



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 12, 2012

Ms. Charlotte Towe  
Assistant General Counsel  
Office of the General Counsel  
Department of Criminal Justice  
P.O. Box 4004  
Huntsville, Texas 77342-4004

OR2012-03665

Dear Ms. Towe:

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# 449085.

The Texas Department of Criminal Justice (the "department") received a request for information relating to the removal of the requestor's client from a named inmate's visitation list. You state the department will release some of the requested information. You claim that the submitted information is excepted from disclosure under sections 552.108 and 552.134 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.134(a) of the Government Code relates to inmates and former 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 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). Upon review of the submitted information, we agree the information constitutes information about an inmate for purposes of section 552.134. We find the exceptions in section 552.029 are not applicable in this instance. *See id.* § 552.029.

Therefore, the department must withhold the submitted information pursuant to section 552.134 of the Government Code.<sup>1</sup>

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,



Charles Galindo Jr.  
Assistant Attorney General  
Open Records Division

CG/em

Ref: ID# 449085

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup>As our ruling is dispositive, we need not address your remaining argument against disclosure.