



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 12, 2009 .

Mr. C. Patrick Phillips
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street Third Floor
Fort Worth, Texas 76102

OR2009-11253

Dear Mr: Phillips:

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# 356426 (PIR No. 4520-09).

The Fort Worth Police Department (the "department") received a request for information relating to a traffic accident. You state that most of the requested information either has been or will be released.¹ You claim that the rest of the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the information you submitted.

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. This exception encompasses information that other statutes make confidential. Chapter 772 of the Health and Safety Code authorizes the development of local emergency communication districts. Sections 772.118, 772.218, and 772.318 of the Health and Safety Code are applicable to emergency 911 districts established in accordance with chapter 772. *See* Open Records Decision No. 649 (1996). These sections make the

¹You indicate that social security numbers and Texas motor vehicle record information were redacted from responsive records pursuant to section 552.147(b) of the Government Code and previous determinations issued to the City of Fort Worth under section 552.130 of the Government Code. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (previous determinations).

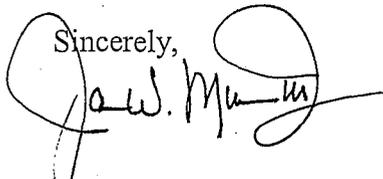
originating telephone numbers and addresses of 911 callers furnished by a service supplier confidential. *Id.* at 2. Section 772.118 applies to an emergency communication district for a county with a population of more than two million. Section 772.218 applies to an emergency communication district for a county with a population of more than 860,000. Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

You state that the City of Fort Worth is part of a emergency communication district established under section 772.218. You have highlighted telephone numbers of 911 callers in the submitted documents. You state that the highlighted information was furnished by a 911 service supplier. Based on your representations, we conclude that the department must withhold the highlighted telephone numbers under section 552.101 of the Government Code in conjunction with section 772.218 of the Health and Safety Code.

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, 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 at (512) 475-2497.

Sincerely,

A handwritten signature in black ink, appearing to read "J.W. Morris, III". The signature is written in a cursive style with a large initial "J" and "M".

James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/cc

Ref: ID# 356426

Enc: Submitted documents

c: Requestor
(w/o enclosures)