



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 23, 2012

Ms. Patricia Fleming
Assistant General Counsel
TDCJ-Office of the General Counsel
P.O. Box 4004
Huntsville, Texas 77342-4004

OR2012-01027

Dear Ms. Fleming:

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# 443388.

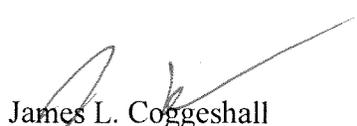
The Texas Department of Criminal Justice (the "department") received a request for "the number of requests or applications made for medical parole and the number of medical paroles granted" from 2006 through 2010, including the names, identification numbers, charges, sentences, and dates of medical parole, of the inmates at issue. You claim the requested 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 relates to inmates and former inmates of the department. This section states in relevant part, "Except 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." The submitted records constitute information about inmates confined in a facility operated by the department. We find the exceptions in section 552.029 are not applicable. Therefore, the department must withhold the submitted information under section 552.134.

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 L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/ag

Ref: ID# 443388

Enc. Submitted documents

c: Requestor
(w/o enclosures)