



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 7, 1996

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

OR96-0908

Dear Mr. Miklos:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 39969.

The City of Dallas (the "city") received a request for "a list of child sex offenders living in Dallas County since Ashley's Laws went into affect [sic] in September 1995."

In Open Records Letter No. 96-0386 (1996), dated March 22, 1996, we addressed the question of whether article 6252-13c.1, V.T.C.S. (the "sex offender registration statute") required the city to release sex offender registration information for those required to register under the statute prior to September 1, 1995. In that letter we concluded that since the release of registration information relating to sex offenders who were convicted or whose cases were adjudicated prior to September 1, 1995 would constitute a Class B misdemeanor, the information was confidential and excepted from required public disclosure pursuant to section 552.101 of the Government Code. However, we postponed our decision whether information regarding juvenile sex offenders could be publicly released.

This office recently issued Open Records Decision No. 645 (1996) (copy enclosed) which addresses the issue of whether information relating to juvenile sex offenders, where the conduct occurred prior to December 31, 1995, is public information under the sex offender registration statute or confidential information pursuant to former section 51.14(d) of the Family Code.¹ In Open Records Decision No. 645 (1996) at 5-7,

¹Family Code sections 58.007, 58.102, and 58.106 essentially replaced section 51.14. Act of May 27, 1995, 74th Leg., R.S., ch. 262, § 53, 1995 Tex. Gen. Laws 2517, 2552-53, 2555. This office has ruled that section 58.007 does not make confidential juvenile law enforcement records relating to conduct that occurs on or after January 1, 1996. Open Records Decision No. 644 (1996).

this office concluded that the sex offender registration statute prevails over the confidentiality provisions of former section 51.14(d) of the Family Code and, therefore, information relating to juvenile sex offenders must be released to the same extent as information relating to adult sex offenders under article 6252-13c.1, V.T.C.S.

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,

A handwritten signature in black ink that reads "Todd Reese". The signature is written in a cursive style with a long horizontal line extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/rho

Ref.: ID## 39969, 39094

Enclosures: Submitted documents
Open Records Decision No. 645 (1996)

cc: Ms. Sue Hagensick
10114 Branwood Lane
Dallas, Texas 75243
(w/ Open Records Decision No. 645 (1996))