



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 19, 1998

Mr. William Toles
Assistant City Attorney
City of Dallas
City Hall
Dallas, Texas 75201

OR98-1974

Dear Mr. Toles:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 117530.

The Dallas Police Department (the "department") received a request for a list of sexual offenders registered in a particular area. You believe that certain information must be withheld from disclosure under chapter 62 of the Code of Criminal Procedure, including (1) the addresses of registered sex offenders, and (2) information regarding scars and tattoos of registered sex offenders.

Article 62.02(b) of the Code of Criminal Procedure requires that the registration form on convicted sex offenders include the following information:

(1) the person's full name, each alias, date of birth, sex, race, height, weight, eye color, hair color, social security number, driver's license number, shoe size, and home address;

(2) a photograph of the person and a complete set of the person's fingerprints;

(3) the type of offense the person was convicted of, the age of the victim, the date of conviction, and the punishment received;

(4) an indication as to whether the person is discharged, paroled, or released on juvenile probation, community supervision, or mandatory supervision; and

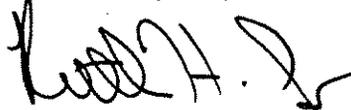
(5) any other information required by the department.

Article 62.08 provides that all of the information contained in the registration database is public except for information that would identify the victim, photographs of the registrant, or information regarding the registrant's social security number, driver's license number, numeric street address, or telephone number. In Open Records Decision No. 645 (1996), this office addressed the release of information concerning registered sex offenders. (Copy enclosed). We concluded that the information contained on a sex offender registration form is public and must be disclosed except for information that on its face directly reveals the victim's identity or that discloses the registrant's photograph, social security number, driver's license number, numeric street address, and telephone number.

We note that you have appropriately redacted the numeric street addresses on the list of registered sex offenders. However, you may not withhold information about registrants' scars and tattoos, as this information is provided on the registration form and is not otherwise made private. As discussed in Open Records Decision No. 645 (1996), information on the sex offender registration form is public except for the specific categories listed in article 62.08, which does not include a category for tattoos and scars.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 117530

Enclosures: Submitted documents
Open Records Decision No. 645 (1996)

cc: Ms. Wilma Avalos
2318 Anson Road
Dallas, Texas 75235
(w/o enclosures)