

January 28, 1999



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

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JOHN CORNYN
Attorney General

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Mr. Saul Pedregon
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
2014 Main Street, Room 206
Dallas, Texas 75201

OR99-0251

Dear Mr. Pedregon:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 121809. Your office has assigned this request tracking number ORR98-1670.

The City of Dallas Police Department received a request for "911 call sheets," which you represent to be a request for "police service calls" for a particular location during a specified time period.¹ We believe that a prior ruling, Open Records Letter No. 98-2551 (1998), answers your questions concerning originating telephone numbers and addresses on 911 call reports. See Open Records Decision No. 649 (1996). You may rely upon ORL 98-2551 (enclosed) as a previous determination on

¹Initially, we note that you did not submit your request for a decision to this office within ten business days of receiving the request for information as required under the act by section 552.301. When a request for an open records decision is not made within the time period prescribed by section 552.301, the requested information is presumed to be public. See Gov't Code § 552.302. This presumption of openness can only be overcome by a compelling demonstration, such as under section 552.101, that the information should not be made public. See, e.g., Open Records Decision No. 150 (1977) (presumption of openness overcome by showing that information is made confidential by another source of law or affects third party interests). Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Because the presumption of openness is overcome by a showing that information is confidential by law, we must consider your section 552.101 claim.

this issue under section 552.301 of the Government Code, and thus need not ask this office again for a decision concerning these types of records. We assume the remaining information, for which you have not raised an exception, will be released.²

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Sam Haddad
Assistant Attorney General
Open Records Division

SH/nc

Ref.: ID# 121809

Enclosures: Submitted documents
Open Records Letter No. 98-2551 (1998)

cc: Mr. Scott Mendenhall, Claim Specialist
State Farm Insurance Co.
P.O. Box 15034
Dallas Texas 75201
(w/Open Records Letter No. 98-2551 (1998))

² We note that to the extent the responsive records contain confidential information, we advise you to exercise caution in releasing the information to the public. See Gov't Code § 552.352.