



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 4, 1996

Mr. Robert J. Miklos
Assistant City Attorney
City of Dallas, City Hall
Dallas, Texas 75201

OR96-0873

Dear Mr. Miklos:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 39197.

The City of Dallas (the "city") received a request for information about sex offenders residing in the 75229 zip code area, who are required to register with the city pursuant to article 6252-13c.1, V.T.C.S. You contend information about registered sex offenders with disposition dates for their cases prior to September 1, 1995, is confidential. You also assert that information concerning juvenile sex offenders is confidential.¹

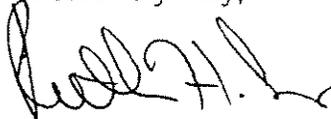
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." In Open Records Letter No. 96-0327 (1996) (enclosed), which also concerned a request for information on registered sex offenders residing in the 75229 zip code area, we explained to you that the city may not release information about sex offenders who were convicted or whose cases were adjudicated prior to September 1, 1995. Release of this information is governed by the law in effect prior to September 1, 1995, and under that law, release to any person other than a law enforcement officer is a Class B misdemeanor. Act of May 26, 1991, 72d Leg., R.S., ch. 572, § 1, 1991 Tex. Gen. Laws 2029, 2030 (*amended* 1995). Thus, information about sex offenders who were convicted or whose cases were adjudicated prior to September 1, 1995, is confidential and excepted from required public disclosure pursuant to section 552.101 of the Government Code.

¹We assume that, in accordance with section 5 of article 6252-13c.1, V.T.C.S., you have released to the requestor the public registration information relating to adult sex offenders who were convicted or

Your remaining question concerns records of juvenile sex offenders. Prior to January 1, 1996, section 51.14 of the Family Code provided that records of law enforcement agencies concerning juvenile offenders were generally confidential. Family Code chapter 58 now provides for confidentiality of certain juvenile records. However, this office recently issued Open Records Decision No. 645 (1996), which concluded that neither section 51.14 of the Family Code, nor the provisions of chapter 58 of the Family Code provide confidentiality for juvenile sex offender information required to be disclosed by section 5 of article 6252-13c.1, V.T.C.S. Thus, as provided in section 5 of article 6252-13c.1, you must release information concerning juvenile sex offenders who were convicted or whose cases were adjudicated on or after September 1, 1995.

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 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 Records Division

RHS/ch

Ref.: ID# 39197

Enclosures: Submitted documents; w/ Open Records Letter No. 96-0327 (1996)

cc: Ms. Karrin Alman
3939 Fantasia Lane
Dallas, Texas 75229
(w/ Open Records Letter No. 96-0327 (1996))