



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 10, 2009

Ms. Cecilia Gamez, C.S.S. – C.L.  
Crime Records Bureau  
City of McAllen  
P.O. Box 200  
McAllen, Texas 78501

OR2009-11123

Dear Ms. Gamez:

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# 351649.

The McAllen Police Department (the “department”) received a request for police report no. 2008-100419. You state you have released some information to the requestor. You claim that the submitted 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.

Initially, we note that this office has previously ruled upon the submitted information in Open Records Letter No. 2008-14982 (2008). In that ruling, this office concluded that with the exception of basic information, the department may withhold police report no. 2008-100419. As we have no indication that the law, facts, and circumstances on which this prior ruling was based have changed, you must continue to rely on this prior ruling as a previous determination and withhold the information requested in this instance that was previously ruled upon in that decision. *See* Open Records Decision No. 673 (2001) (so long as law, facts, 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).

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](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,



Nneka Kanu  
Assistant Attorney General  
Open Records Division

NK/sdk

Ref: ID# 351649

cc: Requestor