



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 15, 2020

Ms. Amanda Sandhu
Records Division
North Richland Hills Police Department
P.O. Box 820609
North Richland Hills, Texas 76182-0609

OR2020-16080

Dear Ms. Sandhu:

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# 832441 (ORL 20-0441).

The North Richland Hills Police Department (the "department") received a request for information pertaining to police reports and investigations during a specified time period, particular property belonging to the requestor, and specified forms. You claim pursuant to section 552.028 of the Government Code, the department need not accept or comply with the request for information. We have considered your argument.

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 department need not accept or comply with the request for information.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Erin Groff
Assistant Attorney General
Open Records Division

EMG/jlbm

Ref: ID# 832441

Enc. Submitted documents

c: Requestor
(w/o enclosures)