



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 30, 2009

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

OR2009-10569

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# 350808.

The Texas Department of Criminal Justice (the "department") received a request for visitation information pertaining to a named department inmate. You claim the submitted information is excepted from disclosure under sections 552.101 and 552.134 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

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

(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). You assert the submitted records consist of information about an inmate confined in a facility operated by the department. Based on your representations and our review, we agree 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. As our ruling is dispositive, we need not address your remaining arguments against disclosure.

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# 350808

Enc. Submitted documents

c: Requestor
(w/o enclosures)