



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 27, 2016

Ms. Jennifer Burnett
Attorney & Public Information Coordinator
The University of Texas System
201 West 7th Street, Suite 600
Austin, Texas 78701

OR2016-21765

Dear Ms. Burnett:

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# 627922 (OGC# 170623).

The University of Texas Medical Branch at Galveston (the "university") received a request for documents pertaining to the deaths of two named inmates. You claim the submitted information is excepted from disclosure under section 552.134 of the Government Code. Additionally, you state, and provide documentation showing, you have notified the Texas Department of Criminal Justice (the "department") of its right to submit comments to this office as to why the responsive information should not be released. *See Gov't Code* § 552.304 (interested party may submit comments stating why information should or should not be released). We have received comments from the department. We have considered the submitted arguments and reviewed the submitted information.

Section 552.134 of the Government Code excepts from disclosure information relating to inmates of the department. Section 552.134 provides, in relevant part, as follows:

- (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.

Id. § 552.134(a). You state, pursuant to the Correctional Managed Health Care Committee Contract, the university is responsible for coordinating autopsy services for deceased inmates on a statewide basis and maintains all of the completed autopsy reports for the department. Based on these representations and our review, we find the submitted information consists of information about inmates maintained by the university on behalf of the department. Therefore, the university must withhold the submitted information under section 552.134 of the Government Code.¹

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Ian Lancaster
Assistant Attorney General
Open Records Division

IML/akg

Ref: ID# 627922

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)

¹As our ruling is dispositive, we need not address the department's arguments against disclosure.