



October 27, 1999

Ms. Margaret R. Messina
City Attorney
The City of Granbury
P.O. Box 969
Granbury, Texas 76048

OR99-3029

Dear Ms. Messina:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130182.

The City of Granbury police department (the "department") received a request for two particular offense reports. You seek to withhold the requested information under section 552.108 of the Government Code.

In this instance, the requested information is confidential in its entirety under section 552.101 of the Government Code in conjunction with section 58.007(c) of the Family Code. Section 552.101 requires withholding, *inter alia*, information made confidential by statute. Section 58.007(c) provides in pertinent part:

(c) Except as provided by Subsection (d), law enforcement records and files concerning a child and information stored, by electronic means or otherwise, concerning the child from which a record or file could be generated may not be disclosed to the public and shall be:

(1) if maintained on paper or microfilm, kept separate from adult files and records;

(2) if maintained electronically in the same computer system as records or files relating to adults, be accessible under

controls that are separate and distinct from controls to access electronic data concerning adults; and

(3) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B. Act of June 18, 1999, 76th Leg., R.S., ch. 815, § 1, 1999 Tex. Gen. Laws 3448.

Section 58.007(c) makes confidential law enforcement records concerning juvenile conduct that occurred on or after September 1, 1997. Since the records at issue are such juvenile law enforcement records, and there appear to be no applicable exceptions to their confidentiality, you must withhold the information in its entirety pursuant to section 58.007(c).

Because section 58.007(c) of the Family Code is dispositive, we do not address your section 552.108 claim. 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,



Patricia Michels Anderson
Assistant Attorney General
Open Records Division

PMA/ch

Ref: ID# 130182

Enclosures: Submitted documents

cc: Mr. Michael Little
506 Crestwood
Granbury, Texas 76048
(w/o enclosures)