



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 17, 2019

Ms. Rita Monterrosa
Litigation Paralegal
City of Abilene
P.O. Box 60
Abilene, Texas 79604-0060

OR2019-35612

Dear Ms. Monterrosa:

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# 802005 (ORR# 19-648).

The City of Abilene (the "city") received a request for information pertaining to Abilene Police Department (the "department") employees, joint intelligence bulletins, and the bidder registration list for recent department impound auctions. We understand you have released some information. You claim some of 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 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.

Gov't Code § 552.152. The city states release of the submitted information that identifies undercover officers would subject the officers to a substantial threat of physical harm. Upon review, we find the city has demonstrated release of the information at issue would subject the officers to a substantial threat of physical harm. Therefore, the city must

withhold the identifying information of the undercover officers the city indicated under section 552.152 of the Government Code. The city 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,

A handwritten signature in black ink, appearing to read "D. Michelle Case", followed by a horizontal line.

D. Michelle Case
Assistant Attorney General
Open Records Division

DMC/jxd

Ref: ID# 802005

Enc. Submitted documents

c: Requestor
(w/o enclosures)