



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

July 18, 2022

Ms. Jessica N. Morrison  
Assistant District Attorney  
Williamson County  
405 Martin Luther King Street, Box 7  
Georgetown, Texas 78626

OR2022-20791

Dear Ms. Morrison:

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# 960022 (Reference No. 2022-356-PIA).

Williamson County (the "county") received a request for (1) the names, titles, salaries, and duration of employment for all current county employees and officers; (2) the county's employee handbook; (3) a copy of the county's complaint form and information regarding the policies and procedures on processing the complaint; and (4) the policies, procedures, and general orders of the county's sheriff's office. You state the county has released some responsive information. You also state the county does not maintain some of the requested information or that some of the requested information does not exist.<sup>1</sup> You claim portions of the submitted information are excepted from disclosure under section 552.152 of the Government Code. We have considered the claimed exception 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 the

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<sup>1</sup> The Act does not require a governmental body to create or release information that did not exist when a request for information was received. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266, 267-68 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision No. 452 at 3 (1986).

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. You represent release of the information that identifies undercover officers would subject the officers to a substantial threat of physical harm. Upon review, we find you have demonstrated release of some of the information at issue would subject the officers to a substantial threat of physical harm. Accordingly, with the exception of the information we indicated for release, the county must withhold the information you marked under section 552.152 of the Government Code. However, we find you have failed to demonstrate the release of the information we indicated for release would subject an employee or officer to a substantial risk of physical harm. Therefore, the county may not withhold the information we indicated under section 552.152. The county 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 M. Graham  
Assistant Attorney General  
Open Records Division

JMG/mo

Ref: ID# 960022

Enc. Submitted documents

c: Requestor  
(w/o enclosures)