



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 6, 2016

Ms. Ileana Fernandez
Assistant City Attorney
City of Mesquite
P.O. Box 850137
Mesquite, Texas 75185-0137

OR2016-19983

Dear Ms. Graham:

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# 625611.

The Mesquite Police Department (the "department") received a request for a specified call sheet. The department released information responsive to the request but made redactions, in part, as permitted by section 552.130 of the Government Code without requesting a decision from this office.¹ Gov't Code § 552.130(c). Pursuant to section 552.130(d), the requestor has asked this office to review the information and render a decision as to whether

¹The department also made redactions pursuant to Open Records Letter Nos. 2011-15075 (2011), 2011-15761 (2011), 2012-01375 (2012), 2012-06459 (2012), and 2015-24970 (2015). Open Records Letter Nos. 2011-15075 and 2011-15761 are previous determinations that authorize the department to withhold the originating telephone numbers and addresses, respectively, of 9-1-1 callers furnished to the department by a service supplier established in accordance with chapter 772 of the Health and Safety Code under section 552.101 of the Government Code in conjunction with section 772.118 of the Health and Safety Code without requesting a decision from this office. Open Records Letter No. 2012-01375 is a previous determination that authorizes the department to withhold information in a call sheet that reveals the existence of a motor vehicle lien under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a decision from this office. Open Records Letter No. 2012-06459 is a previous determination that authorizes the department to withhold the price of a motor vehicle in a call sheet under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a decision from this office. Open Records Letter No. 2015-24970 is a previous determination that authorizes 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.

it is excepted from disclosure under section 552.130(a). *See id.* § 552.130(c)–(e). We have considered the department's position and reviewed the information.

Upon review, we have determined the information at issue was the subject of a previous request for information submitted to the department, in response to which this office issued Open Records Letter No. 2016-12999 (2016). That ruling authorizes the department to withhold information under section 552.101 of the Government Code in conjunction with common-law privacy and under section 552.130 of the Government Code. We have no indication of a change in the law, facts, or circumstances on which that ruling was based. *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). Accordingly, the department must continue to rely on that ruling as a previous determination for the information at issue and withhold or release the information in accordance with that ruling.

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,



Neal Falgoust
Assistant Attorney General
Open Records Division

NF/bhf

Ref: ID# 625611

Enc. Submitted documents

c: Requestor
(w/o enclosures)