



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

December 13, 2010

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

OR2010-18659

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# 402724.

The Texas Department of Criminal Justice (the "department") received a request for visitation records and correspondence between a named inmate and his wife. You claim that 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 of the Government Code relates to inmates and former inmates of the department and provides in relevant part the following:

- (a) Except as provided by Subsection (b) or by Section 552.029, information obtained or maintained by the [department] is excepted from the requirements of Section 552.021 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 state the submitted information relates to an inmate confined in a facility operated by the department. Thus, we agree the submitted information is subject to section 552.134 of the Government Code. You state section 552.029 of the Government Code does not apply to the information at issue. Therefore, the department must withhold

the submitted information under section 552.134 of the Government Code. As our ruling is dispositive, we need not address your remaining argument 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](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,



Sarah Casterline  
Assistant Attorney General  
Open Records Division

SEC/em

Ref: ID# 402724

Enc. Submitted documents

c: Requestor  
(w/o enclosures)