



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 2, 2011

Ms. Barbara Corley  
Assistant General Counsel  
Texas Department of Criminal Justice  
P.O. Box 4004  
Huntsville, Texas 77342-4004

OR2011-05969

Dear Ms. Corley:

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# 416016.

The Texas Department of Criminal Justice (the "department") received a request for an employment contract effective July 5, 1995 and all information concerning a specified disciplinary action. You state the department has released some of the requested information. You claim that the remaining 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(a) 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). Upon review, we agree portions of the submitted information, which we have marked, are subject to section 552.134. None of the marked information at issue is subject to release under section 552.029 of the Government Code. Accordingly, the

department must withhold the information we have marked pursuant to section 552.134 of the Government Code. The remaining information, however, consists of an internal memorandum regarding an employee's possible violation of department policy. You have failed to demonstrate how this information is about an inmate. Accordingly, no portion of the remaining information may be withheld under section 552.134. As you raise no further exceptions against the disclosure of this information, it must be released.

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, toll free at (888) 672-6787.

Sincerely,



Kate Hartfield  
Assistant Attorney General  
Open Records Division

KH/em

Ref: ID# 416016

Enc. Submitted documents

c: Requestor  
(w/o enclosures)