



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 15, 2020

Mr. Trenton M. Dietz
Assistant City Attorney
City of Abilene
P.O. Box 60
Abilene, Texas 79604-0060

OR2020-23274

Dear Mr. Dietz:

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# 845877 (ORR# 20-1387).

The City of Abilene (the "city") received a request for a list of all officers of the city's police department and their salary information. The city claims the submitted information is excepted from disclosure under section 552.152 of the Government Code. We have considered the exception the city claims and reviewed the submitted information.

The city seeks to withhold the identifying information of police officers, including undercover officers, under section 552.152 of the Government Code. Section 552.152 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. The city represents the release of the officers' identities would subject the officers to a substantial threat of physical harm. Upon review, we find section 552.152 is applicable to the identities of the undercover officers within the submitted information. Accordingly, the city must withhold the names of the undercover officers, which it noted, under section 552.152 of the Government Code. However, we find the city has not demonstrated the release of any of the remaining information would subject

an employee of the city to a substantial threat of physical harm. Thus, the city may not withhold any of the remaining information 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,

Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/jxd

Ref: ID# 845877

Enc. Submitted documents

c: Requestor
(w/o enclosures)