



October 1, 1999

Mr. Steven D. Monté
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
2014 Main Street, Room 206
Dallas, Texas 75201

OR99-2782

Dear Mr. Monté:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 129488.

The Dallas Police Department (the "department") received a request for service number 501473-H, a police file related to an aggravated sexual assault. 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." This section encompasses common-law privacy and excepts from disclosure private facts about an individual. *Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977). Information may be withheld from the public when (1) it is highly intimate and embarrassing such that its release would be highly objectionable to a person of ordinary sensibilities, and (2) there is no legitimate public interest in its disclosure. *Id.* at 685; Open Records Decision No. 611 at 1 (1992). Applying that standard, our office opined that identities of all victims of serious sexual offenses are confidential. Open Records Decision No. 339 (1982). Also, as "other information, such as the location of the crime, might furnish a basis for identification of the victim," such information is not subject to disclosure. *Id.*

The information you have submitted does not contain the name, address, phone number, or other information which may identify the victim. In fact, the victim's name has already been replaced with a pseudonym. Additionally, you have not offered other exceptions to the release of the information at issue. Therefore, the offense report must be released in its entirety.

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 ~~laws~~ 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 ~~the~~ office.

Sincerely,



Carla Gay Dickson
Assistant Attorney General
Open Records Division

CGD/ljp

Ref: ID# 129488

Encl. Submitted documents

cc: RRS Police Records Management
P.O. Box 4000
Norcross, Georgia 30091-4000
(w/o enclosures)