



February 23, 1999

Mr. Michael R. Hull
Assistant County Attorney
Harris County
1019 Congress, 15th Floor
Houston, Texas 77002-1700

OR99-0528

Dear Mr. Hull:

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# 122233.

The Harris County Constable's Office, Precinct Five (the "constable") received an open records request for "a Full Offense Report on the large juvenile fight that occurred at Indian Ridge on December 9, 1997." You contend that because many of the suspects participating in the fight in fact were juveniles, the requested report is made confidential under section 58.007 of the Family Code, and therefore must be withheld from the public pursuant to section 552.101 of the Government Code.¹

Section 58.007(c) of the Family Code provides in pertinent part:

(c) Except as provided by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the public and shall be:

¹Section 552.101 of the Government Code protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision."

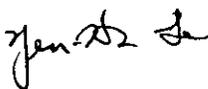
(1) kept separate from adult files and records; and

(2) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B.

Because many of the individuals who participated in the fight are juveniles, we conclude that the constable must withhold the requested information in its entirety pursuant to section 58.007(c) 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 regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/RWP/nc

Ref.: ID# 122233

Enclosures: Submitted documents

cc: Ms. Kathleen Borresen
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(w/o enclosures)