



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 20, 2016

Ms. Albesa Elias Calles
Custodian of Records
Records Division
Brownsville Police Department
600 East Jackson Street
Brownsville, Texas 78520

OR2016-23592

Dear Ms. Calles:

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# 637266.

The Brownsville Police Department (the "department") received a request for information pertaining to a specified incident. You claim the requested 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.

We note the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2016-21438 (2016). In Open Records Letter No. 2016-21438, we noted that the department had released some information and concluded that the department must withhold the accident report at issue under section 552.101 of the Government Code in conjunction with section 550.065(b) of the Transportation Code; the department must release the redacted accident report pursuant to section 550.065(c-1) of the Transportation Code; and, with the exception of basic information, the department may withhold the remaining information under section 552.108(a)(1). As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, we conclude the department must continue to rely on Open Records Letter No. 2016-21438 as a previous determination and withhold or release

the requested information in accordance with that ruling.¹ 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 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, 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,



Jesse Harvey
Assistant Attorney General
Open Records Division

JH/bw

Ref: ID# 637266

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As we are able to make this determination, we need not address your arguments against disclosure.