling is dispositive, we need not address your argument against disclosure.

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/bhf

Ref: ID# 598487

Enc. Submitted documents

c: Requestor  
(w/o enclosures)