



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

November 6, 2019

Mr. Jeffrey C. Monk, DBA  
Administration Manager  
City of Houston  
1200 Travis, 10th Floor  
Houston, Texas 77002

OR2019-31290

Dear Mr. Monk:

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# 798971 (ORU# 19-10234).

The Houston Police Department (the "department") received a request for information related to named officers and a specified unit. You claim the submitted information is excepted from disclosure under section 552.152 of the Government Code. 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.

Gov't Code § 552.152. You state release of the submitted information would identify undercover officers. You represent the release of the undercover officers' identities would subject the officers to a substantial threat of physical harm. Therefore, we find section 552.152 is applicable to the identities of the undercover officers within the information at issue. Accordingly, the department must withhold the names of the undercover officers, which we have marked and indicated, under section 552.152 of the Government Code.

However, we find you have not demonstrated the release of the remaining information would subject an employee of the department to a substantial threat of physical harm. Thus, the department may not withhold the remaining information under section 552.152 of the Government Code. As you raise no further exceptions to disclosure, 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,



Tim Neal  
Assistant Attorney General  
Open Records Division

TN/mo

Ref: ID# 798971

Enc. Submitted documents

c: Requestor  
(w/o enclosures)