



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 2, 2010

Ms. Michelle L. Villarreal
Assistant City Attorney
City of Waco - Legal Services
P.O. Box 2570
Waco, Texas 76702-2570

OR2010-09795

Dear Ms. Villarreal:

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# 385159 (Waco Reference # LGL-10-541).

The Waco Police Department (the "department") received a request for police reports and computer aided dispatch ("CAD") records pertaining to a specified address during a certain time period. You indicate the department has released some of the requested information to the requestor. You claim that portions of the submitted information are 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. You contend that the information you have highlighted in pink in the submitted CAD sheets is excepted under section 552.101 in conjunction with section 772.318 of the Health and Safety Code. Chapter 772 of the Health and Safety Code relates to local emergency communications districts. Section 772.318 applies to an emergency 9-1-1 district established in accordance with chapter 772, and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a service supplier. *See* Open Records Decision No. 649 (1996). You state that the City of Waco is part of an emergency communication district that was established under section 772.318.¹ Some of the telephone numbers you have highlighted may not be the originating telephone numbers of 9-1-1 callers furnished by a service supplier but instead may be telephone numbers supplied by the callers. If these telephone numbers were supplied by the callers, they must be released. Furthermore, several of the addresses you have highlighted appear to be cellular telephone tower locations,

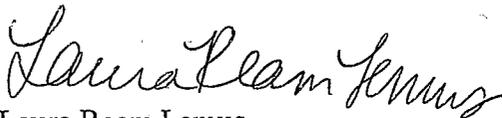
¹Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

which are not originating addresses of 9-1-1 callers. If the addresses are tower locations, they must be released. However, to the extent the information you highlighted in pink consists of the actual originating telephone numbers and addresses of 9-1-1 callers, they must be withheld under section 552.101 of the Government Code in conjunction with section 772.318 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, toll free, at (888) 672-6787.

Sincerely,



Laura Ream Lemus
Assistant Attorney General
Open Records Division

LRL/jb

Ref: ID# 385159

Enc. Submitted documents

c: Requestor
(w/o enclosures)