



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 28, 2016

Ms. Yvette Aguilar
Assistant City Attorney
Legal Department
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR2016-14665

Dear Ms. Aguilar:

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# 616346 (CCPD File No. JYi1).

The Corpus Christi Police Department (the "department") received a request for the police report and arrest sheet pertaining to a specified incident involving the requestor. The department states it is withholding some information pursuant to a previous determination issued by our office in Open Records Letter No. 2016-00831 (2016).¹ The department claims portions of the submitted information are excepted from disclosure under section 552.152 of the Government Code. We have considered the exception the department claims and reviewed the submitted information.

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 [required public disclosure] if, under the specific circumstances pertaining to the

¹Open Records Letter No. 2016-00831 is a previous determination issued to the department authorizing it to withhold the dates of birth of public citizens under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a decision from this office.

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. The department informs us the information it has marked under section 552.152 relates to undercover narcotics officers. The department asserts release of this information would subject the officers to a substantial threat of physical harm. Based on these representations and our review, we conclude the department has demonstrated release of the information at issue would subject the officers to a substantial threat of physical harm. Therefore, the department must withhold the information it has marked under section 552.152 of the Government Code. As the department raises no further exceptions against disclosure, the remaining information must be released.

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, 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,



Rahat Huq
Assistant Attorney General
Open Records Division

RSH/som

Ref: ID# 616346

Enc. Submitted documents

c: Requestor
(w/o enclosures)