



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 7, 2010

Mr. C. Patrick Phillips
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street, 3rd Floor
Fort Worth, Texas 76102

OR2010-04901

Dear Mr. Phillips:

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# 376238 (PIR No. 1944-10).

The Fort Worth Police Department (the "department") received a request for: (1) all personnel orders issued during a certain time period; (2) all personnel orders regarding a named department officer; and (3) a transcript from a specified meeting. You state you have released some of the requested information to the requestor. You claim that portions of the remaining information are excepted from disclosure under section 552.151 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You seek to withhold the names and identification numbers of undercover officers from the submitted information pursuant to section 552.151 of the Government Code, which 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 § 552.151. You state the release of the undercover police officers' names and identification numbers would allow suspected criminals to identify the officers in future undercover operations and allow previously arrested or convicted individuals to seek revenge on the officers, thereby putting the officers at risk. Based on your representations, we find the department has demonstrated that release of this information would subject the officers to a substantial threat of physical harm. We therefore conclude the department must withhold the officers' names and identification numbers in the submitted information, which you have marked, under section 552.151 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, 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/rl

Ref: ID# 376238

Enc. Submitted documents

cc: Requestor
(w/o enclosures)