



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 10, 2012

Ms. Janet I. Monteros  
Assistant County Attorney  
El Paso County  
500 East San Antonio, Room 503  
El Paso, Texas 79901

OR2012-19798

Dear Ms. Monteros:

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# 473275 (CA-OP-12-457).

The El Paso County Sheriff's Office (the "sheriff's office") received a request for 9-1-1 call information pertaining to a specified incident. You state you have released some of the requested information. 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 information.

We note you seek to withhold information pertaining to a 9-1-1 caller. In Open Records Letter No. 2011-16449 (2011), this office issued a previous determination to the sheriff's office authorizing it to withhold the originating telephone number and address of a 9-1-1 caller furnished by a service supplier established in accordance with chapter 772 of the Health and Safety Code under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code without requesting a decision from this office. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). Provided the telephone number of the 9-1-1 caller we have marked in the submitted documents was furnished by a service supplier established in accordance with chapter 772, the sheriff's office must withhold this telephone number in accordance with the previous determination issued in Open Records Letter No. 2011-16449. However, none of

the remaining information you have marked consists of a telephone number or address of a 9-1-1-caller furnished by a service provider; therefore, it may not be withheld pursuant to Open Records Letter No. 2011-16449. Furthermore, we find the phone number on the submitted audio recording was provided by the caller and not by a service provider. Accordingly, the telephone number on the audio recording is not subject to Open Records Letter No. 2011-16449 and may not be withheld on that ground. As you raise no other exceptions to disclosure, the audio recording and 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,



Paige Lay  
Assistant Attorney General  
Open Records Division

PL/tch

Ref: ID# 473275

Enc. Submitted documents

cc: Requestor  
(w/o enclosures)