



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 17, 1996

Ms. Judith A. Hunter  
City Attorney's Office  
City of Georgetown  
P.O. Box 409  
Georgetown, Texas 78627-0409

OR96-0045

Dear Ms. Hunter:

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# 37442.

The City of Georgetown (the "city") has received a request for a certain police file regarding a "theft of services of calling card" involving three juveniles and a seventeen-year-old. You state that the case has been disposed of and no charges are pending but assert that some of the requested information should be excepted from disclosure pursuant to section 552.101 of the Government Code in conjunction with section 51.14(d) of the Family Code.<sup>1</sup> We agree.

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 . . . .

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<sup>1</sup>Section 552.101 of the act excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision."

*See also* Open Records Decision No. 181 (1977) at 2 (police reports which identify juveniles or furnish basis for their identification are excepted by section 51.14(d)).

We conclude that the juvenile arrest reports, magistrate's juvenile warnings, juvenile statement forms, magistrate's juvenile verifications, and highlighted portions of the remainder of the file identify a juvenile or furnish a basis for a juvenile's identification and none of the exceptions to the confidentiality provision set forth in section 51.14(d) apply in this instance. Accordingly, this information must be withheld from required public disclosure under section 552.101 of the Government Code in conjunction with section 51.14(d) of the Family Code.<sup>2</sup>

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 may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Todd Reese  
Assistant Attorney General  
Open Records Division

RTR/ch

Ref: ID# 37442

Enclosures: Submitted documents

cc: Mr. Casey Skelton  
302 Applecreek Dr. #314  
Georgetown, Texas 78626  
(w/o enclosures)

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<sup>2</sup>We note that in the recent legislative session, the 74th Legislature repealed section 51.14 of the Family Code, effective January 1, 1996. Act of May 27, 1995, 74th Leg., R.S., ch. 262, §§ 100, 105, 106, 1995 Tex. Sess. Law Serv. 2517, 2590-91 (Vernon). We do not address in this ruling the effect of the legislature's action on requests made after January 1, 1996.