



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 5, 2015

Mr. Matthew L. Grove
Assistant County Attorney
Fort Bend County
401 Jackson Street, Third Floor
Richmond, Texas 77469

OR2015-11090

Dear Mr. Grove:

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# 569500.

Fort Bend County Constable Precinct 3 (the "constable's office") received a request for all key card documents for two named officers showing the dates and times for all entries into, and exits from, a specified location. You claim the submitted information is excepted from disclosure under sections 552.139 and 552.152 of the Government Code. We have considered the exceptions you claim 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 [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.

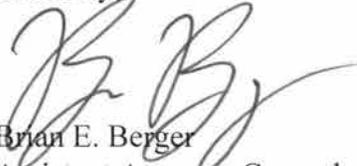
Gov't Code § 552.152. You state the submitted information consists of the dates, times, and locations of entry into Fort Bend county buildings by the named officers. You further state this information could be used to establish the named officers' patterns of movement and points of entry, and gain unauthorized access to the specified location. Thus, you argue

release of this information would threaten the safety and security of the named officers. Based on your representations and our review, we conclude you have demonstrated the release of the information at issue would subject the named officers to a substantial threat of physical harm. Therefore, the constable's office must withhold the submitted information under section 552.152 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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Brian E. Berger
Assistant Attorney General
Open Records Division

BB/akg

Ref: ID# 569500

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address your remaining argument against disclosure of the submitted information.