



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 11, 2010

Mr. James Mu
Assistant General Counsel
Texas Department of Criminal Justice
P.O. Box 4004
Huntsville, Texas 77342-4004

OR2010-12158

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# 389976.

The Texas Department of Criminal Justice (the "department") received a request for information relating to the removal of the requestor's name from a named inmate's visitation list. You indicate that some of the requested information either has been or will be released. You claim that 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 information you submitted. We also have considered the comments we received from the requestor. *See* Gov't Code § 552.304 (any person may submit written comments stating why information at issue in request for attorney general decision should or should not be released).

Section 552.134 of the Government Code is applicable to information relating to current and former inmates of the department. This exception states that

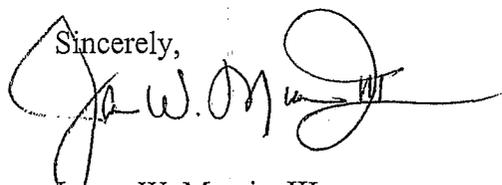
[e]xcept as provided by Subsection (b) or by Section 552.029 [of the Government Code], information obtained or maintained by the [department] is excepted from [required public disclosure] if it is information about an inmate who is confined in a facility operated by or under a contract with the department.

Id. § 552.134(a). We find that all of the submitted information falls within the scope of section 552.134(a). We also find that none of the information at issue is subject to disclosure under section 552.029 of the Government Code.¹ We therefore conclude that 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, toll free, at (888) 672-6787.

Sincerely,



James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/em

Ref: ID# 389976

Enc: Submitted documents

c: Requestor
(w/o enclosures)

¹Section 552.029 provides that notwithstanding section 552.134, eight categories of information about an inmate confined in a facility operated by or under a contract with the department are subject to required disclosure under section 552.021 of the Act. See Gov't Code § 552.029(1)-(8).