



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 3, 1995

Ms. Tamara Armstrong
Assistant County Attorney
Travis County
P.O. Box 1748
Austin, Texas 78767

OR95-1182

Dear Ms. Armstrong:

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# 36333.

The Travis County Sheriff's Office (the "county") received an open records request for records concerning an investigation of possible child abuse. The requestor represents the family of the child. You claim that the county may withhold the requested records from the public pursuant to section 552.101 of the Government Code.

Section 552.101 of the act excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." You assert section 552.101 in conjunction with section 51.14(d) of the Family Code. Section 51.14(d) of the Family Code provides, in pertinent part:

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

See also Open Records Decision No. 181 (1977) at 2 (holding that police reports which identify juveniles or furnish basis for their identification are excepted by Fam. Code § 51.14(d)).¹

We have examined the information submitted to us for review. We conclude that it identifies a juvenile or furnishes a basis for a juvenile's identification. Moreover, none of the exceptions to the confidentiality provision set forth in section 51.14(d) apply in this instance. Accordingly, the county must withhold the records under section 552.101 of the Government Code in conjunction with section 51.14(d) of the Family Code.

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,



Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/rho

Ref.: ID# 36333

Enclosures: Submitted documents

cc: Ms. Karin Richeson
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(w/o enclosures)

¹The Seventy-fourth Legislature, in House Bill 327, has significantly amended portions of the Family Code governing access to juvenile records, including the repeal of section 51.14 and its substantial revision in chapter 58 of the Family Code, effective January 1, 1996. *See* Act of May 27, 1995, ch. 262, §§ 53, 100, 105, 1995 Tex. Sess. Law Serv. 5127 (Vernon). We do not address in this ruling the extent to which these recent amendments to the Family Code will affect requests for this type of information that are made on or after January 1, 1996.