



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

September 1, 2015

Mr. Matthew L. Grove  
Assistant County Attorney  
County of Fort Bend  
401 Jackson Street, 3<sup>rd</sup> Floor  
Richmond, Texas 77469

OR2015-18262

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# 577675.

Fort Bend County (the "county") received a request for certain information pertaining to any and all county employees from a specified time period. You claim some of the submitted information is excepted from disclosure under section 552.152 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note portions of the submitted information are subject to section 552.022 of the Government Code. Section 552.022(a) provides, in relevant part:

(a) [T]he following categories of information are public information and not excepted from required disclosure unless made confidential under this chapter or other law:

...

(2) the name, sex, ethnicity, salary, title, and dates of employment of each employee and officer of a governmental body[.]

Gov't Code § 552.022(a)(2). The submitted information includes the names, titles, salaries, and dates of employment of county employees, which are subject to section 552.022(a)(2). This information must be released unless it is made confidential under the Act or other law. *See id.* The county raises section 552.152 of the Government Code for this information.

Because section 552.152 makes information confidential under the Act, we will address its applicability to the information at issue.

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 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 inform us the information you have marked relates to undercover police officers of the Fort Bend County Narcotics Task Force. You state release of this information would subject these officers to a substantial threat of physical harm. Upon review, we find you have failed to demonstrate the release of some of the information at issue, which we have marked for release, would subject an employee or officer to a substantial risk of physical harm. Accordingly, the county may not withhold the information we have marked for release under section 552.152 of the Government Code. However, we find you have demonstrated the release of the remaining information you have marked would subject the officers at issue to a substantial threat of harm. Thus, with the exception of the information we have marked for release, the county must withhold the information you have marked under section 552.152 of the Government Code. As you raise no further exceptions to disclosure, 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 [http://www.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](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,



Lee Seidlits  
Assistant Attorney General  
Open Records Division

CLS/som

Ref: ID# 577675

Enc. Submitted documents

c: Requestor  
(w/o enclosures)