



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

July 2, 2012

Ms. Kelley Messer  
Assistant City Attorney  
City of Abilene  
P.O. Box 60  
Abilene, Texas 79604-0060

OR2012-10113

Dear Ms. Messer:

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# 458018.

The Abilene Police Department (the "department") received a request for a spreadsheet of all 9-1-1 calls made to dispatch, including medical calls, crime reports, emergencies, and fires, by address during a specified time period. You claim some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.<sup>1</sup>

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, such as 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

---

<sup>1</sup>We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

of more than 20,000 and makes confidential the originating addresses of 9-1-1 callers that are furnished by a 9-1-1 service supplier. *See* Open Records Decision No. 649 (1996). We understand the City of Abilene is part of an emergency communication district established under chapter 772.318 of the Health and Safety Code.

In this instance, you explain “[d]uring a 9-1-1 call, the originating telephone number and address is usually automatically generated from the telephone service supplier and will appear on the 9-1-1 operator’s computer screen.” You inform us “the record created by the computer system does not distinguish whether the originating address for a particular call was provided by the telephone service supplier or the caller.” Thus, you state, “[a]ny originating address listed in Exhibit B was probably provided by the telephone service supplier[.]” You further state, “Columns E, F, and G on the spreadsheet contain address information provided by a telephone service supplier.” We are unable to determine based on your representations whether the submitted addresses were provided by a 9-1-1 service supplier. Therefore, we conclude to the extent the addresses in Columns E, F, and G consist of the originating addresses furnished by a 9-1-1 service supplier, the department must withhold the addresses under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. However, to the extent the addresses at issue were not provided by a 9-1-1 service supplier, they may not be withheld under section 552.101 in conjunction with section 772.318. As you raise no further exceptions to disclosure, the remaining submitted 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](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,



Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/som

Ref: ID# 458018

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

---