



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 14, 2022

Ms. Michelle Rollins
Legal Department
City of Sherman
P.O. Box 1106
Sherman, Texas 75091

OR2022-20366

Dear Ms. Rollins:

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# 959077 (Ref. No. OR-6321).

The Sherman Police Department (the "department") received a request for a specified call log. You claim 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.

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. This section 552.101 encompasses information made confidential 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). We understand the department is part of an emergency communication district that is subject to section 772.318 of the Health and Safety Code. We further understand you seek to withhold a telephone number within the submitted information. Upon review, we conclude the department must withhold the telephone number at issue under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code if it consists of the originating telephone number furnished by a 9-1-1 service supplier. To the extent the information at issue does not consist of the originating telephone number provided by a 9-1-1 service supplier, such information may not be withheld under

section 552.101 in conjunction with section 772.318. Further, we find you have failed to demonstrate the applicability of section 772.318 to any portion of the remaining information. Thus, none of the remaining information may be withheld under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. As you raise no further exceptions to disclosure, the department must release the remaining information.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Tim Neal
Assistant Attorney General
Open Records Division

TN/mo

Ref: ID# 959077

Enc. Submitted documents

c: Requestor
(w/o enclosures)