



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 29, 2009

Ms. Candice M. De La Garza  
Assistant City Attorney  
City of Houston - Legal Department  
P.O. Box 368  
Houston, Texas 77001-0368

OR2009-18350

Dear Ms. De La Garza:

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# 370659.

The City of Houston (the "city") received a request for the complete name, last known address, and telephone number of a named city police officer. You claim that portions of the submitted information are excepted from disclosure under section 552.117 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.<sup>2</sup>

Section 552.117(a)(2) of the Government Code excepts from public disclosure the home addresses, home telephone numbers, and social security number of a peace officer, as well as information that reveals whether the peace officer has family members, regardless of whether the peace officer complies with sections 552.024 and 552.1175 of the Government

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<sup>1</sup>Although you raise section 552.1175 of the Government Code, section 552.117 is the proper exception for information that the city holds in its capacity as an employer.

<sup>2</sup>We assume that the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach and, therefore, does not authorize the withholding of any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

Code.<sup>3</sup> Gov't Code § 552.117(a)(2). You state the marked information consists of the home addresses and home telephone numbers of a current city police officer. Thus, the city must withhold the information you have marked under section 552.117(a)(2) of the Government Code.

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](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,



Laura Ream Lemus  
Assistant Attorney General  
Open Records Division

LRL/jb

Ref: ID# 370659

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>3</sup>"Peace officer" is defined by Article 2.12 of the Texas Code of Criminal Procedure.