



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 8, 2009

Ms. Susan Camp-Lee
Sheets & Crossfield, P.C.
309 East Main Street
Round Rock, Texas 78664-5246

OR2009-04641

Dear Ms. Camp-Lee:

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# 339446.

The City of Elgin Police Department (the "city"), which you represent, received a request for complaints filed from 2007 to the present. You state you are releasing some of the information to the requestor. You claim that the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note that the submitted information was the subject of two previous requests received by the city, as a result of which this office issued Open Records Letter Nos. 2009-03302 (2009) and 2009-03462 (2009). You do not indicate that there has been any change in the law, facts, or circumstances on which the previous rulings were based. We therefore conclude that the city must release or withhold the submitted information in accordance with Open Records Letter Nos. 2009-03302 and 2009-03462.¹ See Open Records Decision No. 673 (2001) (determining that governmental body may rely on previous determination when records or information at issue are precisely same records or information that were previously submitted to this office pursuant to section 552.301(e)(1)(D); governmental body which received request for records or information is same governmental body that previously requested and received ruling from attorney general; prior ruling concluded that precise

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

records or information are or are not excepted from disclosure under Act; and law, facts, and circumstances on which prior ruling was based have not changed since issuance of ruling).

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.oag.state.tx.us/open/index_orl.php, 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 must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'CS', with a long, sweeping horizontal line extending to the right.

Chris Schulz
Assistant Attorney General
Open Records Division

CS/cc

Ref: ID# 339446

Enc. Submitted documents

cc: Requestor
(w/o enclosures)