



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 22, 2010

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

OR2010-10997

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# 387646.

The Department of Criminal Justice (the “department”) received a request for the requestor’s timesheet records. You claim the submitted 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 of the Government Code, which relates to inmates and former inmates of the department, provides in relevant part:

(a) Except as provided by Subsection (b) or by Section 552.029, 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 the submitted information consists of records pertaining to an individual confined as an inmate in a facility operated by the department and is, therefore, subject to section 552.134. However, section 552.134 is explicitly made subject to section 552.029 of the Government Code. *See id.* Thus, pursuant to section 552.029, the department must release the date it received the inmate, the inmate’s sentence, the inmate’s earliest or latest possible release dates, and the inmate’s parole date

or earliest possible parole date from the submitted information. *See id.* § 552.029(2), (3), (5), (6). The remaining information must be withheld under section 552.134(a) 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, toll free, at (888) 672-6787.

Sincerely,



Bob Davis
Assistant Attorney General
Open Records Division

RSD/eeg

Ref: ID# 387646

Enc. Submitted documents

cc: Requestor
(w/o enclosures)