



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

May 25, 2011

Mr. Robert Almonte
Assistant City Attorney
El Paso City Attorney's Office
2 Civic Center Plaza, 9th floor
El Paso, Texas 79901

OR2011-07436

Dear Mr. Almonte:

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# 423401.

The El Paso Police Department (the "department") received a request for information pertaining to incidents during a specified time period at a specified address. 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 public disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 of the Government Code encompasses information protected by chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communication districts. Section 772.318 of the Health and Safety Code applies to an emergency communication district for a county with a population of more than 20,000 and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a 9-1-1 service supplier. *See* Open Records Decision No. 649 (1996). You state the City of El Paso is part of an emergency communication district that is subject to section 772.318 of the Health and Safety Code. Provided that the information you have marked consists of originating telephone numbers and addresses furnished by a 9-1-1 service supplier, we agree that the department must withhold the marked telephone

numbers and addresses under section 552.101 in conjunction with section 772.318 of the Health and Safety Code. We note that some of the information you have marked does not consist of a telephone number or address and may not be withheld under section 552.101 based on section 772.318. As you raise no further exceptions to its disclosure, the remaining information must be released.

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/em

Ref: ID# 423401

Enc. Submitted documents

c: Requestor
(w/o enclosures)