



May 21, 1999

Lieutenant Bill Kral
Amarillo Police Department
200 E. 3rd
Amarillo, Texas 79101-1514

OR99-1416

Dear Lieutenant Kral:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 124297.

The Amarillo Police Department (the “department”) received a request from an individual for his juvenile records. You assert that the records at issue are confidential pursuant to section 58.007 of the Family Code, in conjunction with section 552.101 of the Government Code. Section 552.101 exempts 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:

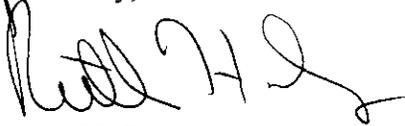
Except as provided by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the public

See also Fam. Code § 51.02(2) (defining “child”). We note that the law in effect at the time of the conduct is applicable. It is our understanding that the law in effect at the time of the conduct makes the records confidential. We agree that the department may not release the information to the requestor.

We note that although the department may not release these records, section 58.007 provides that a juvenile court can choose to provide access to the juvenile records it holds. Section 58.007(b)(5) provides that the juvenile court can open its records to inspection to persons “having a legitimate interest in the proceedings.” The requestor may choose to seek access to his records through the juvenile court.

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 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# 124297

encl. Submitted documents