



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 31, 2015

Ms. Kristen N. Lee
Assistant County Attorney
Harris County
1019 Congress Street, 15th Floor
Houston, Texas 77002

OR2015-15674

Dear Ms. 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# 573653 (C.A. File No. 15PIA0207).

The Harris County Constable Precinct One (the "constable's office") received a request for information pertaining to two named deputies and one named sergeant, including training records, complaints, and personnel records. 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 two previous requests for information, in response to which this office issued Open Records Letter Nos. 2015-02602 (2015) and 2015-01258 (2015). In Open Records Letter No. 2015-02602, we concluded, in part, the constable's office is not required to release the submitted commission identification numbers, but must (1) withhold the information we have marked under section 552.101 of the Government Code in conjunction with common-law privacy; (2) withhold the information we have marked under section 552.117(a)(2) of the Government Code; however, the constable's office may only withhold the cellular telephone number marked on that ground if the cellular telephone service was not provided to the officer at public expense; (3) withhold the information we have marked under sections 552.102(a), 552.130, and 552.137 of the Government Code; and (4) release the remaining responsive information. In Open Records Letter No. 2015-01258, we determined the constable's office may withhold

the requested information under section 552.108(a)(1) of the Government Code. We have no indication the law, facts, and circumstances on which the prior rulings were based have changed. Accordingly, the constable's office must continue to rely on Open Records Letter Nos. 2015-02602 and 2015-01258 as previous determinations and withhold or release the submitted information in accordance with those rulings.¹ As we reach this conclusion, we do not address your arguments against 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,



Cindy Nettles
Assistant Attorney General
Open Records Division

CN/dls

Ref: ID# 573653

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹See 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).