



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 30, 1998

Ms. Katheryn H. West
Assistant City Attorney
City of Dallas Prosecution Division
2014 Main St. Room 206
Dallas, Texas 75201

OR98-2552

Dear Ms. West:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 119318.

The Dallas Police Department (the "department") received an open records request for all SAFE Team documents, code enforcement documents, fire department documents, any reports, citations issued, and notices given regarding Carriage Lane Apartments for the time period of 1992 through 1995. Because you only argue that certain computer assisted dispatch ("CAD") information is excepted from required public disclosure, we assume the department has released all remaining existing information to the requestor. You contend that, in accordance with Open Records Decision No. 649 (1996), the originating telephone numbers and addresses of 911 calls made to the department are confidential under section 772.318 of the Health and Safety Code, and that this information therefore must be withheld from the public pursuant to section 552.101 of the Government Code.¹

You raise Open Records Decision No. 649 (1996), which interpreted section 772.318 of the Health and Safety Code, one of several confidentiality provisions in chapter 772 of the Health and Safety Code. As you raise this decision, we assume that the emergency 911 district that provides services to the department was established in accordance with chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communications districts. Sections 772.118, 772.218 and 772.318 of the Health and Safety

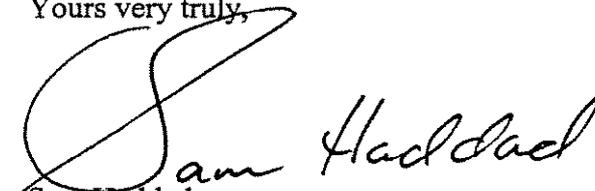
¹Section 552.101 of the Government Code protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision."

Code make confidential the originating telephone numbers and addresses of 911 callers furnished by a service supplier. *See* Open Records Decision No. 649 (1996). Section 772.118 applies to emergency communication districts for counties with a population over two million. Section 772.218 applies to emergency communication districts for counties with a population over 860,000. Section 772.318 applies to emergency communication districts for counties with a population over 20,000. Subchapter E, which applies to counties with populations over 1.5 million, does not contain a confidentiality provision regarding 911 telephone numbers and addresses. Section 772.401, *et seq.*

If the emergency communication district that provides services to the department is subject to either section 772.118, 772.218 or 772.318, the originating telephone number and addresses on the CAD reports are excepted from public disclosure pursuant to section 552.101 of the Government Code as information deemed confidential by statute. All remaining information contained in the CAD reports, however, must be released to the requestor.

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/RWP/mjc

Ref: ID# 119318

Enclosures: Submitted documents

cc: Ms. Jo Allison Stasney
Knox & Tollefson, P.C.
P.O. Box 610863
Dallas, Texas 75261-0863
(w/o enclosures)