



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 10, 2009

Mr. James Mu
Assistant General Counsel
Office of the General Counsel
Texas Department of Criminal Justice
P.O. Box 13084
Austin, Texas 78711-3084

OR2009-09538

Dear Mr. Mu:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 348694.

The Texas Department of Criminal Justice (the "department") received a request for information regarding reports written on an inmate on either March 24 or 25, 2009. The department asserts the information is excepted from disclosure under section 552.134 of the Government Code. We have considered the department's claimed exception and reviewed the submitted information.

Section 552.134 excepts from disclosure information about inmates of the department. This exception provides in relevant part:

(a) 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). The requested documents pertain to a department inmate and are not subject to section 552.029. Accordingly, the department must withhold the submitted information under section 552.134.

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,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/sdk

Ref: ID# 348694

Enc: Submitted documents

c: Requestor
(w/o enclosures)