



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 13, 2009

Mr. Erik Brown  
Assistant General Counsel  
TDCJ – Office of the General Counsel  
P.O. Box 4004  
Huntsville, Texas 77342-4004

OR2009-06461

Dear Mr. Brown:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the “Act”), chapter 552 of the Government Code. Your request was assigned ID# 342978.

The Texas Department of Criminal Justice (the “department”) received a request for disciplinary records of the requestor for two specified years. You state the department will release some of the responsive information. You claim the submitted information is excepted from disclosure under section 552.134 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.134 provides in relevant part:

(a) Except as provided by Subsection (b) or by Section 552.029, information obtained or maintained by the [department] is excepted from the requirements of Section 552.021 if it is information about an inmate who is confined in a facility operated by or under a contract with the department.

Gov’t Code § 552.134(a). You state the submitted reprimand form is subject to section 552.134. Upon review, however, we find you have failed to demonstrate how this information is subject to section 552.134. Accordingly, no portion of the submitted

information may be withheld under section 552.134.<sup>1</sup> As you raise no further exceptions to the disclosure of this information, it must be released.<sup>2</sup>

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Olivia A. Maceo  
Assistant Attorney General  
Open Records Division

OM/eeg

Ref: ID# 342978

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup>We note basic information regarding the death of an inmate in custody, an incident involving the use of force, or alleged crime involving an inmate is subject to disclosure. *See* Gov't Code § 552.029(8).

<sup>2</sup>We note the submitted information contains a social security number. Section 552.147(b) of the Government Code authorizes a government body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act.