



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 15, 1998

Mr. John B. Dahill
Advisory Chief
Office of the Dallas County District Attorney
411 Elm Street
Dallas, Texas 75202

OR98-2195

Dear Mr. Dahill:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 117977.

Dallas County (the "county") received a request for witness reports involving "Section B-2" and the "B-2 Daily Journal." You claim that the requested information is excepted from disclosure under section 552.101 of the Government Code. You indicate you will release the written statements of the various juvenile department employees to the requestor. We have considered the exception you claim and reviewed the submitted information.

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 pertinent part as follows:

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

Subsection (d), which concerns the transfer of records in certain circumstances, is apparently inapplicable here. We believe section 58.007(c) makes confidential the requested report. *See also* Fam. Code § 51.02(2) (defining "child"). Accordingly, the county must not release the "B-2 Daily Journal" to the requestor.

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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Janet I. Monteros', with a long horizontal flourish extending to the right.

Janet I. Monteros
Assistant Attorney General
Open Records Division

JIM/nc

Ref.: ID# 117977

Enclosures: Submitted documents

cc: Mr. Mark Rodriguez
11737 Rogue Way
Dallas, Texas 75218
(w/o enclosures)