



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 28, 1995

Mr. Miles K. Risley
Assistant City Attorney
City of Victoria
P.O. Box 1758
Victoria, Texas 77902-1758

OR95-890

Dear Mr. Risley:

You have asked 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# 34732.

The City of Victoria (the "city") received a request for police records concerning a juvenile offender. You contend that the records are protected from disclosure under section 552.101 of the Government Code in conjunction with section 51.14(d) of the Family Code. Section 552.101 exempts from disclosure information "considered confidential by law, either constitutional, statutory, or by judicial decision." Section 51.14(d) provides a statutory basis of confidentiality for information about juvenile offenders:

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 [concerning a child] 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:

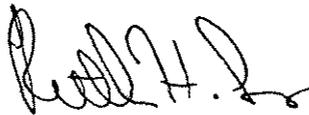
- (1) a juvenile court having the child before it in any proceeding;
- (2) an attorney for a party to the proceeding; and
- (3) law-enforcement officers when necessary for the discharge of their official duties.

Section 51.14(d) requires that information in police records concerning juvenile offenders be treated differently than other law enforcement information so as to protect the identity of juvenile offenders.¹ Open Records Decision No. 394 (1983) at 3. In Open Records Decision No. 181 (1977), this office determined that section 51.14(d) provides an exception from disclosure for police reports that identify juvenile offenders or furnish a basis for their identification. *See also* Open Records Decision No. 628 (1994) at 6 (Fam. Code § 51.14 relates only to juvenile offenders and thus has no bearing on release of information relating to identity of juvenile crime *victims*).

You indicate that the alleged offense did not relate to a charge for which the juvenile was transferred under section 54.02 to a criminal court for prosecution. You also indicate that the requestor is not one of the parties listed in section 54.14(d) to whom this information can be released. Under these circumstances, the police reports at issue may not be disclosed.

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 upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy
Assistant Attorney General
Open Government Section

RHS/rho

Ref.: ID# 34732

Enclosures: Submitted documents

cc: Ms. Sandra Bowles
3902 N. Ben Wilson #309
Victoria, Texas 77901
(w/o enclosures)

¹Section 51.14 of the Family Code was repealed by the Seventy-fourth Legislature, effective January 1, 1996. This ruling does not address how that will affect requests for this type of information that are made on or after January 1, 1996.