



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 23, 2015

Ms. Myrna Reingold
Legal Department
Galveston County
722 Moody Street, Fifth Floor
Galveston, Texas 77550

OR2015-12369

Dear Ms. Reingold:

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# 571443.

The Galveston County Sheriff's Office (the "sheriff's office") received a request for calls for service for three specified addresses during specified time frames. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code.¹ 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. Section 552.101 encompasses information protected by other statutes, such as chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communication districts. Sections 772.118, 772.218, and 772.318 of the Health and Safety Code are applicable to emergency 9-1-1 districts established in accordance with chapter 772. *See* Open Records Decision No. 649 (1996). These sections make the originating telephone numbers and addresses of 9-1-1 callers furnished by a service supplier confidential. *Id.* at 2. Section 772.118 applies to an emergency communication district for a county with a population of more than two million. Section 772.218 applies to an

¹You acknowledge, and we agree, the sheriff's office did not comply with the requirements of section 552.301 of the Government Code. *See* Gov't Code § 552.301(b). Nonetheless, because section 552.101 of the Government Code is a mandatory exception that can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301, we will consider your claim. *See id.* §§ 552.007, .302.

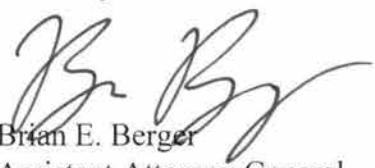
emergency communication district for a county with a population of more than 860,000. Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

You indicate Galveston County is part of an emergency communication district established under section 772.318 of the Health and Safety Code. You represent the submitted addresses are originating addresses of 9-1-1 callers furnished by a service supplier. Thus, we conclude the sheriff's office must withhold the submitted addresses under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. However, we find you have failed to demonstrate any of the remaining information consists of the originating addresses or telephone numbers of 9-1-1 callers. As a result, the sheriff's office may not withhold any of the remaining information under section 552.101 of the Government Code on that basis. As you raise no further exceptions to disclosure of the remaining information, the sheriff's office must release it.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Brian E. Berger
Assistant Attorney General
Open Records Division

BB/akg

Ref: ID# 571443

Enc. Submitted documents

c: Requestor
(w/o enclosures)