



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 8, 2016

Ms. Linda Pemberton
Paralegal
Office of the City Attorney
City of Killeen
P.O. Box 1329
Killeen, Texas 76540-1329

OR2016-20289

Dear Ms. Pemberton:

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# 630559 (ORR# W019841).

The Killeen Police Department (the "department") received a request for information related to a specified accident. You state the department has released some of the requested information, including the redacted police officer's crash report pursuant to section 550.065(c-1) of the Transportation Code and the basic information pertaining to the requested report. *See* Transp. Code § 550.065(c-1) (providing for release redacted of accident report to person or entity not listed under section 550.065(c)); Gov't Code § 552.108(c) (basic information about an arrest, arrested person, or crime cannot be withheld under section 552.108). You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code.¹ We have also received comments from the requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have considered the submitted arguments and reviewed the submitted information.

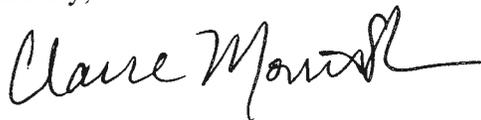
¹In correspondence to this office, the requestor states he withdraws the portion of his request seeking the unredacted CR-3 police officer's crash report. Thus, we do not address your argument against disclosure of this information.

You state the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2016-16270 (2016). In that ruling, we determined with the exception of the basic information, the department may withhold the information at issue under section 552.108(a)(2) of the Government Code. You inform us there has been no change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the department may rely on Open Records Letter No. 2016-16270 as a previous determination and withhold or release the 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).

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,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/som

Ref: ID# 630559

Enc. Submitted documents

c: Requestor
(w/o enclosures)