



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 10, 2016

Mr. Quentin D. Price
First Assistant City Attorney
City of Beaumont
P.O. Box 3827
Beaumont, Texas 77704-3827

OR2016-05608

Dear Mr. Price:

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# 607534 (Beaumont PIA No. 02-23).

The City of Beaumont (the "city") received a request for information pertaining to a specified incident. You claim the submitted information is exempted from disclosure under sections 552.101 and 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

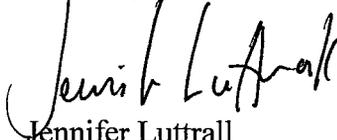
You inform us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2016-02559 (2016). In that ruling, we concluded the city must withhold the information at issue under section 552.101 of the Government Code in conjunction with section 143.089(g) of the Local Government Code. However, to the extent a certain incident report is maintained outside the internal investigation file, the city must: (1) withhold certain information under section 552.1175 of the Government Code; (2) withhold the dates of birth of identified individuals under section 552.101 of the Government Code in conjunction with common-law privacy; (3) withhold certain information under section 552.130 of the Government Code; and (4) release the remaining information. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the city must continue to rely on Open Records Letter No. 2016-02559 as a previous determination and withhold or release the submitted 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 that information is or is not excepted from disclosure). As we are able to make this determination, we need 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,



Jennifer Luttrall
Assistant Attorney General
Open Records Division

JL/akg

Ref: ID# 607534

Enc. Submitted documents

c: Requestor
(w/o enclosures)