



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 16, 2010

Ms. Jenny Gravley
Taylor Olson Adkins Sralla Elam, L.L.P.
For City of Haltom
6000 Western Place, Suite 200
Fort Worth, Texas 76107-4654

OR2010-08760

Dear Ms. Gravley:

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# 382842.

The City of Haltom City (the "city"), which you represent, received a request for information pertaining to all city employees, including their names, phone numbers, addresses, e-mail addresses, and occupations. You state the city will release some of the requested information to the requestor with redactions pursuant to Open Records Decision No. 684 (2009) and section 552.024 of the Government Code.¹ You claim portions of the submitted 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.

Section 552.151 of the Government Code provides in part:

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

¹We note this office recently issued ORD 684, a previous determination authorizing all governmental bodies to withhold ten categories of information, including an e-mail address of a member of the public under section 552.137 of the Government Code, without the necessity of requesting an attorney general decision. We also note section 552.024(c) of the Government Code authorizes a governmental body to redact, without the necessity of requesting a decision from this office, the home address, home telephone number, social security number, and family member information of a current or former employee who properly elected to keep his information confidential. Gov't Code § 552.024(c).

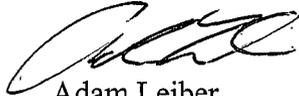
pertaining to the employee or officer, disclosure of the information would subject the employee or officer to a substantial threat of physical harm.

Gov't Code § 552.151. You state release of the names of the undercover police officers would allow suspected criminals to identify the officers in future undercover operations, thereby putting the officers at risk. Based on your representation, we find the city has demonstrated that release of the names of the undercover police officers would subject the officers to a substantial threat of physical harm. Therefore, the city must withhold the names of the undercover police officers, which we have marked, under section 552.151 of the Government Code. However, we find you have failed to demonstrate how release of the remaining information you have marked would subject the officers at issue to a substantial threat of physical harm. Accordingly, the city may not withhold any of the remaining information you have marked under section 552.151 of the Government Code. As you raise no further exceptions to disclosure of the remaining information, it must be released to the requestor.

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,



Adam Leiber
Assistant Attorney General
Open Records Division

ACL/eb

Ref: ID# 382842

Enc. Submitted documents

c: Requestor
(w/o enclosures)