



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

August 18, 2010

Ms. Judith N. Benton  
Assistant City Attorney  
City of Waco  
P.O. Box 2570  
Waco, Texas 76702-2570

OR2010-12530

Dear Ms. Benton:

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# 390849 (LGL-10-756).

The City of Waco (the "city") received a request for field notes, photographs, video, statements, 9-1-1 tapes and calls, or any other information regarding a specified automobile accident. You state the city will release some information to the requestor. You claim portions of the submitted Computer Aided Dispatch ("CAD") report are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

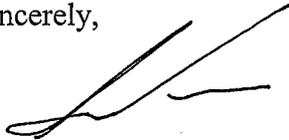
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses information made confidential by other statutes. You assert portions of the submitted CAD report are 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 communication 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). We understand the city to be part of an emergency communication district that was established under

section 772.318.<sup>1</sup> You highlighted a 9-1-1 caller's name and telephone number. We note only the originating telephone number and address of a 9-1-1 caller are confidential under chapter 772 of the Health and Safety Code. Accordingly, the city may not withhold the caller's name under section 552.101 in conjunction with section 772.318. However, provided the telephone number you highlighted constitutes an originating telephone number furnished by a 9-1-1 service supplier, we agree the city must withhold it under section 552.101 in conjunction with section 772.318. The city must release the remaining information.

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,



Ana Carolina Vieira  
Assistant Attorney General  
Open Records Division

ACV/eeg

Ref: ID# 390849

Enc. Submitted documents.

c: Requestor  
(w/o enclosures)

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