



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 7, 2019

Mr. Mark Kratovil
Assistant Criminal District Attorney
Tarrant County
401 West Belknap
Fort Worth, Texas 76196

OR2019-00285

Dear Mr. Kratovil:

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# 751646.

The Tarrant County Criminal District Attorney's Office (the "district attorney's office") received a request for information related to specified incidents. The district attorney's office argues pursuant to section 552.028 of the Government Code, it need not accept or comply with the request for information. We have considered the submitted argument and reviewed the submitted information.

Section 552.028 of the Government Code provides in part the following:

(a) A governmental body is not required to accept or comply with a request for information from:

- (1) an individual who is imprisoned or confined in a correctional facility; or
- (2) an agent of that individual, other than that individual's attorney when the attorney is requesting information that is subject to disclosure under [the Act].

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

(c) In this section, "correctional facility" means:

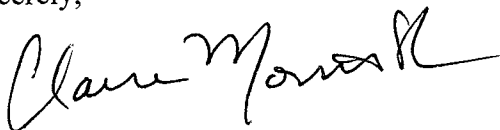
(1) a secure correctional facility, as defined by Section 1.07, Penal Code;

(2) a secure correctional facility and a secure detention facility, as defined by Section 51.02, Family Code; and

(3) a place designated by the law of this state, another state, or the federal government for the confinement of a person arrested for, charged with, or convicted of a criminal offense.

Gov't Code § 552.028(a)-(c). In this instance, the requestor is an incarcerated individual. Based on our review of the submitted documents, we agree pursuant to section 552.028 of the Government Code, the district attorney's office need not accept or comply with the request for information.

Sincerely,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/mo

Ref: ID# 751646

Enc. Submitted documents

c: Requestor
(w/o enclosures)