



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 31, 1996

Mr. Rusty Renfroe  
City Attorney's Office  
City of Longview  
P.O. Box 1952  
Longview, Texas 75606-1952

OR96-1361

Dear Mr. Renfroe:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 40578.

The City of Longview (the "city") received a request for information regarding a particular individual. You assert that the information responsive to this request, a police report regarding a juvenile, is excepted from required public disclosure based on section 552.101 of the Government Code in conjunction with Family Code section 58.007(e).

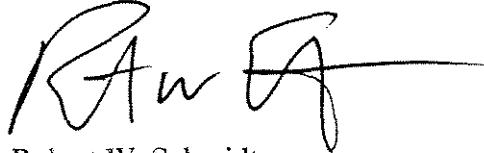
Section 552.101 of the Government Code excepts from required public disclosure information that is confidential by law, including information that is made confidential by statute. Family Code section 58.007(e) reads as follows:

Law enforcement records and files concerning a child may be inspected by a juvenile justice agency as that term is defined by Section 58.101 and a criminal justice agency as that term is defined by Section 411.082, Government Code.

This office recently construed this provision and concluded that the records of juvenile offenders concerning conduct occurring on or after January 1, 1996, that are held by law enforcement agencies are not made confidential under section 58.007 of the Family Code. See Open Records Decision No. 644 (1996) at 4. Because the report at issue concerns conduct that occurred after January 1, 1996, the city may not withhold the requested information pursuant to Family Code section 58.007 in conjunction with section 552.101 of the Government Code. Because the city raises no other exceptions to disclosure, the city must release the requested information.

We are resolving this matter with this 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,

A handwritten signature in black ink, appearing to read 'RWS', with a long horizontal line extending to the right.

Robert W. Schmidt  
Assistant Attorney General  
Open Records Division

RWS/rho

Ref.: ID# 40578

Enclosures: Submitted documents

cc: Mr. Thomas Lloyd  
P.O. Box 1948  
Longview, Texas 75606  
(w/o enclosures)