



October 6, 1999

Mr. John S. Schneider, Jr.
First Assistant City Attorney
City of Pasadena
P.O. Box 672
Pasadena, Texas 77501

OR99-2830

Dear Mr. Schneider:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 127911.

The City of Pasadena (the "city") received a request for "a copy of the Pasadena Homeowners and Civic Association list which would include how to contact these organizations and who is their contact." The requestor also seeks "a copy of the report or studies conducted on behalf or by the Pasadena Police Department as it pertains to expenses incurred to patrol and inspect the 18 wheelers that travel Hwy 225 and the cost of these man hours to the City of Pasadena." You claim that the requested association lists are excepted from disclosure by section 552.127 of the Government Code. You have provided a sample of the responsive information.¹ You do not seek to withhold any information response to the second part of the request: information concerning the city's expenses to patrol or inspect the trucks traveling on Highway 225. We presume, therefore, that any responsive information has been released.

You argue that the information responsive to the association list request is excepted from disclosure by section 552.127 of the Government Code. You indicate that the home owner's association lists consist of the names, addresses, and phone numbers of participants in the city's Neighborhood Network Program. You state that anytime the city assists a home owner's association they become a part of the Neighborhood Network Program. You explain that the program is coordinated along with the city police department's Community Services Division to implement a crime watch and neighborhood crime control program. The requestor has, subsequent to her request to the city, informed this office that she will clarify

¹In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988); 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

her request to seek only “the contacts and addresses of the *organizations* participating in the city’s ‘Neighborhood Network.’” (Emphasis Added.).

Section 552.127 of the Government Code provides:

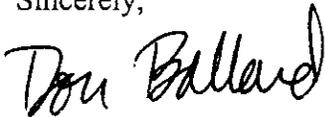
(a) Information is excepted from [public disclosure] if the information identifies a person as a participant in a neighborhood crime watch organization and relates to the name, home address, business address, home telephone number, or business telephone number of the person

(b) In this section, “neighborhood crime watch organization” means a group of residents of a neighborhood or part of a neighborhood that is formed in affiliation or association with a law enforcement agency in this state to observe activities within the neighborhood or part of a neighborhood and to take other actions intended to reduce crime in that area.

We agree that to the extent the requestor seeks the name, home address, business address, home telephone number, or business telephone number of a participant in the city’s Neighborhood Network Program you must withhold the requested information under section 552.127. Thus, the information you have submitted must be withheld. However, to the extent that the city maintains the name, address, or contact information of other *organizations* participating in the program, you must release this information if the information would not relate to or identify an individual participant’s name, home and business address, or home and business telephone number.

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.

Sincerely,



Don Ballard
Assistant Attorney General
Open Records Division

JDB/ch

Ref: ID# 127911

Encl. Submitted document

cc: Ms. Charlotte Cherry
Taxpayers for Sensible Port Policies
4902 Elm Street
Seabrook, Texas 77586
(w/o enclosures)