



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

November 30, 1993

Mr. Robert Ewart  
City Manager  
City of Sour Lake  
P.O. Box 2009  
Sour Lake, Texas 77659

OR93-733

Dear Mr. Ewart:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code.<sup>1</sup> Your request was assigned ID# 22257.

The City of Sour Lake (the "city") has received from the parents of two juveniles a request for records in the possession of the Sour Lake Police Department concerning the juveniles. You contend that sections 552.101, 552.103(a), and 552.108 of the Government Code except the requested information from required public disclosure.

Section 552.101 excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 51.14 of the Family Code provides:

(d) Except as provided by Article 15.27, Code of Criminal Procedure, and except for files and records relating to a charge for which a child is transferred under Section 54.02 of this code to a criminal court for prosecution, the law-enforcement files and records are not open to public inspection nor may their contents be disclosed to the public, but inspection of the files and records is permitted by:

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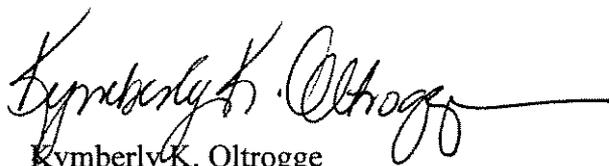
<sup>1</sup>We note that the Seventy-Third Legislature repealed V.T.C.S. article 6252-17a. Acts 1993, 73d Leg., ch. 268, § 46. The Open Records Act now is codified in the Government Code at chapter 552. *Id.* § 1. The codification of the Open Records Act in the Government Code is a nonsubstantive revision. *Id.* § 47.

- (1) a juvenile court having the child before it in any proceeding;
- (2) an attorney for a party to the proceeding; and
- (3) law-enforcement officers when necessary for the discharge of their official duties.

Acts 1993, 73d Leg., ch. 461, § 3. Section 51.14(d) clearly makes confidential law enforcement records regarding juveniles. None of the section 51.14(d) exceptions permitting inspection apply to the requestors here. Accordingly, you must withhold the requested information under section 552.101 as information made confidential by section 51.14(d) of the Family Code. *See also* Open Records Decision Nos. 394 (1983) at 4-5 (stating that pursuant to Family Code section 51.14 police department may release law enforcement records regarding juveniles only to specified parties); 181 (1977) at 2-3 (stating that Family Code section 51.14 excepts police reports that identify juveniles or furnish basis for their identification). Section 552.101 answers your request; thus, we need not address the applicability of sections 552.103(a) and 552.108 of the Government Code.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,



KyMBERLY K. Oltrogge  
Assistant Attorney General  
Open Government Section

KKO/LBC/rho

Ref.: ID# 22257

Enclosures: Submitted documents

cc: Mrs. Debbie Kelley  
Mr. Brett Schroeder  
P.O. Box 1137  
Sour Lake, Texas 77659  
(w/o enclosures)