

January 28, 1999



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

OR99-0273

Mr. Michael Bostic
Assistant City Attorney
Office of the City Attorney
Municipal Building
Dallas, Texas 76201

Dear Mr. Bostic:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121705.

The Dallas Police Department received a request for all 911 call sheets, incident or arrest reports, maps, and criminal indexes concerning 2438 South Buckner Boulevard from July 8, 1995 through July 8, 1997. You indicate that portions of the requested 911 service call sheets are excepted from required public disclosure by section 552.101 of the Government Code. You also claim that one incident report is excepted from required public disclosure by section 552.101. You indicate that all other responsive information will be released to the requestor.

We believe that a prior ruling, Open Records Letter No. 98-2551 (1998), answers your question concerning originating telephone numbers and addresses on 911 call reports. You may rely upon Open Records Letter No. 98-2551 (1998) (enclosed) as a previous determination on this issue under section 552.301 of the Government Code, and thus, need not ask this office again for a decision concerning these types of records.

You next claim that the submitted offense incident report, number 0926959-F, is protected from disclosure under section 552.101 because it involves juvenile conduct. Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Family Code section 58.007(c) reads as follows:

(c) Except as provided by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the

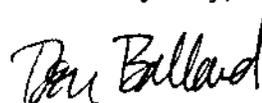
public and shall be:

- (1) kept separate from adult files and records;
and
- (2) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B.

Here, the requested information involves juvenile conduct that occurred after September 1, 1997, the effective date of the amendment to section 58.007 making confidential juvenile law enforcement records concerning juvenile conduct that are maintained by law enforcement agencies. Act of June 2, 1997, H.B. 1550, 75th Leg., R.S., ch. 1086, § 20, 1997 Tex. Gen. Laws 4179, 4187. Thus, the submitted report is made confidential by amended section 58.007 of the Family Code. Accordingly, you must withhold the submitted report under section 552.101 of the Government Code in conjunction with section 58.007 of the Family Code.

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,



Don Ballard
Assistant Attorney General
Open Records Division

JDB\nc

Ref: ID# 121705

Enclosures: Submitted documents
(Open Records Letter No. 98-2551 (1998))

cc: Mr. Michael Hindman
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100 N. Central Expressway, Suite 900
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(w/Open Records Letter No. 98-2551 (1998))