



May 4, 1999

Mr. Charles M. Allen, II  
Richardson Police Department  
P.O. Box 831078  
Richardson, Texas 75083-1078

OR99-1216

Dear Mr. Allen:

You have asked whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 124300.

You assert that the requested information is excepted from disclosure based on section 552.108 of the Government Code.<sup>1</sup> We note, however, that the records at issue appear to concern a juvenile suspect. 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 pertinent part as follows:

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

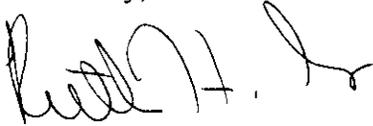
Subsection (d), which concerns the transfer of records in certain circumstances, is apparently inapplicable here. Section 58.007(c) makes confidential reports that concern a juvenile suspect. *See also* Fam. Code § 51.02(2) (defining “child”). Information about an incident that concerns a juvenile suspect may not be released.

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<sup>1</sup>You indicate that you do not have some of the information requested. We note that you are not required to provide information that does not exist. Open Records Decision No. 452 at 3 (1986).

We are resolving this matter with this 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 may 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 black ink, appearing to read "Ruth H. Soucy". The signature is fluid and cursive, with a large initial "R" and "S".

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/nc

Ref.: ID# 124300

Encl. Submitted documents

cc: Mr. David K. Line  
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(w/o enclosures)