



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

January 26, 2011

Ms. Michelle L. Villareal  
Assistant City Attorney  
City of Waco  
P.O. Box 2750  
Waco, Texas 76702-2570

OR2011-01318

Dear Ms. Villareal:

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# 411419 (LGL-10-1808).

The Waco Police Department (the "department") received a request for 9-1-1 call information pertaining to a specified incident. You state in your response to the requestor that you are releasing some of the requested information. You claim that a portion of the submitted information, which you have marked, is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

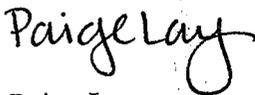
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information made confidential by other statutes. Chapter 772 of the Health and Safety Code authorizes the development of local emergency communications districts. Sections 772.118, 772.218, and 772.318 of the Health and Safety Code are applicable to emergency 9-1-1 districts established in accordance with chapter 772. See Open Records Decision No. 649 (1996). These sections make only the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a service supplier confidential. *Id.* at 2. Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000. You state the City of Waco is part of an emergency communication district established under chapter 772. You have

marked a telephone number in the submitted 9-1-1 call report you seek to withhold under section 772.318. Thus, to the extent the marked telephone number is an originating telephone number supplied by a 9-1-1 service supplier, this information must be withheld under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. However, if the marked telephone number is not the originating telephone number supplied by a 9-1-1 service supplier, 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](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,



Paige Lay  
Assistant Attorney General  
Open Records Division

PL/vb

Ref: ID# 411419

Enc. Submitted documents

c: Requestor  
(w/o enclosures)