



April 14, 1999

Ms. Judith A. Hunter  
Paralegal  
City of Georgetown  
P.O. Box 409  
Georgetown, Texas 79627-0409

OR99-1015

Dear Ms. Hunter:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 123470.

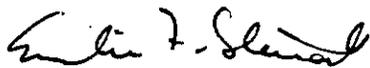
The City of Georgetown (the “city”) received a request for an incident report. You claim that the requested information is excepted from disclosure under section 552.108 of the Government Code and section 58.007(c) of the Family Code. You have submitted the responsive information to this office. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” This section encompasses information protected by other statutes. Section 58.007 of the Family Code makes confidential juvenile law enforcement records concerning conduct occurring on or after September 1, 1997. Family Code section 51.04(a) states that the Juvenile Justice Code, Title 3 of the Family Code, “covers the proceedings in all cases involving the delinquent conduct or conduct indicating the need for supervision engaged in by a person who was a child within the meaning of [Title 3] at the time he engaged in the conduct.” Thus, section 58.007 deems confidential law enforcement records involving the delinquent conduct or conduct indicating the need for supervision engaged in by a child. Case # 98-26328 involves an offense by a child. Therefore, you must not release the requested information from case # 98-26328. Having ruled on the information at issue, we need not address section 552.108.

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 "Emilie F. Stewart". The signature is written in a cursive, flowing style.

Emilie F. Stewart  
Assistant Attorney General  
Open Records Division

EFS\nc

Ref: ID# 123470

Encl: Submitted documents

cc: Ms. Mary Calderon  
2905 San Gabriel, Suite 212  
Austin, Texas 78705  
(w/o enclosures)