



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 2, 2016

Mr. Omar De La Rosa
Assistant City Attorney
City of El Paso
P. O. Box 1890
El Paso, Texas 79950-1890

OR2016-02538

Dear Mr. De La Rosa:

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# 601819 (El Paso Reference # 16-1026-6978).

The El Paso Police Department (the "department") received a request for Case Number 15-332165. You claim the requested information is excepted from disclosure under sections 552.101 through 552.151 of the Government Code. We have considered the exceptions you claim.

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. 2016-01374 (2016). In Open Records Letter No. 2016-01374, we noted that the department was releasing some information and concluded that in accordance with section 552.108(a)(1) you may withhold the remaining submitted information. However, you must release the basic information pursuant to section 552.108(c) of the Government Code. Finally, for any living persons' dates of birth contained in the information being released, you must withhold them pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. There is no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, we conclude the department must continue to rely on Open Records Letter No. 2015-11832 as a previous determination and withhold or release the identical information in accordance with that ruling. *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,

A handwritten signature in black ink, appearing to read 'Jesse Harvey', with a long horizontal flourish extending to the right.

Jesse Harvey
Assistant Attorney General
Open Records Division

JH/eb

Ref: ID# 601819

c: Requestor