



July 21, 1999

Ms. Rebecca Brewer
Abernathy, Roeder, Boyd & Joplin, P.C.
P.O. Box 1210
McKinney, Texas 75070-1210

OR99-2048

Dear Ms. Brewer:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 127836.

The Smith Public Library in Wylie, Texas (the “library”), which you represent, received a request for “any patron and staff complaints, internal memos, e-mail messages, or incident reports about patrons accessing pornographic or sexually explicit material on public internet terminals.” You assert that the requested information is excepted from public disclosure under section 552.124 of the Government Code.

Section 552.124 makes confidential, with certain exceptions which are not applicable here, “[a] record of a library or library system, supported in whole or in part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service.” In our opinion, section 552.124 requires withholding only the names, addresses, and other information specifically identifying library patrons. *See, e.g.,* Open Records Decision No. 649 at 3 (1996) (confidentiality provisions strictly construed). We have reviewed the information at issue. You must withhold the patron’s name, phone number, and address from the submitted information. The remaining portions of the submitted information must be released.

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 on as a previous determination

regarding any other records. If you have any questions regarding this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Yen-Ha Le". The signature is fluid and cursive, with the first name "Yen" and last name "Le" clearly distinguishable.

Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/nc

Ref.: ID# 127836

Encl. Submitted document

cc: Mr. David Burt
President
Filtering Facts
210 South State Street, #7
Lake Oswego, Oregon 97034
(w/o enclosures)