



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 24, 2009

Mr. C. Patrick Phillips
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street, 3rd Floor
Fort Worth, Texas 76102

OR2009-13494

Dear Mr. Phillips:

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# 356744 (City of Fort Worth PIR No. 4594-09).

The City of Fort Worth (the "city") received a request for a specified offense report. You state you have redacted Texas-issued motor vehicle record information pertaining to individuals other than that of the requestor pursuant to the previous determinations issued to the city in Open Records Letter Nos. 2007-00198 (2007) and 2006-14726 (2006). *See* Gov't Code § 552.301(a); Open Records Decision No. 673 at 7-8 (2001). You claim portions of the submitted information are excepted from disclosure under section 552.151 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.151 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 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.

Act of June 3, 2009, 81st Leg., R.S., ch. 283, § 4, 2009 Tex. Sess. Law Serv.741, 742-43 (Vernon) (to be codified at Gov't Code § 552.151). In this instance, you explain the release of the undercover officer's name and identification number would likely cause the officer to face a substantial threat of physical harm. Based on your representations and our review, we find the city has demonstrated that section 552.151 is applicable to the information at issue. Accordingly, the city must withhold the name and identification number you have highlighted under section 552.151 of the Government Code. The remaining information must be released.

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 http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Christina Alvarado
Assistant Attorney General
Open Records Division

CA/rl

Ref: ID# 356744

Enc. Submitted documents

cc: Requestor
(w/o enclosures)
