

January 18, 1999



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

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JOHN CORNYN
Attorney General

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Ms. Regina Atwell
City Attorney
City of Cleburne
10 North Robinson
Cleburne, Texas 76033-0677

OR99-0114

Dear Ms. Atwell:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121150.

The City of Cleburne (the "city") received a request for "Arson Case No. 982912-OR 7/16/98." You have supplied the responsive information, contending that it is excepted from disclosure by section 552.108 of the Government Code. We have reviewed the documents at issue and considered the claimed exception.

We note that release of the information at issue is governed by statute. Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." The subject information involves the alleged criminal activities of a child. Release of such information is governed by section 58.007 of the Family Code.

Section 58.007(c) of the Family Code, with exceptions not applicable here, prohibits public disclosure of law enforcement records and files concerning juvenile offender conduct that occurred on or after September 1, 1997. The subject incident occurred July 13, 1998. The requested information is therefore confidential and must be withheld under section 552.101 of the Government 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.

Yours very truly,

A handwritten signature in black ink, appearing to read "Michael J. Burns". The signature is written in a cursive style with a large, sweeping flourish at the end.

Michael J. Burns
Assistant Attorney General
Open Records Division

MJB/ch

Ref: ID# 121150

Enclosures: Submitted documents

cc: Ms. Judith Wilson
227 Featherston
Cleburne, Texas 76031
(w/o enclosures)