



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 7, 2014

Mr. John K. McKinney, Jr.
Assistant County Attorney
County of Montgomery
501 North Thompson, Suite 102
Conroe, Texas 77301

OR2014-07709

Dear Mr. McKinney:

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# 522205 (Montgomery County ORR# 14PIA0085).

The Montgomery County Sheriff's Office (the "sheriff's office") received a request for twenty-four categories of information pertaining to a specified incident, including the incident report and supporting documentation, audio, and video. You state the sheriff's office has released some information to the requestor. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

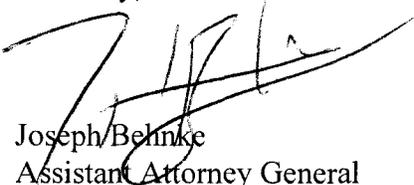
We note the requested information was the subject of a previous request for a ruling, in response to which this office issued Open Records Letter No. 2014-02638 (2014). In this prior ruling, we concluded that the sheriff's office: (1) must release the CR-3 accident report form in its entirety pursuant to section 550.065(c) of the Transportation Code; (2) with the exception of basic information and the DIC-24 statutory warning and DIC-25 notice of suspension, may withhold the remaining information under section 552.108(a)(1) of the Government Code; (3) must withhold the information we marked subject to section 552.130 of the Government Code; and (4) must release the remaining information. As we have no indication that there has been any change in the law, facts, or circumstances on which the previous ruling was based, we conclude the sheriff's office must rely on Open Records Letter No. 2014-02638 as a previous determination and withhold or release the requested

information in accordance with it.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 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, 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,



Joseph Belinke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 522205

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address your arguments against disclosure.