



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 27, 2009

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

OR2009-05466

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# 340925.

The Texas Department of Criminal Justice (the "department") received a request for information pertaining to a detainer placed against a specified inmate; specifically including (1) a copy of the inmate's request for the disposition of the charges related to the detainer, (2) evidence showing service of notice on the county where the detainer was placed, (3) a copy of the notice to the county at issue, and (4) documentation showing the imposition and withdrawal of the detainer. You state some responsive information will be released to the requestor. You claim the submitted information is excepted from disclosure under section 552.134 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

Section 552.134 of the Government Code states that "[e]xcept as provided by Subsection (b) or by Section 552.029, information obtained or maintained by the Texas Department of Criminal Justice 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."

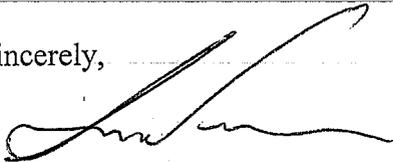
¹We note that the department has withdrawn its assertions under sections 552.102, 552.103, 552.104, 552.107, 552.108, 552.110, 552.111, 552.116, 552.122, 552.130, 552.1325, 552.136, and 552.137 of the Government Code.

Gov't Code § 552.134(a). The submitted information pertains to an inmate who is confined in a department facility. Moreover, we find that the exceptions set forth in 552.134(b) and section 552.029 are inapplicable in this instance. Accordingly, the department must withhold the submitted information under 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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/eeg

Ref: ID# 340925

Enc. Submitted documents

c: Requestor
(w/o-enclosures)