



September 13, 1999

Lieutenant Arturo Valdez
Center Record Division
City of McAllen Police Department
1501 Pecan Blvd.
McAllen, Texas 78501

OR99-2535

Dear Lieutenant Valdez:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 128744.

The McAllen Police Department (the "Department") received a request for offense report number 9724258 and any accompanying photographs. You claim that the requested information is excepted from disclosure under section 552.101 of the Government Code in conjunction with section 51.14(d) of the Family Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 552.101 encompasses confidentiality provisions in the Family Code. Sections 51.14(d) and 58.007 of the Family Code make confidential juvenile law enforcement records relating to delinquent conduct or conduct indicating a need for supervision. *See* Fam. Code § 51.03. Offense report number 9724258 does not involve records of a juvenile engaging in delinquent conduct or conduct indicating a need for supervision. Therefore, neither section 51.14(d) nor 58.007, as encompassed by section 552.101 of the Government Code, is applicable to the requested report. Accordingly, we conclude that the requested report is public information and must be disclosed.

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,

A handwritten signature in cursive script that reads "E. Joanna Fitzgerald".

E. Joanna Fitzgerald
Assistant Attorney General
Open Records Division

EJF\nc

Ref: ID# 128744

Encl: Submitted documents

cc: Ms. Leticia Fuentes
817 S. 25 ½ East
McAllen, Texas
(w/o enclosures)