



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

September 28, 1993

Ms. Elaine S. Brown  
Interim Assistant City Attorney  
Legal Department  
City of Victoria  
P.O. Box 1758  
Victoria, Texas 77902-1758

OR93-594

Dear Ms. Brown:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code.<sup>1</sup> Your request was assigned ID# 20627.

The City of Victoria (the "city") has received a request for the offense reports relating to two juveniles involved in a criminal offense. You claim the requested information is excepted from disclosure under section 552.101 of the Open Records Act.

Section 552.101 excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Law enforcement files and records concerning juveniles are governed by section 51.14 of the Family Code. Section 51.14(d) provides that:

Except as provided by Article 15.27, Code of Criminal Procedure, and except for files and records relating to a charge for which a child is transferred under Section 54.02 of this code to a criminal court for prosecution, the law-enforcement files and records are not open to public inspection nor may their contents be disclosed to the public, but inspection of the files and records is permitted by:

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<sup>1</sup>We note that V.T.C.S. article 6252-17a was repealed by the 73d Legislature. Acts 1993, 73d Leg., ch. 268, § 46. The Open Records Act is now codified in the Government Code at chapter 552. *Id.* § 1. The codification of the Open Records Act in the Government Code is a nonsubstantive revision. *Id.* § 47.

- (1) a juvenile court having the child before it in any proceeding;
- (2) an attorney for a party to the proceeding; and
- (3) law-enforcement officers when necessary for the discharge of their official duties.

Acts 1993, 73d Leg., ch. 461, § 3. Although section 51.14(c) of the Family Code requires that "law-enforcement files and records concerning a child shall be kept separate from files and records of arrests of adults," the file submitted for our review contains information on two adult offenders as well as the juveniles. Accordingly, you must redact any information that strictly relates to the juvenile offenders under section 552.101 in accordance with Family Code section 51.14(d). The remainder of the information must be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,



Susan L. Garrison  
Assistant Attorney General  
Open Government Section

SLG/LBC/rho

Ref.: ID# 20627

cc: Ms. Patty Wallace  
State Farm Insurance Company  
P.O. Box 3306  
Victoria, Texas 77903  
(w/o enclosures)