



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 26, 2016

Ms. Yvette Aguilar
Assistant City Attorney
Legal Department
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR2016-09416

Dear Ms. Aguilar:

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# 607894 (CCPD Reference No. LNex33).

The Corpus Christi Police Department (the "department") received a request for information pertaining to a specified incident. You state the department will redact dates of birth of living persons pursuant to the previous determination issued to the department in Open Records Letter No. 2016-00831 (2016).¹ You claim the submitted information is excepted from disclosure under sections 552.108 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2016-04115 (2016). In Open Records Letter No. 2016-04115, we determined the department may withhold the marked information under section 552.108(a)(1) of the Government Code, must withhold the marked information under section 552.130 of the Government Code, and must release the remaining

¹Open Records Letter No. 2016-00831 is a previous determination authorizing the department to withhold the dates of birth of public citizens under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a decision from this office. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code).

information. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Accordingly, the department must continue to rely on Open Records Letter No. 2016-04115 as a previous determination and withhold or release the identical information in accordance with that ruling.² See ORD 673 at 6-7.

You ask this office to issue a previous determination permitting the department to withhold information subject to section 552.108(a)(1) of the Government Code without the necessity of requesting an attorney general opinion. See Gov't Code § 552.301(a); ORD 673. Please note the department may withhold certain information under section 552.108(a)(1) of the Government Code without the necessity of requesting a ruling from this office in certain circumstances pursuant to Open Records Letter No. 2016-06957 (2016).

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,



Cristian Rosas-Grillet
Assistant Attorney General
Open Records Division

CRG/bw

Ref: ID# 607894

Enc. Submitted documents

c: Requestor
(w/o enclosures)

²As we are able to make this determination, we need not address your arguments against disclosure of this information.