



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 28, 2010

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

OR2010-16388

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# 398453.

The Texas Department of Criminal Justice (the “department”) received a request for a report pertaining to a specified automobile accident. You claim the submitted information is exempted 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(a) of the Government Code relates to inmates of the department and provides:

Except as provided by Subsection (b) or by Section 552.029 [of the Government Code], information obtained or maintained by the [department] is exempted 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). Section 552.134 is explicitly made subject to section 552.029, which provides in relevant part the following:

Notwithstanding . . . Section 552.134, the following information about an inmate who is confined in a facility operated by or under a contract with the [department] is subject to required disclosure under Section 552.021:

(1) the inmate's name, identification number, age, birthplace, department photograph, physical description, or general state of health or the nature of an injury to or critical illness suffered by the inmate[.]

*Id.* § 552.029(1). Upon review, we conclude section 552.134(a) is generally applicable to the submitted information. We note, however, some of the submitted information pertains to injuries suffered by inmates. Therefore, the department must release information pertaining to the nature of the inmates' injuries. *See id.* The department must withhold the remaining information pursuant to 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](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,



Christina Alvarado  
Assistant Attorney General  
Open Records Division

CA/tp

Ref: ID# 398453

Enc. Submitted documents

c: Requestor  
(w/o enclosures)