



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 4, 2019

Ms. Jo Ann Pate
Assistant City Attorney
City of Fort Worth
200 Texas Street, 3rd Floor
Fort Worth, Texas 76102-6311

OR2019-27922

Dear Ms. Pate:

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# 793393 (ORR# W089317).

The Fort Worth Police Department (the "department") received a request for specified warrants and incident reports. The department states it has released some of the requested information, but claims some of the submitted information is excepted from disclosure under section 552.152 of the Government Code. We have considered the claimed exception and reviewed the submitted representative sample of information.¹

Section 552.152 of the Government Code provides the following:

Information in the custody of a governmental body that relates to an employee or officer of the governmental body is excepted from the requirements of Section 552.021 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.

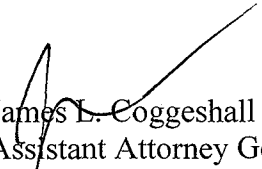
¹We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

Gov't Code § 552.152. The department represents release of some of the information at issue, including the submitted names and identification numbers of undercover officers, would subject the officers to a substantial threat of physical harm. Upon review, we find the department has demonstrated release of the information at issue would subject the officers to a substantial threat of physical harm. Therefore, the department must withhold the submitted names and identification numbers of undercover officers it has marked under section 552.152 of the Government Code. However, the department has not established any of the remaining information is confidential on that ground. Therefore, 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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/gw

Ref: ID# 793393

Enc. Submitted documents

c: Requestor
(w/o enclosures)