



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 29, 2016

Ms. Dawn Roberts
Assistant City Attorney
Arlington Police Department
P.O. Box 1065
Arlington, Texas 76004-1065

OR2016-14838

Dear Ms. Roberts:

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# 617631 (Police Dept. Reference No. 26690).

The Arlington Police Department (the "department") received a request for three specified police reports. You claim the submitted 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.

Initially, we note the submitted information was the subject of a previous request for information from the same requestor, as a result of which this office issued Open Records Letter No. 2016-01615 (2016). In that ruling we determined if any of the criteria of subsection 411.122(a)(1)–(3) of the Government Code were met, then the department must make available to the requestor criminal history record information ("CHRI") under section 411.087 of the Government Code and, with the exception of basic information, which must be released, may withhold the remaining information under section 552.108(a)(1) of the Government Code. However, if the individual at issue did not meet any of the criteria of subsection 411.122(a)(1)–(3), then, with the exception of basic information, which must be released, the department may withhold the submitted information under section 552.108(a)(1) of the Government Code. We understand there has been no change in the law, facts, or circumstances on which the prior ruling was based. Thus, the department may continue to rely on Open Records Letter No. 2016-01615 as a previous determination

and withhold or release the information at issue 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 a 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 submitted arguments.

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,



Tim Neal
Assistant Attorney General
Open Records Division

TN/bw

Ref: ID# 617631

Enc. Submitted documents

Requestor
(w/o enclosures)