



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 16, 2011

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

OR2011-06735

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# 420801.

The Texas Department of Criminal Justice (the "department") received a request for information relating to incidents and accidents that involved department buses or vans during a specified period of time, as well as information related to "restraints, weapons and or bullets, lost and or left behind or not accounted for in a timely manner to the armory." You state the department has made or will make some of the requested information available to the requestor, but 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(a) relates to inmates of the department and provides the following:

Except as provided by Subsection (b) or by Section 552.029 [of the Government Code], information obtained or maintained by the Texas Department of Criminal Justice 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.

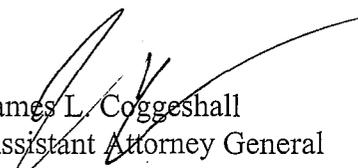
Gov't Code § 552.134(a). The submitted information pertains to accidents and similar incidents related to offender transportation vehicles. Upon review, we find a portion of the

submitted information consists of information about inmates confined in a facility operated by the department. You state the information at issue is not subject to section 552.029 of the Government Code. Accordingly, the department must withhold the information we have marked under section 552.134 of the Government Code. However, we find you have failed to demonstrate how the remaining information relates to department inmates. Therefore, the department may not withhold the remaining information under section 552.134 of the Government Code. Thus, the department must release the remaining information it to the requestor.

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,



James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/eb

Ref: ID# 420801

Enc. Submitted documents

c: Requestor  
(w/o enclosures)