



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

July 9, 1990

Mr. J. Kirk Brown
General Counsel
Texas Department of Criminal Justice
Institutional Division
P. O. Box 99
Huntsville, Texas 77342-0099

OR90-284

Dear Mr. Brown:

You have received a request under the Texas Open Records Act, article 6252-17a, V.T.C.S., for Beto II property logs from 1986 to date. Your request was assigned ID# 8412.

You state that documents relating to the management of state property are available under the Act. The request also covers information relating to the property of individual inmates, in particular property taken away from inmates and disposed of or destroyed, and you wish to withhold this information. You believe that the information relating to individual inmates is protected from disclosure pursuant to the terms of the Stipulated Modification to the Ruiz Amended Decree, since it is part of the inmates' unit files.

A previous determination of this office, Open Records Decision No. 560 (1990), a copy of which is enclosed, resolves your request. For the reasons stated in Open Records Decision No. 560, questions regarding court orders in ongoing litigation to which your department is subject are properly within the jurisdiction of the forum court.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-284.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/le

Ref.: ID# 8412, 8789

Enclosure: Open Records Decision No. 560

cc: David Johnson, TDCJ #295880
Beto II Unit
Rt. 2 Box 2250
Palestine, Texas 75801