



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 20, 2009

Mr. James Mu
Assistant General Counsel
TDCJ—Office of General Counsel
P.O. Box 4004
Huntsville, Texas 77342-4004

OR2009-10021

Dear Mr. Mu:

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# 349482.

The Texas Department of Criminal Justice (the “department”) received a request for information related to a named inmate’s involvement in a Wisconsin case. You claim that the requested 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. We have also considered comments submitted by the requestor. Gov’t Code § 552.304 (interested party may submit comments stating why information should or should not be released).

Section 552.134(a) of the Government Code relates to inmates of the department and provides:

Except as provided by Subsection (b) or by Section 552.029 [of the Government Code], information obtained or maintained by the [department] is excepted from [required public disclosure] 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 information is subject to section 552.134. Based on your representations and our review, we agree that the submitted information pertains to an inmate confined in a facility operated by the department. Further, the exceptions in section 552.029 of the Government Code are not applicable to the information at issue. Therefore, the department must withhold the submitted information pursuant to section 552.134 of the Government Code.

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, 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,



Tamara Wilcox
Assistant Attorney General
Open Records Division

TW/eeg

Ref: ID# 349482

Enc. Submitted documents

c: Requestor
(w/o enclosures)