



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 30, 2015

Ms. Amanda Pell
Open Records Specialist
City of Baytown
Baytown Police Department
3200 North Main Street
Baytown, Texas 77521

OR2015-12997

Dear Ms. Pell:

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# 575706 (PIR No. 4623).

The Baytown Police Department (the "department") received a request for a specified report. You inform us the department will release some of the requested information upon receipt of payment. You claim the submitted information is excepted from disclosure under sections 552.130 and 552.152 of the Government Code.¹ We have considered the exceptions you claim and reviewed the submitted information.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130(a). Accordingly, the department must withhold the motor vehicle record information you have marked under section 552.130 of the Government Code.

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

¹Although you also raise section 552.101 of the Government Code, you have not provided any arguments to support this exception. Therefore, we assume you have withdrawn your claim this section applies to the submitted information. *See* Gov't Code §§ 552.301, .302.

requirements of Section 552.021 [of the Government Code] 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.

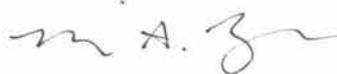
Id. § 552.152. You inform us the information you have marked relates to special operations and undercover police officers. You state release of this information would subject these officers to a substantial threat of physical harm. Based on your representations and our review, we find you have demonstrated the release of most of the information at issue would subject the officers at issue to a substantial threat of harm. However, you have not demonstrated how the release of some of the information you marked would subject these officers to a substantial threat of physical harm. This information, which we have marked for release, may not be withheld under section 552.152. Thus, with the exception of the information we have marked for release, the department must withhold the information you have marked under section 552.152 of the Government Code.

In summary, the department must withhold the motor vehicle record information you have marked under section 552.130 of the Government Code. With the exception of the information we have marked for release, the department must withhold the information you have marked under section 552.152 of the Government Code. The department 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 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,



Nicholas A. Ybarra
Assistant Attorney General
Open Records Division

NAY/cbz

Ref: ID# 575706

Enc. Submitted documents

c: Requestor
(w/o enclosures)