



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

September 2, 2010

Ms. Jerris Penrod Mapes  
Assistant City Attorney  
Killeen Police Department  
402 North Second Street  
Killeen, Texas 76541-5298

OR2010-13367

Dear Ms. Mapes:

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# 392518.

The Killeen Police Department (the "department") received a request for a named officer's personnel file. You claim that the requested information is excepted from disclosure under sections 552.101 and 552.117 of the Government Code. We have considered your arguments. We have also considered arguments submitted by the Texas Commission on Law Enforcement Officer Standards and Education. *See* Gov't Code § 552.304 (providing that interested party may submit comments stating why information should or should not be released).

You inform us the department requested clarification regarding the request. *See id.* § 552.222(b) (governmental body may communicate with requestor for purpose of clarifying or narrowing request for information). You further inform us the department has not yet received a response to its requests for clarification. Accordingly, the department has no obligation at this time to release any information that might be responsive to the request. But if the department receives clarification and wishes to withhold any of the information encompassed by the clarified request, then you must request another decision from this office. *See id.* §§ 552.301, .302; *see also City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for public information, the

ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

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,



Christopher D. Sterner  
Assistant Attorney General  
Open Records Division

CDSA/eeg

Ref: ID# 392518

c: Requestor