



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

August 19, 2020

Mr. Patrick Vollmer  
Assistant General Counsel  
Texas Department of Criminal Justice  
P.O. Box 13084  
Austin, Texas 78711

OR2020-20801

Dear Mr. Vollmer:

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# 840678 (ORR# JN0083).

The Texas Department of Criminal Justice (the "department") received a request for information pertaining to a named inmate's correspondence. The department asserts it is not required to respond to the request for information and the submitted information is excepted from disclosure under section 552.134 of the Government Code. We have considered the submitted arguments and reviewed the submitted information.

The department asserts it is not required to comply with the request for information under the Act because the request was not written in English. The Act does not require a governmental body to perform legal research in response to a request for information. *See* Open Records Decision Nos. 563 at 8 (1990), 555 at 1-2 (1990). However, the Act does require the governmental body to make a good faith effort to relate a request to information that the governmental body holds or to which it has access. *See* Open Records Decision Nos. 563 at 8, 561 at 8-9 (1990), 555 at 1-2, 534 at 2-3 (1989); *see also* Gov't Code § 552.222(b) (governmental body may communicate with requestor for purpose of clarifying or narrowing request for information); *City of Dallas v. Abbott*, 304 S.W.3d 380 (Tex. 2010) (holding when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for public information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed). We note the department has submitted documents that it informs us are responsive to the request. Therefore, because the department has made a good faith effort

to locate the information that is responsive to the request, we will address its arguments to withhold the information under the Act.

Section 552.134(a) of the Government Code relates to inmates of the department and provides the following:

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). The department asserts the submitted documents consist of information about an inmate confined in a facility operated by the department. Upon review, we agree the information is subject to section 552.134. The exceptions in section 552.029 are not applicable. Therefore, the department must withhold the submitted information under section 552.134 of the Government Code.

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,

James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/be

Ref: ID# 840678

Enc. Submitted documents

c: Requestor  
(w/o enclosures)