

January 21, 1999



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

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JOHN CORNYN
Attorney General

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Ms. Michelle Mitchell
Police Records Technician
North Richland Hills Police Department
P.O. Box 820609
North Richland Hills, Texas 76182-0609

OR99-0172

Dear Ms. Mitchell:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121310.

The North Richland Hills Police Department (the "department") received a request for information concerning an arrest. You contend that the responsive records are confidential in their entirety under section 58.007 of the Family Code, in conjunction with section 552.101 of the Government Code. Section 552.101 excepts from required public disclosure information that is made confidential by law, including information made confidential by statute. Section 58.007(c) of the Family Code reads, in part, as follows:

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

Subsection (d), which concerns the transfer of records in certain circumstances, is apparently inapplicable here. *See also* Fam. Code § 51.02(2) (defining "child"). Because section 58.007(c) makes the records at issue confidential in their entirety, the department may not release the requested information.

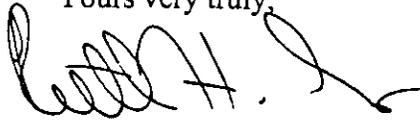
We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at

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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 'Ruth H. Soucy', written in a cursive style.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 121310

Enclosures: Submitted documents

cc: Mr. Terry R. Hudgins
7333 Wexford Court
North Richland Hills, Texas 76180-2110
(w/o enclosures)