



March 17, 1999

Mr. Richard Brown
Assistant City Attorney
Office of the City Attorney
Municipal Building
Dallas, Texas 75201

OR99-0754

Dear Mr. Brown:

You have asked whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 122862.

The Dallas Police Department (the “department”) received a request for a police report. You assert that the report is excepted from disclosure under section 552.108 of the Government Code, and submitted a representative sample of the records at issue to this office for review.¹ We have reviewed the records at issue and conclude that they are protected from disclosure under section 58.007 of the Family Code in conjunction with section 552.101 of the Government Code. Section 552.101 excepts from required public disclosure information that is made confidential by law, including information made confidential by statute. Section 58.007(c) of the Family Code reads, in part, as follows:

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

See also Fam. Code § 51.02(2) (defining “child”). Subsection (d), which concerns the transfer of records in certain circumstances, is apparently inapplicable here. Because the suspect in this instance is a juvenile, we conclude that section 58.007(c) makes the requested report confidential. The department must withhold it from disclosure.

¹We assume that the “representative sample” of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision No. 499 (1988), 497 (1988). Here, we do not address any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

We are resolving this matter with this 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 may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref.: ID# 122862

Enclosures: Submitted documents