



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 26, 2010

Mr. Robert E. Reyna
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

OR2010-11123

Dear Mr. Reyna:

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# 387941 (COSA File No. 2010-5747).

The San Antonio Police Department (the "department") received a request for information pertaining to a specified incident. You claim that portions of the submitted information are excepted from disclosure under section 552.108 of the Government Code. We also understand you to raise section 552.151 of the Government Code as an exception to disclosure. We have considered your arguments and reviewed the submitted information.

Based on the substance of your arguments, we understand you to raise section 552.151 of the Government Code for portions of the submitted information. Section 552.151 of the Government Code provides as follows:

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 § 552.151. You state the names and identification numbers you have marked in the submitted information identify undercover officers. You assert that releasing the

identifying information of the undercover officers at issue would jeopardize their safety. Based on your representation, we find the department has demonstrated that release of the identifying information of the undercover officers would subject them to a substantial threat of physical harm. We therefore conclude the department must withhold the names and identification numbers of the undercover police officers, which we have marked, under section 552.151 of the Government Code.¹

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/dls

Ref: ID# 387941

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address your argument under section 552.108 for this information.