



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 25, 2011

Mr. PETER SCOTT
ASSISTANT CITY ATTORNEY
CITY OF WICHITA FALLS
P.O. BOX 1431
WICHITA FALLS, TEXAS 76307

OR2011-10644

Dear Mr. Scott:

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# 429142 (City ID# 259).

The Wichita Falls Police Department (the "department") received a request for the telephone numbers of individuals who made 9-1-1 calls to report a specified accident. You claim the telephone numbers you have highlighted are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

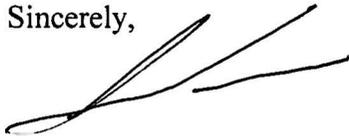
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision," and encompasses information made confidential by other statutes. Gov't Code § 552.101. You have highlighted two telephone numbers that you seek to withhold 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). We understand the City of Wichita Falls is part of an emergency communication district that was established

under section 772.318.¹ Thus, we find to the extent the highlighted telephone numbers are the originating telephone numbers supplied by a 9-1-1 service supplier, the department must withhold this information under section 552.101 in conjunction with section 772.318. However, to the extent the highlighted telephone numbers were not supplied by a 9-1-1 service supplier, section 772.318 is not applicable to this information, and it must be released to the requestor.

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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/agn

Ref: ID# 429142

Enc. Submitted documents

c: Requestor
(w/o enclosures)

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