



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 20, 2016

Ms. Michelle Buendia  
Assistant City Attorney  
Criminal Law and Police Section  
City of Dallas  
1400 South Lamar Street  
Dallas, Texas 75215

OR2016-28118

Dear Ms. Buendia:

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# 639177 (Ref. No. 2016-22107).

The Dallas Police Department (the "department") received a request for information pertaining to ammunition used by department officers. You claim the submitted information is excepted from disclosure under section 552.152 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.

Section 552.152 of the Government Code provides,

Information in the custody of a governmental body that relates to an employee or officer of the governmental body is excepted from [required public disclosure] if, under the specific circumstances pertaining to the employee or officer, disclosure of the information would subject the employee or officer to a substantial threat of physical harm.

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<sup>1</sup>Although you also raise section 552.101 of the Government Code in conjunction with section 552.152 of the Government Code, this office has concluded section 552.101 does not encompass other exceptions found in the Act. See Open Records Decision No. 676 at 1-2 (2002).

Gov't Code § 552.152. You assert the release of the submitted information would subject department officers to a substantial threat of physical harm. You state release of this information would allow others to determine officers' vulnerabilities and affect their ability to protect themselves and the public. Upon review, we find the department has demonstrated release of some of the information at issue would subject department officers to a substantial threat of bodily harm. Accordingly, the department must withhold the information we have marked under section 552.152 of the Government Code. However, we find you have not demonstrated the release of any of the remaining information would subject a department employee to a substantial threat of physical harm. Thus, the department may not withhold any of the remaining information under section 552.152 of the Government Code. The department must release the remaining information.

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](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,



Meredith L. Coffman  
Assistant Attorney General  
Open Records Division

MLC/bw

Ref: ID# 639177

Enc. Submitted documents

c: Requestor  
(w/o enclosures)