



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

November 19, 1998

Ms. Sharon R. Sela  
Assistant City Attorney  
Criminal Law and Police Division  
City of Dallas  
Municipal Building  
Dallas, Texas 75201

OR98-2763

Dear Ms. Sela:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 120084.

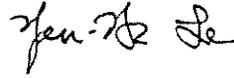
The City of Dallas (the "city") received two requests from the same requestor for all the criminal arrests and reports involving a named individual. You claim that the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Where an individual's criminal history information has been compiled by a governmental entity, the information takes on a character that implicates the individual's right to privacy in a manner that the same individual records in an uncompiled state do not. *See United States Dep't of Justice v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989). In this instance, the requestor asks for all arrest reports of a named individual; therefore, we believe that this individual's right to privacy has been implicated. Thus, because the requestor asks for all information concerning a certain named person, we conclude that the city must withhold any documents that identify that person as a suspect under section 552.101 of the Government Code. *See id.*; *see also* Gov't Code § 411.106(b).

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,



Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/nc

Ref.: ID# 120084

Enclosures: Submitted documents

cc: Ms. Laura Small  
c/o Sharon R. Sela  
Office of the City Attorney  
Criminal Law & Police Division  
City of Dallas  
Municipal Building  
Dallas, Texas 75201  
(w/o enclosures)